

**WORKING DRAFT**

SENATE FILE NO. \_\_\_\_\_

Misuse of state lands.

Sponsored by: Joint Agriculture, Public Lands and Water  
Resources Interim Committee

A BILL

for

1 AN ACT relating to public lands; providing for enforcement  
2 for misuse of state lands; providing penalties; and  
3 providing for an effective date.

4

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

6

7 **Section 1.** W.S. 36-1-112(b), 36-2-107 and 36-9-117  
8 are amended to read:

9

10 **36-1-112. Cutting of timber by lessee of state lands**  
11 **prohibited; general penalty for violations; damages.**

12

13 (b) Removal of forest products from state lands is  
14 permitted only under a valid contract or small sale permit.

1 ~~Unauthorized removal of forest products shall be subject to~~  
2 ~~the following penalties:~~

3  
4 ~~(i) Provided settlement is negotiated between~~  
5 ~~the person responsible for unauthorized removal and the~~  
6 ~~director of state lands, subject to the approval of the~~  
7 ~~board of land commissioners, the penalty shall be~~  
8 ~~determined as the bid value of the most recent auction of~~  
9 ~~similar species and product, or the appraised value,~~  
10 ~~whichever is greater, plus ten percent (10%) premium,~~  
11 ~~together with actual restoration and administrative costs:~~

12  
13 ~~(ii) If settlement is not negotiated and legal~~  
14 ~~action is initiated, the state shall seek two (2) Any~~  
15 ~~person removing forest products from state lands without~~  
16 ~~proper authorization is guilty of a misdemeanor and shall~~  
17 ~~be fined not more than seven hundred fifty dollars~~  
18 ~~(\$750.00), imprisoned for not more than six (6) months, or~~  
19 ~~both. In addition to these penalties, a person removing~~  
20 ~~forest products from state lands without proper~~  
21 ~~authorization is liable for damages in the amount of three~~  
22 ~~(3)~~ times the bid value of the most recent auction of  
23 similar species and product, or the appraised value

1   whichever is greater, plus actual restoration and  
2   administrative costs.

3

4       **36-2-107. Rules and regulations; general penalty for**  
5   **violations; enforcement.**

6

7       (a) The board shall have the power and authority to  
8   promulgate and adopt rules and regulations not inconsistent  
9   with the laws of the state, as it may from time to time  
10   deem necessary in the direction, control, disposition and  
11   care of all state lands.

12

13       (b) Any person violating a public hunting, fishing  
14   and general regulation found in Chapter 13 of the rules and  
15   regulations promulgated by the board under this section is  
16   guilty of a misdemeanor and shall be fined not more than  
17   seven hundred fifty dollars (\$750.00), imprisoned for not  
18   more than six (6) months, or both.

19

20       (c) Any peace officer as defined in W.S. 7-2-101  
21   shall have the authority to enforce this section on state  
22   lands.

23

24       **36-9-117. Institution of actions.**

1

2 All civil suits or actions brought under the provisions of  
3 this act shall be instituted by the board, in the name of  
4 the people of the state of Wyoming.

5

6 **Section 2.** This act is effective July 1, 2006.

7

8

(END)