

## HOUSE BILL NO. HB0060

Excess wildlife population damage amendments.

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

A BILL

for

1 AN ACT relating to game and fish; authorizing the game and  
2 fish department to compensate landowners, lessees and  
3 agents for extraordinary damage to rangeland as specified;  
4 providing a definition; requiring rulemaking; requiring  
5 Wyoming game and fish to develop an elk management plan as  
6 specified; requiring a report; providing a sunset date; and  
7 providing for effective dates.

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

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11 **Section 1.** W.S. 23-1-901(c) is amended to read:

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13 **23-1-901. Owner of damaged property to report damage;**  
14 **claims for damages; time for filing; determination; appeal;**  
15 **arbitration.**

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2 (c) The department shall consider the claims based  
3 upon a description of the livestock or bees damaged or  
4 killed by a trophy game animal, the damaged land, growing  
5 cultivated crops, stored crops including honey and hives,  
6 seed crops, improvements, ~~and~~ extraordinary damage to grass  
7 and, until July 1, 2030, extraordinary damage to rangeland.

8 The commission is authorized to establish by rule, methods,  
9 factors and formulas to be used for determining the amount  
10 to compensate any landowner, lessee or agent for livestock  
11 damaged as a result of, missing as a result of, or killed  
12 by trophy game animals and, until July 1, 2030, the amount  
13 to compensate any landowner, lessee or agent for  
14 extraordinary damage to rangeland. Claims shall be  
15 investigated by the department and rejected or allowed  
16 within ninety (90) days after submission, and paid in the  
17 amount determined to be due. In the event the department  
18 fails to act within ninety (90) days, the claim, including  
19 interest based on local bank preferred rates, shall be  
20 deemed to have been allowed. No award shall be allowed to  
21 any landowner who has not permitted reasonable hunting on  
22 his property during authorized hunting seasons. Any person  
23 failing to comply with any provision of this section is

1 barred from making any claim against the department for  
2 damages. Any claimant aggrieved by the decision of the  
3 department may appeal to the commission within thirty (30)  
4 days after receipt of the decision of the department as  
5 provided by rules of practice and procedure promulgated by  
6 the commission. The commission shall review the department  
7 decision at its next meeting following receipt of notice of  
8 request for review. The commission shall review the  
9 investigative report of the department, and it may approve,  
10 modify or reverse the decision of the department. Until  
11 July 1, 2030, for purposes of this subsection:

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13 (i) "Extraordinary damage to rangeland" means  
14 the loss of forage normally available for livestock that is  
15 lost to any big game species on private land;

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17 (ii) It shall be presumed that extraordinary  
18 damage to rangeland has occurred if the population estimate  
19 of any big game herd on the rangeland for which damage is  
20 claimed exceeds the population objective established by the  
21 commission for two (2) or more consecutive years. The  
22 department may rebut this presumption based on the facts of  
23 an individual claim;

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(iii) Amounts to compensate a landowner, lessee or agent for extraordinary damage to rangeland shall be based on the private land lease rate for the affected area as established by the United States department of agriculture for private land.

**Section 2.** The game and fish department shall annually report to the joint travel, recreation, wildlife & cultural resources interim committee and the joint agriculture, state and public lands & water resources interim committee regarding elk herd management efforts and plans.

**Section 3.** The game and fish department shall promulgate all rules necessary to implement this act.

1           **Section 4.**

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3           (a) Except as otherwise provided by subsection (b) of  
4 this section, this act is effective July 1, 2024.

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6           (b) Sections 3 and 4 of this act are effective  
7 immediately upon completion of all acts necessary for a  
8 bill to become law as provided by Article 4, Section 8 of  
9 the Wyoming Constitution.

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(END)