



SF0118

Bighorn and domestic sheep relocation-federal action.

Sponsored By: Senator(s) Hicks and Representative(s) Western

AN ACT relating to wildlife and livestock; providing legislative findings; requiring the game and fish department to relocate or remove bighorn sheep from the Sweetwater Rocks herd unit in response to specified federal action; providing for the reimbursement of costs for relocation or removal of bighorn sheep; requiring and authorizing attorney general action as specified; amending the duties of the wildlife/livestock research partnership board; providing appropriations; and providing for a delayed effective date.

2/13/2024 Bill Number Assigned
2/14/2024 S Received for Introduction
2/15/2024 S Introduced and Referred to S05 - Agriculture 29-2-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Rothfuss, Schuler, Scott, Steinmetz

Nays: Senator(s) Case, Salazar

Ayes 29 Nays 2 Excused 0 Absent 0 Conflicts 0

2/16/2024 : Refer to S06 - Travel
2/20/2024 S06 - Travel:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Baldwin, Ellis, Gierau, Jones, Schuler

Ayes 5 Nays 0 Excused 0 Absent 0 Conflicts 0

2/20/2024 :Rerefer to S02 - Appropriations
2/21/2024 S02 - Appropriations:Recommend Do Pass 3-0-2-0-0

ROLL CALL

Ayes: Senator(s) Gierau, Kinskey, Salazar

Excused: Senator(s) Anderson, Nethercott

Ayes 3 Nays 0 Excused 2 Absent 0 Conflicts 0

2/21/2024 S Placed on General File

SF0118SS001/ADOPTED

Page 1-line 4 Delete "herd unit" and insert "cooperative review area".

Page 3-line 17 Delete "herd unit to".

Page 3-line 18 Delete "another area of the state" and insert "cooperative review area".

Page 4-line 9 Delete "herd unit" and insert "cooperative review area".

Page 4-line 22 Delete "or file an amicus curiae".

Page 4-line 23 Delete "brief"; delete "filed in any state or federal court in".

Page 5-lines 1 and 2 Delete entirely.

Page 5-line 3 Delete "negatively impact" and insert "if a federal action is contrary to".

Page 5-line 9 Delete "may" and insert "shall"; after "agency" delete "in".

Page 5-line 10 Delete "any state or federal court".

Page 5-line 13 After "agency if" delete balance of line.

Page 5-lines 16 through 19 Delete entirely and insert "otherwise contrary to law.".

Page 6-line 9 Delete "herd unit" and insert "cooperative review area".

Page 7-line 15 Delete "management" and insert "cooperative review".

Page 8-lines 1 through 4 Delete entirely and insert:

"Section 4. This act is effective July 1, 2024."
SCHULER, CHAIRMAN

2/23/2024 S COW:Passed
2/26/2024 S 2nd Reading:Passed

SF0118S3001/ADOPTED

Page 2-line 9 Delete entirely.

Page 2-line 10 Delete "bighorn sheep population throughout" and insert "conservation and maintenance of healthy bighorn sheep populations in".

Page 2-lines 17 through 20 Delete entirely and renumber as necessary.

Page 2-line 22 Delete "(ii)" and insert "(i)".

Page 3-line 5 Delete "(iii)" and insert "(ii)".

Page 3-after line 9 Insert:

"(iii) Any removal of bighorn sheep from the Sweetwater Rocks cooperative review area under this act shall not be attributable to domestic livestock grazing on federal bureau of land management administered lands. Rather, the removal of bighorn sheep shall be directly attributable to:

(A) Onerous federal regulation that unduly impedes the state of Wyoming's ability to manage wildlife and domestic livestock grazing in conformance with the Wyoming bighorn/domestic sheep plan;

(B) Third-party litigation designed to use bighorn sheep as a means of eliminating domestic livestock grazing on bureau of land management

administered lands in and adjacent to the Sweetwater Rocks cooperative review area."

Page 4-lines 2 through 6 Delete entirely and insert:

"(ii) Any changes to a United States bureau of land management resource management plan, grazing allotments or livestock grazing agreements due to the presence of bighorn sheep in the Sweetwater Rocks cooperative review area or any adjacent grazing allotment that is not in a designated bighorn sheep herd unit after July 1, 2024 without the consent of the grazing permittee."

Page 4-line 11 Delete "game and fish".

Page 4-line 12 Delete "department determines" and insert "Wyoming department of agriculture certifies to the governor".

Page 4-line 13 After "met." insert "The governor shall notify the game and fish department that the removal of bighorn sheep from the Sweetwater Rocks cooperative review area shall commence in accordance with this section."

Page 4-after line 13 Insert and renumber as necessary:

"(d) The game and fish department shall be responsible for the expedient removal of bighorn sheep that stray outside the Sweetwater Rocks cooperative review area if that straying or foray is not into another designated herd unit.

(e) The state and its agencies shall coordinate and assist the Wyoming congressional delegation in pursuing changes to federal law, rules and policies in order to bring them into conformance with the Wyoming bighorn/domestic sheep plan created under W.S. 11-19-604.

(f) The Wyoming game and fish department shall not seek to change, alter or otherwise affect changes to domestic livestock grazing authorization on public and state lands due to the presence of bighorn sheep in the Sweetwater Rocks cooperative review area or adjacent grazing allotments that are not within an existing bighorn sheep herd unit."

Page 4-line 15 Delete "(d)" and insert "(g)".

Page 4-line 21 Delete "(e)" and insert "(h)".

Page 5-line 8 Delete "(f)" and insert "(j)".

Page 6-line 8 After "surveillance" insert "before and following the introduction". HICKS

2/27/2024 S 3rd Reading:Passed 27-4-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Rothfuss, Schuler, Scott, Steinmetz

Nays: Senator(s) Case, Cooper, Dockstader, Salazar

Ayes 27 **Nays** 4 **Excused** 0 **Absent** 0 **Conflicts** 0

2/28/2024 H Received for Introduction
2/28/2024 H Introduced and Referred to H06 - Travel
3/4/2024 H06 - Travel:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Angelos, Burkhart, Jr, Byron, Larson, Newsome, Singh, Storer, Western, Winter

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

3/4/2024 :Rerefer to H02 - Appropriations

3/4/2024 H02 - Appropriations:Recommend Do Pass 6-1-0-0-0

ROLL CALL

Ayes: Representative(s) Henderson, Larsen, Nicholas, Stith, Walters, Zwonitzer

Nays: Representative Sherwood

Ayes 6 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

3/4/2024 H Placed on General File

SF0118HS001/ADOPTED

(TO ENGROSSED COPY)

(CORRECTED COPY)

Page 1-line 4 Delete "cooperative review area" and insert "herd unit".

Page 2-after line 21 Insert and renumber as necessary:

"(ii) It is the policy of the state of Wyoming to accept any risk of contact between bighorn sheep and livestock in the vicinity of any bighorn sheep transplant or relocation and to hold livestock producers harmless in the event such contact occurs;".

Page 3-line 1 Delete "(ii)" and insert "(iii)".

Page 3-line 7 Delete "(iii)" and insert "(iv)"

Page 3-line 8 Delete "cooperative review area" and insert "herd unit".

Page 3-line 21 Delete "in" and insert "within or in the vicinity of".

Page 3-line 22 Delete "and adjacent to"; delete "cooperative review" and insert "herd unit".

Page 3-line 23 Delete "area".

Page 4-line 2 Delete "(iv)" and insert "(v)".

Page 4-line 8 Before "bighorn" insert "all"; delete "cooperative review" and insert "herd unit".

Page 4-line 9 Delete "area".

Page 4-line 10 Delete "could" and insert "indicates it may".

Page 4-line 12 After "elimination" insert ", reduction".

Page 4-line 13 Delete "sheep" and insert "livestock".

Page 4-line 17 Delete entirely and insert "allotment plan or livestock grazing permit terms and conditions due to the".

Page 4-line 19 Delete "cooperative review area" and insert "herd unit".

Page 5-line 2 Delete "cooperative review area" and insert "herd unit".

Page 5-line 9 Delete "cooperative review area" and insert "herd unit".

Page 5-line 14 Delete "cooperative review area" and insert "herd unit".

Page 5-line 15 After "desi gnated" insert "bighorn sheep".

Page 5-line 21 After "with" insert "the policies and findings of".

Page 6-line 5 Delete "cooperative review area" and insert "herd unit"; after "or" insert "any".

Page 6-line 18 Delete "subsection" and insert "subsections"; after "(a)" insert "and (b)".

Page 7-line 20 Delete "cooperative review area" and insert "herd unit".

Page 9-line 2 Delete "or adjacent to".

Page 9-line 3 Delete "cooperative review area" and insert "herd unit and vicinity". NEWSOME, CHAIRMAN

SF0118HW001/ADOPTED (TO ENGROSSED COPY)

Page 1-line 10 Delete "an" and insert "a delayed and contingent".

Page 9-after line 9 Insert and renumber as necessary:

"**Section 4.** This act is effective only if, not later than fifteen (15) days after applicable federal law is enacted, and, in any event, not later than July 1, 2026, the attorney general certifies to the secretary of state that federal law has been enacted that aligns with the purposes of this act.".

Page 9-line 11 Delete "**Section 4.**" and insert "**Section 5.**". CONRAD

SF0118HW002/ADOPTED (TO ENGROSSED COPY)

Page 3-line 19 Delete "litigation" and insert "action".

Page 4-line 13 After "trailing" insert "in the Sweetwater Rocks herd unit".

Page 4-line 19 Delete "any adjacent"; after "allotment" insert "in that vicinity".

Page 6-line 5 Delete "adjacent"; in the House standing committee amendment (SF0118HS001/A) to this line, delete "any".

Page 6-line 6 After "allotments" insert "in that vicinity". WESTERN

3/5/2024 H COW:Passed
3/6/2024 H 2nd Reading:Passed

SF0118H3001/WITHDRAWN

SF0118H3002/FAILED (TO ENGROSSED COPY)

Delete the Conrad committee of the whole amendment (SF0118HW001/AE) entirely.
PENDERGRAFT

SF0118H3003/ADOPTED (TO ENGROSSED COPY)

Delete the Pendergraft third reading amendment (SF0118H3002/AE) entirely and further amend the engrossed copy as follows:

Page 1-line 10 In the Conrad committee of the whole amendment (SF0118HW001/AE) to this line, delete "and contingent".

Page 9-after line 9 In the Conrad committee of the whole amendment (SF0118HW001/AE) to this line, in section 4 inserted by that amendment, delete "only if,"; after "after applicable federal law is enacted" delete the balance of the section entirely and insert "and the attorney general certifies to the secretary of state that federal law has been enacted that aligns with the purposes of this act. If no federal law is enacted that aligns with the purposes of this act, this act is effective July 1, 2026.". CONRAD

3/7/2024 H 3rd Reading:Passed 52-10-0-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Obermueller, O'hearn, Olsen, Pendergraft, Provenza, Rodriguez-Williams, Sherwood, Singh, Speaker Sommers, Stith, Storer, Strock, Tarver, Trujillo, Walters, Ward, Washut, Western, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative(s) Bear, Hornok, Jennings, Oakley, Ottman, Penn, Slagle, Smith, Styvar, Winter

Ayes 52 **Nays** 10 **Excused** 0 **Absent** 0 **Conflicts** 0

3/8/2024 S Received for Concurrence
3/8/2024 S Concur:Failed 0-31-0-0-0

ROLL CALL

Nays: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Case, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Ayes 0 **Nays** 31 **Excused** 0 **Absent** 0 **Conflicts** 0

3/8/2024 S Appointed JCC01 Members

3/8/2024 Senator(s) Hicks, Ide, Steinmetz
H Appointed JCC01 Members
3/8/2024 Representative(s) Western, Conrad, Haroldson
S Adopted SF0118JC001: 30-1-0-0-0

SF0118JC001/SADOPTEDHADOPTE (TO ENGROSSED COPY)

Delete the following House amendments:

SF0118HS001/ACE
SF0118HW001/AE
SF0118HW002/AE
SF0118H3003/AE

Further amend the ENGROSSED COPY as follows:

Page 1-line 4 Delete "cooperative review area" and insert "herd unit".

Page 1-line 10 Delete "an" and insert "a delayed".

Page 2-after line 21 Insert and renumber as necessary:

"(ii) It is the policy of the state of Wyoming to accept any risk of contact between bighorn sheep and livestock in the vicinity of any bighorn sheep transplant or relocation and to hold livestock producers harmless in the event such contact occurs;".

Page 3-line 1 Delete "(ii)" and insert "(iii)".

Page 3-line 7 Delete "(iii)" and insert "(iv)"

Page 3-line 8 Delete "cooperative review area" and insert "herd unit".

Page 3-line 19 Delete "litigation" and insert "action".

Page 3-line 21 Delete "in" and insert "within or in the vicinity of".

Page 3-line 22 Delete "and adjacent to"; delete "cooperative review" and insert "herd unit".

Page 3-line 23 Delete "area".

Page 4-line 2 Delete "(iv)" and insert "(v)".

Page 4-line 8 Before "bighorn" insert "all"; delete "cooperative review" and insert "herd unit".

Page 4-line 9 Delete "area".

Page 4-line 10 Delete "could" and insert "indicates it may".

Page 4-line 12 After "elimination" insert ", reduction".

Page 4-line 13 Delete "sheep" and insert "livestock"; after "trailing" insert "in the Sweetwater Rocks herd unit".

Page 4-line 17 Delete entirely and insert "allotment plan or livestock grazing permit terms and conditions due to the".

Page 4-line 19 Delete "cooperative review area" and insert "herd unit"; delete "any adjacent"; after "allotment" insert "in that vicinity".

Page 5-line 2 Delete "cooperative review area" and insert "herd unit".

Page 5-line 9 Delete "cooperative review area" and insert "herd unit".

Page 5-line 14 Delete "cooperative review area" and insert "herd unit".

Page 5-line 15 After "designated" insert "bighorn sheep".

Page 5-line 21 After "with" insert "the policies and findings of".

Page 6-line 5 Delete "cooperative review area" and insert "herd unit"; delete "adjacent".

Page 6-line 6 After "allotments" insert "in that vicinity".

Page 6-line 18 Delete "subsection" and insert "subsections"; after "(a)" insert "and (b)".

Page 7-line 20 Delete "cooperative review area" and insert "herd unit".

Page 9-line 2 Delete "or adjacent to".

Page 9-line 3 Delete "cooperative review area" and insert "herd unit and vicinity".

Page 9-after line 9 Insert and renumber as necessary:

"**Section 4.** This act is effective not later than fifteen (15) days after applicable federal law is enacted and the attorney general certifies to the secretary of state that federal law has been enacted that aligns with the purposes of this act. If no federal law is enacted that aligns with the purposes of this act, this act is effective January 1, 2026."

Page 9-line 11 Delete "**Section 4.**" and insert "**Section 5.**". HICKS, IDE, STEINMETZ, WESTERN, CONRAD, HAROLDSON

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Nays: Senator Case

Ayes 30 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

SF0118JC001/SADOPTEDHADOPTE (TO ENGROSSED COPY)

Delete the following House amendments:

SF0118HS001/ACE

SF0118HW001/AE

SF0118HW002/AE

SF0118H3003/AE

Further amend the ENGROSSED COPY as follows:

Page 1-line 4 Delete "cooperative review area" and insert "herd unit".

Page 1-line 10 Delete "an" and insert "a delayed".

Page 2-after line 21 Insert and renumber as necessary:

"(ii) It is the policy of the state of Wyoming to accept any risk of contact between bighorn sheep and livestock in the vicinity of any bighorn sheep transplant or relocation and to hold livestock producers harmless in the event such contact occurs;".

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Page 3-line 19 Delete "litigation" and insert "action".

Page 3-line 21 Delete "in" and insert "within or in the vicinity of".

Page 3-line 22 Delete "and adjacent to"; delete "cooperative review" and insert "herd unit".

Page 3-line 23 Delete "area".

Page 4-line 2 Delete "(iv)" and insert "(v)".

Page 4-line 8 Before "bighorn" insert "all"; delete "cooperative review" and insert "herd unit".

Page 4-line 9 Delete "area".

Page 4-line 10 Delete "could" and insert "indicates it may".

Page 4-line 12 After "elimination" insert ", reduction".

Page 4-line 13 Delete "sheep" and insert "livestock"; after "trailing" insert "in the Sweetwater Rocks herd unit".

Page 4-line 17 Delete entirely and insert "allotment plan or livestock grazing permit terms and conditions due to the".

Page 4-line 19 Delete "cooperative review area" and insert "herd unit"; delete "any adjacent"; after "allotment" insert "in that vicinity".

Page 5-line 2 Delete "cooperative review area" and insert "herd unit".

Page 5-line 9 Delete "cooperative review area" and insert "herd unit".

Page 5-line 14 Delete "cooperative review area" and insert "herd unit".

Page 5-line 15 After "designated" insert "bighorn sheep".

Page 5-line 21 After "with" insert "the policies and findings of".

Page 6-line 5 Delete "cooperative review area" and insert "herd unit"; delete "adjacent".

Page 6-line 6 After "allotments" insert "in that vicinity".

Page 6-line 18 Delete "subsection" and insert "subsections"; after "(a)" insert "and (b)".

Page 7-line 20 Delete "cooperative review area" and insert "herd unit".

Page 9-line 2 Delete "or adjacent to".

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Page 9-after line 9 Insert and renumber as necessary:

"Section 4. This act is effective not later than fifteen (15) days after applicable federal law is enacted and the attorney general certifies to the secretary of state that federal law has been enacted that aligns with the purposes of this act. If no federal law is enacted that aligns with the purposes of this act, this act is effective January 1, 2026."

Page 9-line 11 Delete "**Section 4.**" and insert "**Section 5.**". HICKS, IDE, STEINMETZ, WESTERN, CONRAD, HAROLDSON

ROLL CALL

Ayes: Representative(s) Allred, Andrew, Angelos, Banks, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Heiner, Hornok, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Pendergraft, Provenza, Rodriguez-Williams, Sherwood, Singh, Speaker Sommers, Stith, Storer, Tarver, Trujillo, Walters, Ward, Washut, Western, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative(s) Allemand, Bear, Jennings, Knapp, Ottman, Penn, Slagle, Smith, Strock, Styvar, Winter

Excused: Representative(s) Harshman, Henderson

Ayes 49 **Nays** 11 **Excused** 2 **Absent** 0 **Conflicts** 0

3/8/2024 Assigned Number SEA No. 0066
3/8/2024 S President Signed SEA No. 0066
3/8/2024 H Speaker Signed SEA No. 0066