SENATE FILE NO. SF0097

Wyoming's wildlife.

Sponsored by: Senator(s) Roberts and Representative(s) Cooper, Luthi and Olsen

A BILL

for

1 AN ACT relating to wildlife; asserting the state's

2 exclusive jurisdiction over wildlife; prohibiting

3 activities in conflict with that exclusive jurisdiction;

4 imposing specified duties upon the game and fish commission

5 pertaining to wildlife introduced within this state;

6 requiring reports; and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10      **Section 1.** W.S. 23-1-302 by creating new subsections

11 (m) and (n) is amended to read:

12

13      **23-1-302. Powers and duties.**

14

15      (m) For purposes of mitigating detrimental impacts to

16 Wyoming from the introduction of any wildlife species

1   including endangered species, which have been or may be

2   introduced, planted or propagated in Wyoming excluding

3   Yellowstone National Park by any person, including any

4   federal agency, unless otherwise permitted by this act the

5   commission shall:

6

7         (i) Prohibit by rule any such introduction,

8   reintroduction, propagation or management of any wildlife

9   species within the boundaries of Wyoming excluding

10  Yellowstone National Park by any person, including any

11  federal agency, other than the department;

12

13        (ii) Demand reimbursement from the federal

14  government and seek compensation for damages to Wyoming

15  wildlife and wildlife habitat caused by any species,

16  including endangered species, introduced within Wyoming

17  under federal mandate or programs;

18

19        (iii) Except for damages qualifying under W.S.

20  23-1-901, assist any landowner, lessee, outfitter or agent

21  whose property or livelihood is being damaged by any

22  endangered species introduced within Wyoming under federal

23  mandate or programs, in seeking reimbursement and other

24  assistance from the federal government;

1

2          (iv)  On behalf of Wyoming, demand the removal of

3  such detrimental species introduced within Wyoming by the

4  federal government.

5

6       (n)  For purposes of proper management of all wildlife

7  species within Wyoming, the commission shall:

8

9          (i)  Notify all federal agencies operating within

10  Wyoming, whose duties directly affect wildlife, public

11  lands  or  the  environment,  that  Wyoming  has  sole

12  jurisdiction over any and all wildlife existing within

13  Wyoming  excluding  Yellowstone  National  Park  and  will

14  exercise exclusive management of all wildlife.

15

16     **Section 2.**

17

18     (a)  For the purpose of assuring compliance with the

19  terms of this act:

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21          (i)  Not  later  than  September  1,  2003,  the

22  commission shall report to the joint travel, recreation and

23  wildlife  committee  regarding  the  responsiveness  and

1  cooperation of the federal government in enabling the

2  commission in carrying out its duties under this act;

3

4              (ii)  The attorney general shall prepare a plan

5  considering potential litigation for the state of Wyoming

6  to establish its sole management authority over all species

7  of wildlife within its boundaries excluding Yellowstone

8  National Park and to require the federal government to

9  immediately transfer to the state of Wyoming all

10  responsibility for the management and protection of any and

11  all species of wildlife within the state of Wyoming

12  excluding Yellowstone National Park.  The plan, together

13  with the attorney general's estimate of the potential cost

14  of such litigation, shall be forwarded to the joint travel,

15  recreation and wildlife committee not later than September

16  1, 2003.  The attorney general shall also include advice

17  regarding which federal areas other than Yellowstone

18  National Park should be excluded from sole management

19  authority by the state of Wyoming.

20

1      **Section 3.**   This  act  is  effective  immediately  upon

2    completion  of  all  acts  necessary  for  a  bill  to  become  law

3    as   provided   by   Article   4,   Section   8   of   the   Wyoming

4    Constitution.

5

6                              (END)