

Synopsis of the argument to restore the state's fiduciary integrity, further democracy, enable equal protection of the law, and institute more humane treatment of animals in management of Montana's wildlife

- ❖ Montana statutes and courts have established that wildlife is owned by the state as trustee on behalf of all citizens as beneficiaries of the public trust.
- ❖ The legislature is the active trustee charged with providing the means and methods of managing the trust.
- ❖ The Department of Fish, Wildlife and Parks (FWP) is the state's primary designated agent to carry out its trustee fiduciary duties in the management of the state's wildlife.
- ❖ Legislative mandates specify certain management policies and budget expenditures which impede unbiased, scientific management of wildlife by FWP while bestowing special privileges and subsidies to special interest such as livestock producers and land owners.
- ❖ The legislature provides less than 1% of FWP operating funds from the state's general fund.
- ❖ Reliance on license fees and dispersals from federal taxes on guns, ammo, and sporting goods unjustly and undesirably forces FPW to cater to the desires and interests of hunters, trappers, and anglers to the detriment of thousands of citizens who hold other, nonconsumptive rights, values, and interests in wildlife and under values the ecological services and importance of wildlife to the state's environment, quality of life, and life support systems.
- ❖ This managerial bias is a violation of the fiduciary duty of a trustee to equitably and loyally manage the trust resource—wildlife--to reflect the desires and interests of ALL citizens, not just consumptive users and the species of interest to them.
- ❖ There are many Montana laws that establish and perpetuate this unjustified managerial bias and must be repealed, amended, or replaced to restore the state's fiduciary integrity as trustee, further democracy, enable equal protection of the law, and institute more humane principles in management of Montana's wildlife.
- ❖ Failure to undertake the required reformation of wildlife management is a violation of both state's trustee duties and constitutional obligations to manage ALL THE WILDLIFE FOR ALL THE PEOPLE.

prepared by Rocky Sehnert, Exec. Dir, Nature Rising, Inc.