

ENROLLED ACT NO. 52, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING  
2021 GENERAL SESSION

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

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

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

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

(a) Except as authorized by subsection (b) of this section, any elk feedground authorized or administered by the commission as of July 1, 2021 and in accordance with W.S. 23-1-302(a)(ix), shall only permanently cease operations or be subject to closure by the department or commission upon a recommendation for a feedground closure by the commission and subsequent order of the governor. Any closure order issued by the governor shall only be valid and lawful upon satisfaction of the following conditions:

(i) The commission shall provide its recommendation to the governor for the closure of the elk feedground and concurrently to the Wyoming livestock board.

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Upon receipt of the commission's recommendation, the board shall provide its opinion to the governor on whether the board believes the closure of the elk feedground is appropriate;

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

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

(c) The commission is authorized to contract or lease private lands or lands owned by the state for the purpose of relocating an elk feedground authorized or administered under W.S. 23-1-302(a)(ix), which would otherwise be subject to closure under this section.

(d) For any elk feedground authorized or administered under W.S. 23-1-302(a)(ix), which utilizes federal public lands, the department shall report to the joint travel, recreation, wildlife and cultural resources interim

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committee upon the department receiving notice that the federal authorization permitting the use of the federal public lands will not be reissued or will be revoked. The report required by this subsection shall include draft contingency plans, including associated costs with implementing the plans, identifying any appropriate private lands, lands owned by the commission or lands otherwise owned or under the authority of the state of Wyoming for the purpose of supplementing or relocating the feedground operation that is affected by the expiration of any federal public land authorization. The office of state lands and investments shall cooperate with the commission in identifying any alternative feedground sites consistent with this section.

(e) Nothing in this section shall be construed to prohibit the department from continuing to administer authorized elk feedground operations, including:

(i) Commencing and ending annual elk feedground operations on dates determined by the department; and

(ii) Conducting emergency elk feeding operations when deemed necessary by the department.

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

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

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

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

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

(a) The commission is directed and empowered:

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

ORIGINAL HOUSE  
BILL NO. HB0101

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**Section 3.** This act is effective July 1, 2021.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk