

HOUSE BILL NO. HB0101

Elk feedground closings-requirements.

Sponsored by: Representative(s) Sommers, Flitner, Sweeney
and Winter and Senator(s) Baldwin, Driskill
and Hicks

A BILL

for

1 AN ACT relating to elk feedgrounds; authorizing the
2 permanent closure of an elk feedground authorized or
3 administered by the Wyoming game and fish commission only
4 upon an order of the governor; requiring the recommendation
5 of the commission and comment by the Wyoming livestock
6 board for the closure of an elk feedground; requiring a
7 public meeting; authorizing the governor to temporarily
8 close elk feedgrounds under emergency circumstances;
9 authorizing the Wyoming game and fish commission to
10 contract or lease private and state lands for relocating
11 elk feedground sites; requiring the Wyoming game and fish
12 department to develop plans for alternative elk feedground
13 sites as specified; requiring a report; and providing for
14 an effective date.

15

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

2

3 **Section 1.** W.S. 23-1-305 is created to read:

4

5 **23-1-305. Closure of elk feedgrounds; alternative**
6 **feeding sites; reporting requirement.**

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8 (a) Except as authorized by subsection (b) of this
9 section, any elk feedground authorized or administered by
10 the commission as of July 1, 2021 and in accordance with
11 W.S. 23-1-302(a)(ix), may only cease operations or be
12 subject to closure by the department or commission upon an
13 order of the governor. Any closure order issued by the
14 governor shall only be valid and lawful upon satisfaction
15 of the following conditions:

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17 (i) The commission shall provide its
18 recommendation to the governor for the closure of the elk
19 feedground and concurrently to the Wyoming livestock board.
20 Upon receipt of the commission's recommendation, the board
21 shall provide its opinion to the governor on whether the
22 board believes the closure of the elk feedground is
23 appropriate;

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2 (ii) The commission and the Wyoming livestock
3 board shall conduct not less than one (1) public meeting in
4 a location that is reasonably calculated to foster the most
5 public participation by the people directly impacted by the
6 proposed closure and by other vested stakeholders. The
7 public meeting shall be held after the commission and the
8 board have acted as required under paragraph (i) of this
9 subsection. The commission and the board shall compile the
10 comments received as a result of the public meeting and
11 provide those comments to the governor for the governor's
12 consideration on whether to issue an elk feedground closure
13 order.

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15 (b) Any elk feedground authorized or administered by
16 the commission may be temporarily closed by order of the
17 governor due to emergency circumstances for a period not to
18 exceed six (6) months after which the feedground shall only
19 remain closed in accordance with subsection (a) of this
20 section.

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22 (c) The commission is authorized to contract or lease
23 private lands or lands owned by the state for the purpose

1 of relocating an elk feedground authorized or administered
2 under W.S. 23-1-302(a)(ix), which would otherwise be
3 subject to closure under this section.

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5 (d) For any elk feedground authorized or administered
6 under W.S. 23-1-302(a)(ix), which utilizes federal public
7 lands, the game and fish department shall report to the
8 joint travel, recreation, wildlife and cultural resources
9 interim committee upon the department receiving notice that
10 the federal authorization permitting the use of the federal
11 public lands will expire in five (5) or less years. The
12 report required by this subsection shall include draft
13 contingency plans identifying any appropriate private
14 lands, lands owned by the commission or lands otherwise
15 owned or under the authority of the state of Wyoming for
16 the purpose of supplementing or relocating the feedground
17 operation that is affected by the expiration of any federal
18 public land authorization. The office of state lands and
19 investments shall cooperate with the commission in
20 identifying any alternative feedground sites consistent
21 with this section.

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1 **Section 2.** W.S. 11-18-103(a) by creating a new
2 paragraph (xi) and 23-1-302(a)(ix) are amended to read:

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4 **11-18-103. Livestock board; powers generally.**

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6 (a) In addition to powers and duties hereinafter
7 provided, the Wyoming livestock board shall:

8

9 (xi) Convene when necessary for the purpose of
10 considering the recommended closure of any elk feedground
11 as provided under W.S. 23-1-305(a).

12

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

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15 (a) The commission is directed and empowered:

16

17 (ix) To make suitable provisions for the feeding
18 of ~~the~~ elk subject to the requirements imposed under W.S.
19 23-1-305, and other game animals, birds, and fish of
20 Wyoming in such localities as may be deemed necessary;

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