

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; making conforming amendment; and providing for an
5 effective date.

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

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9 **Section 1.** W.S. 23-1-501(b) and 23-1-901(c) are
10 amended to read:

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12 **23-1-501. Game and fish fund.**

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14 (b) All income received by the commission or
15 department shall be deposited in the state treasury and
16 credited to the Wyoming game and fish fund. The commission

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

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16 **23-1-901. Owner of damaged property to report damage;**
17 **claims for damages; time for filing; determination; appeal;**
18 **arbitration.**

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

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

1

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

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7

(END)