

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.

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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:

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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), shall only permanently cease
12 operations or be subject to closure by the department or
13 commission upon a recommendation for a feedground closure
14 by the commission and subsequent order of the governor. Any
15 closure order issued by the governor shall only be valid
16 and lawful upon satisfaction of the following conditions:

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

1 board believes the closure of the elk feedground is
2 appropriate;

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

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

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

6
7 (d) For any elk feedground authorized or administered
8 under W.S. 23-1-302(a)(ix), which utilizes federal public
9 lands, the department shall report to the joint travel,
10 recreation, wildlife and cultural resources interim
11 committee upon the department receiving notice that the
12 federal authorization permitting the use of the federal
13 public lands will not be reissued or will be revoked. The
14 report required by this subsection shall include draft
15 contingency plans identifying any appropriate private
16 lands, lands owned by the commission or lands otherwise
17 owned or under the authority of the state of Wyoming for
18 the purpose of supplementing or relocating the feedground
19 operation that is affected by the expiration of any federal
20 public land authorization. The office of state lands and
21 investments shall cooperate with the commission in
22 identifying any alternative feedground sites consistent
23 with this section.

1

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

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

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

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

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15 **11-18-103. Livestock board; powers generally.**

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

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

23

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

2

3 (a) The commission is directed and empowered:

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5 (ix) To make suitable provisions for the feeding
6 of ~~the elk~~ subject to the requirements imposed under W.S.
7 23-1-305, and other game animals, birds, and fish of
8 Wyoming in such localities as may be deemed necessary;

9

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

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(END)