

SENATE FILE NO. SF0093

Grizzly bear hunts.

Sponsored by: Senator(s) Agar, Bebout, Boner, Driskill,
Kinskey and Moniz and Representative(s)
Clausen, Hunt, Lindholm, Salazar, Sommers and
Winter

A BILL

for

1 AN ACT relating to wildlife; making legislative findings
2 regarding the need for the game and fish commission to conduct
3 a grizzly bear hunt as specified; authorizing the game and
4 fish commission to hold a grizzly bear hunt as specified; and
5 providing for an effective date.

6

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

8

9 **Section 1.**

10

11 (a) The legislature finds that:

12

13 (i) The grizzly bear population in the greater
14 Yellowstone ecosystem has recovered in the last ten (10)

1 years, with approximately seven hundred (700) grizzly bears
2 currently living in the ecosystem;

3

4 (ii) The recovery of the grizzly bear population
5 in the greater Yellowstone ecosystem can be attributed to the
6 efforts of the state of Wyoming, the Wyoming game and fish
7 commission and the citizens of the state;

8

9 (iii) The United States secretary of the interior
10 announced in June 2017 that the Yellowstone population of
11 grizzly bears had been recovered and no longer needed federal
12 protections under the Endangered Species Act and that overall
13 management of the population could be returned to the states
14 and tribes;

15

16 (iv) In response to the final rule that the United
17 States secretary of the interior and the United States fish
18 and wildlife service promulgated, the Wyoming game and fish
19 commission scheduled a limited grizzly bear hunt for August
20 2018;

21

22 (v) In September 2018, the United States District
23 Court for the District of Montana issued an order vacating

1 the final rule issued by the United States fish and wildlife
2 service, which effectively restores Endangered Species Act
3 protections to the Yellowstone population of grizzly bears;

4

5 (vi) The state of Wyoming continues to bear the
6 costs of grizzly bear management in the state but, because of
7 the district court order, again lacks any authority to make
8 decisions necessary to manage the grizzly bear population in
9 a way that protects the people of the state of Wyoming and
10 that conserves Wyoming's wildlife;

11

12 (vii) The district court's order precluded the
13 Wyoming game and fish commission from holding the grizzly
14 bear hunt as scheduled;

15

16 (viii) The district court's order impedes the
17 state of Wyoming's ability to protect the safety of its
18 citizens, particularly in light of grizzly bear attacks on
19 workers and other citizens and tourists of the state;

20

21 (ix) The tenth amendment to the United States
22 constitution guarantees to the states and their people all
23 powers not granted to the federal government elsewhere in the

1 constitution and reserves to the state and the people of
2 Wyoming certain powers as they were understood at the time
3 that Wyoming was admitted to statehood in 1890. The guaranty
4 of those powers is a matter of contract between the state and
5 people of Wyoming and the several states comprising the United
6 States as of the time the Act of Admission was agreed upon
7 and adopted by Wyoming and the several states in 1889;

8

9 (x) In enacting the Endangered Species Act, the
10 United States congress requires the United States secretary
11 of the interior to cooperate to the maximum extent practicable
12 with the states in conserving and managing any endangered or
13 threatened species;

14

15 (xi) The district court's order hinders the state
16 of Wyoming's ability to work with the United States secretary
17 of the interior to cooperate in the management of the
18 Yellowstone grizzly bear population and thus threatens the
19 safety of Wyoming workers and other citizens and tourists of
20 the state;

21

22 (xii) The grizzly bear hunt that the Wyoming game
23 and fish commission had previously scheduled for August 2018

1 and the grizzly bear hunt authorized in section 2 of this act
2 is necessary and intended to conserve resident wildlife and
3 ensure that:

4

5 (A) The Yellowstone grizzly bear population
6 residing in Wyoming continues to recover through effective
7 population management; and

8

9 (B) The state of Wyoming can effectively
10 protect its citizens, workers and tourists from dangerous and
11 deadly grizzly bear encounters in the state of Wyoming.

12

13 **Section 2.** If it determines under the laws of the state
14 of Wyoming that a grizzly bear hunt would be beneficial for
15 managing Wyoming's wildlife and for protecting Wyoming
16 workers and other citizens and tourists of the state, the
17 game and fish commission may conduct a grizzly bear hunt and
18 shall issue licenses as provided in W.S. 23-1-302(p) and in
19 the rules of the commission.

20

1 **Section 3.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law as
3 provided by Article 4, Section 8 of the Wyoming Constitution.

4

5

(END)