

SENATE FILE NO. SF0018

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.

15 ~~Unauthorized removal of forest products shall be subject to~~

16 ~~the following penalties:~~

1
2 ~~(i) Provided settlement is negotiated between~~
3 ~~the person responsible for unauthorized removal and the~~
4 ~~director of state lands, subject to the approval of the~~
5 ~~board of land commissioners, the penalty shall be~~
6 ~~determined as the bid value of the most recent auction of~~
7 ~~similar species and product, or the appraised value,~~
8 ~~whichever is greater, plus ten percent (10%) premium,~~
9 ~~together with actual restoration and administrative costs;~~

10
11 ~~(ii) If settlement is not negotiated and legal~~
12 ~~action is initiated, the state shall seek two (2) Any~~
13 person removing forest products from state lands without
14 proper authorization is guilty of a misdemeanor and shall
15 be fined not more than seven hundred fifty dollars
16 (\$750.00), imprisoned for not more than six (6) months, or
17 both. In addition to these penalties, a person removing
18 forest products from state lands without proper
19 authorization is liable for damages in the amount of three
20 (3) times the bid value of the most recent auction of
21 similar species and product, or the appraised value
22 whichever is greater, plus actual restoration and
23 administrative costs.

1 **36-2-107. Rules and regulations; general penalty for**
2 **violations; enforcement.**

3
4 (a) The board shall have the power and authority to
5 promulgate and adopt rules and regulations not inconsistent
6 with the laws of the state, as it may from time to time
7 deem necessary in the direction, control, disposition and
8 care of all state lands.

9
10 (b) Any person violating a public hunting, fishing
11 and general regulation found in Chapter 13 of the rules and
12 regulations promulgated by the board under this section is
13 guilty of a misdemeanor and shall be fined not more than
14 seven hundred fifty dollars (\$750.00), imprisoned for not
15 more than six (6) months, or both.

16
17 (c) Any peace officer as defined in W.S. 7-2-101
18 shall have the authority to enforce this section on state
19 lands. Any game and fish department law enforcement
20 personnel qualified pursuant to W.S. 9-1-701 through
21 9-1-707 shall have authority to enforce this section to the
22 extent that there is no diminishment in federal funds
23 provided for under W.S. 23-1-601 and 23-1-602.

1 36-9-117. Institution of actions.