

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; amending powers of the game
2 and fish commission regarding introduced species; providing
3 a plan for potential litigation; providing for a report;
4 and providing for an effective date.

5

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

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8 **Section 1.** W.S. 23-1-302 by creating a new subsection
9 (m) is amended to read:

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11 **23-1-302. Powers and duties.**

12

13 (m) In order to mitigate detrimental impacts to
14 Wyoming from wildlife species including endangered species,
15 which have been or may be introduced, planted or propagated
16 in Wyoming, excluding Yellowstone National Park, by any

1 federal agency, the commission shall demand reimbursement
2 from the federal government for damages to Wyoming wildlife
3 and wildlife habitat caused by any species, including
4 endangered species, introduced within Wyoming under federal
5 mandates or programs.

6
7 **Section 2.**

8
9 (a) In furtherance of the purposes of this act, the
10 attorney general shall prepare a plan for potential
11 litigation to mitigate detrimental impacts to the state
12 from the introduction, propagation or management of any
13 wildlife species, including endangered species, by the
14 federal government within the boundaries of the state. The
15 plan shall include, but not be limited to consideration of
16 the following legal claims:

17
18 (i) The authority of the state to prohibit by
19 rule the introduction, propagation or management of any
20 wildlife species by the federal government;

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22 (ii) The obligation of the federal government to
23 compensate the state for damages to Wyoming wildlife and

1 wildlife habitat caused by federal introduction,
2 propagation or management of any wildlife species;

3

4 (iii) The obligation of the federal government
5 to compensate any citizen including landowners, lessees,
6 outfitters or their agents whose property or livelihood is
7 being damaged by introduced wildlife species;

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9 (iv) The authority of the state to require the
10 removal of any species introduced within Wyoming by the
11 federal government;

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13 (v) The extent of the state's authority to
14 exercise sole, primary or concurrent jurisdiction over the
15 management of any and all wildlife within its boundaries.

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17 (b) The attorney general shall further determine any
18 areas of the state, including Yellowstone National Park, to
19 be excluded from the above legal claims. The plan mandated
20 by this subsection, together with the attorney general's
21 estimate of the potential cost of the litigation, shall be
22 forwarded to the joint travel, recreation, wildlife and
23 cultural resources interim committee not later than
24 September 1, 2003.

1

2 **Section 3.** This act is effective immediately upon
3 completion of all acts necessary for a bill to become law
4 as provided by Article 4, Section 8 of the Wyoming
5 Constitution.

6

7

(END)