

HOUSE BILL NO. HB0159

Trophy game animals-damage.

Sponsored by: Representative(s) Philp, Baker, Childers,
Luthi and Olsen and Senator(s) Barton,
Cathcart, Coe, Geis and Schiffer

A BILL

for

1 AN ACT relating to game and fish; specifying the authority
2 of the game and fish commission to adopt rules pertaining
3 to compensation payments for damages caused by trophy game
4 animals; specifying revenues available for such payments;
5 making conforming amendment; and providing for an effective
6 date.

7

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

9

10 **Section 1.** W.S. 23-1-501(b) and 23-1-901(c) and by
11 creating a new subsection (g) are amended to read:

12

13 **23-1-501. Game and fish fund.**

14

15 (b) All income received by the commission or
16 department shall be deposited in the state treasury and

1 credited to the Wyoming game and fish fund. The commission
2 may establish accounts within the fund to carry out the
3 purposes of this act, in addition to those accounts
4 established by law. The Wyoming game and fish fund shall
5 be expended as the commission may direct to carry out the
6 purposes of this act and for no other purpose, except that
7 the legislature may appropriate so much thereof as
8 necessary for expenses of any authorized legislative
9 committee to study matters relating to the commission or
10 department. Expenditures from the Wyoming game and fish
11 fund shall be made only by warrant issued by the state
12 auditor upon vouchers signed by the director and chief
13 fiscal officer, or other persons designated by the
14 commission to sign in their absence, substantiated and
15 approved as provided by law.

16

17 **23-1-901. Owner of damaged property to report damage;**
18 **claims for damages; time for filing; determination; appeal;**
19 **arbitration.**

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21 (c) The department shall consider the claims based
22 upon a description of the livestock or bees damaged or
23 killed by a trophy game animal, the damaged land, growing
24 cultivated crops, stored crops including honey and hives,

1 seed crops, improvements and extraordinary damage to grass.
2 The commission is authorized to establish by rule, methods,
3 factors and formulas to be used for determining the amount
4 to compensate any landowner, lessee or agent for livestock
5 damaged, missing or killed by, or as a result of, trophy
6 game animals. Claims shall be investigated by the
7 department and rejected or allowed within ninety (90) days
8 after submission, and paid in the amount determined to be
9 due. In the event the department fails to act within
10 ninety (90) days, the claim, including interest based on
11 local bank preferred rates, shall be deemed to have been
12 allowed. No award shall be allowed to any landowner who
13 has not permitted hunting on his property during authorized
14 hunting seasons. Any person failing to comply with any
15 provision of this section is barred from making any claim
16 against the department for damages. Any claimant aggrieved
17 by the decision of the department may appeal to the
18 commission within thirty (30) days after receipt of the
19 decision of the department as provided by rules of practice
20 and procedure promulgated by the commission. The
21 commission shall review the department decision at its next
22 meeting following receipt of notice of request for review.
23 The commission shall review the investigative report of the

1 department, and it may approve, modify or reverse the
2 decision of the department.

3

4 (g) Compensation pursuant to this section for damages
5 caused by trophy game animals shall be from revenues
6 derived from the sale of trophy game animal licenses. The
7 commission may also use any other revenues not specifically
8 limited by this act, but no license, permit or other fee
9 imposed for the taking of any wildlife other than trophy
10 game animals shall be used for compensation payments for
11 damages caused by trophy game animals.

12

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

17

18

(END)