

HOUSE BILL NO. HB0229

Predator and trophy game management.

Sponsored by: Representative(s) Baker, Brechtel, Bucholz, Childers, Luthi, Miller, Powers, Semlek, Wasserburger and Wostenberg and Senator(s) Coe, Erb, Geis, Northrup and Roberts

A BILL

for

1 AN ACT relating to wildlife; providing for the
2 reclassification, harvesting and other regulation of gray
3 wolves as trophy game animals as specified; providing for
4 the regulation of wolf hybrids; providing a definition of
5 livestock for purposes of the game and fish provisions;
6 providing for meetings and for rulemaking; prohibiting the
7 private ownership of wolves and wolf hybrids; providing a
8 statement of legislative intent; providing for
9 implementation and reports; making conforming amendments;
10 and providing for an effective date.

11

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

13

14 **Section 1.** W.S. 23-1-108 and 23-1-304 are created to
15 read:

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2 **23-1-108. Delisting of gray wolves as experimental,**
3 **nonessential population, endangered species or threatened**
4 **species.**

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6 Gray wolves shall be deemed removed from the list of
7 experimental nonessential population, endangered species or
8 threatened species in Wyoming upon final publication in the
9 Federal Register by appropriate federal agencies removing
10 the gray wolf from all listings as an experimental
11 nonessential population, endangered species or threatened
12 species in Wyoming.

13

14 **23-1-304. Classification of gray wolves.**

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16 (a) The commission shall determine the classification
17 of gray wolves as provided in this section. In making this
18 classification the commission shall rely upon information
19 provided by department personnel and shall consult with the
20 Wyoming animal damage management board created by W.S.
21 11-6-303 and the director of the Wyoming department of
22 agriculture, and consider any additional information
23 provided by that board and by that director.

24

1 (b) The department shall provide to the commission at
2 least a quarterly monitoring report on the number of gray
3 wolf packs within this state and their general location.
4 Within thirty (30) days of receiving a department report
5 the commission shall at a public meeting:

6
7 (i) Determine if there are less than seven (7)
8 packs of gray wolves located in this state and primarily
9 outside of Yellowstone National Park, Grand Teton National
10 Park and John D. Rockefeller, Jr. Memorial Parkway and less
11 than fifteen (15) packs within this state, including
12 Yellowstone National Park, Grand Teton National Park and
13 John D. Rockefeller, Jr. Memorial Parkway. If such a
14 determination is made:

15
16 (A) The commission shall adopt rules and
17 regulations to classify the gray wolf as a trophy game
18 animal and prohibit the taking of gray wolves except as
19 provided by W.S. 23-3-115(c), within that area of the state
20 the commission determines is necessary to reasonably ensure
21 seven (7) packs of gray wolves are located in this state
22 and primarily outside of Yellowstone National Park, Grand
23 Teton National Park and John D. Rockefeller, Jr. Memorial
24 Parkway at the end of the current calendar year;

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(B) At any time that gray wolves are classified as trophy game animals outside of any area specified in W.S. 23-1-101(a)(xii)(B)(I), the commission shall:

(I) Meet in public not less than once every ninety (90) days to review the classification and determine the need for its continuance;

(II) In consultation with the director of the Wyoming department of agriculture, upon receipt of information from the department of agriculture, consider the reclassification of wolves in all or a portion of such area at the commission's next scheduled meeting, or at an earlier meeting of the commission as the commission deems desirable or necessary.

(ii) Maintain the classification of gray wolves as a predatory animal and trophy game animal as specified in W.S. 23-1-101(a)(viii) and (xii)(B)(I), if it determines there were at least seven (7) packs of gray wolves located in this state and primarily outside of Yellowstone National Park, Grand Teton National Park and John D. Rockefeller,

1 Jr. Memorial Parkway or at least fifteen (15) packs within
2 this state, including Yellowstone National Park, Grand
3 Teton National Park and John D. Rockefeller, Jr. Memorial
4 Parkway as of the end of the preceding calendar quarter.

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6 (c) For purposes of this section "pack" means five
7 (5) or more gray wolves traveling together. If a group of
8 gray wolves consists of more than ten (10) animals known to
9 be traveling together, the commission may, at its
10 discretion, recognize the number of packs within such a
11 group to be equal to the number of reproductively mature
12 females bearing young found within that group of wolves.

13

14 (d) The department shall institute and maintain an
15 active program of population monitoring statewide. In all
16 areas of the state, except where otherwise provided, any
17 person who harvests a wolf shall notify the department
18 where the harvest occurred within ten (10) days. Any
19 information regarding the number or nature of wolves
20 legally harvested within the state of Wyoming shall only be
21 released in its aggregate form and no information of a
22 private or confidential nature shall be released without
23 the written consent of the person to whom the information
24 may refer. Information identifying any person legally

1 harvesting a wolf within this state is solely for the use
2 of the department or appropriate law enforcement offices
3 and is not a public record for purposes of W.S. 16-4-201
4 through 16-4-205.

5

6 (e) This section shall apply from and after the date
7 gray wolves are removed from the list of experimental
8 nonessential population, endangered species or threatened
9 species in Wyoming as provided by W.S. 23-1-108.

10

11 **Section 2.** W.S. 11-6-302(a)(ix) and (x),
12 23-1-101(a)(viii) and (xii), 23-1-102(a) by creating a new
13 paragraph (xvi), 23-1-103, 23-1-302(a) by creating a new
14 paragraph (xxix), 23-2-101(j) by creating a new paragraph
15 (xlii), 23-2-104(e), 23-2-303(d), 23-3-102(b), 23-3-115 by
16 creating a new subsection (c), 23-3-301 and 23-3-304(a) are
17 amended to read:

18

19 **11-6-302. Definitions.**

20

21 (a) As used in this article:

22

23 (ix) "Predatory animal" means:

24

1 (A) Coyote, jackrabbit, porcupine, raccoon,
2 red fox, skunk, ~~wolf~~ or stray cat; and

3

4 (B) Until the date gray wolves are removed
5 from the list of experimental nonessential population,
6 endangered species or threatened species in Wyoming as
7 provided by W.S. 23-1-108, "predatory animal" includes
8 wolves. After that date, "predatory animal" shall include
9 any gray wolf not within an area of the state in which the
10 gray wolf is:

11

12 (I) Designated as a trophy game animal
13 under subdivision (x) (B) (I) of this subsection; or

14

15 (II) Classified as a trophy game
16 animal by the game and fish commission pursuant to W.S.
17 23-1-304(b) (i) (A) .

18

19 (x) "Trophy game animal" means:

20

21 (A) Black bear, grizzly bear or mountain
22 lion; and

23

1 (B) From and after the date gray wolves are
2 removed from the list of experimental nonessential
3 population, endangered species or threatened species in
4 Wyoming as provided by W.S. 23-1-108:

5
6 (I) "Trophy game animal" shall include
7 any gray wolf within those tracts of land within the
8 boundaries of Wyoming designated as Yellowstone National
9 Park, Grand Teton National Park, the John D. Rockefeller,
10 Jr. Memorial Parkway, and those federally designated
11 wilderness areas contiguous to these national parks and
12 this parkway as defined by the United States congress as of
13 January 1, 2003; and

14
15 (II) "Trophy game animal" shall
16 include any gray wolf within any area of the state where
17 gray wolves are classified as trophy game animals by the
18 game and fish commission pursuant to W.S.
19 23-1-304(b) (i) (A) .

20
21 **23-1-101. Definitions of wildlife.**

22
23 (a) As used in this act:

24

1 (viii) "Predatory animal" means:

2

3 (A) Coyote, jackrabbit, porcupine, raccoon,
4 red fox, ~~wolf~~, skunk or stray cat; and

5

6 (B) Until the date gray wolves are removed
7 from the list of experimental nonessential population,
8 endangered species or threatened species in Wyoming as
9 provided by W.S. 23-1-108, "predatory animal" includes
10 wolves. After that date, "predatory animal" shall include
11 any gray wolf not within an area of the state in which the
12 gray wolf is:

13

14 (I) Designated as a trophy game animal
15 under subdivision (xii) (B) (I) of this subsection;

16

17 (II) Classified as a trophy game
18 animal by the commission pursuant to W.S.
19 23-1-304 (b) (i) (A) .

20

21 (xii) "Trophy game animal" means:

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23 (A) Black bear, grizzly bear or mountain
24 lion; and

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23-1-102. General definitions.

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(a) As used in this act:

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1 (xvi) "Livestock" means horses, mules and asses,
2 rabbits, llamas, cattle, swine, sheep, goats, poultry, or
3 other animal generally used for food or in the production
4 of food or fiber, and guard animals actively engaged in the
5 protection of livestock. Bison are considered livestock
6 unless otherwise designated by the Wyoming livestock board
7 and the commission.

8
9 **23-1-103. Ownership of wildlife; purpose of**
10 **provisions.**

11
12 For the purpose of this act, all wildlife in Wyoming is the
13 property of the state. It is the purpose of this act and
14 the policy of the state to provide an adequate and flexible
15 system for control, propagation, management, protection and
16 regulation of all Wyoming wildlife. There shall be no
17 private ownership of live animals classified in this act as
18 big or trophy game animals or of any wolf or wolf hybrid.

19
20 **23-1-302. Powers and duties.**

21
22 (a) The commission is directed and empowered:
23

1 (xxix) After the date gray wolves are removed
 2 from the list of experimental nonessential population,
 3 endangered species or threatened species in Wyoming as
 4 provided by W.S. 23-1-108, to classify gray wolves as
 5 predatory or trophy game animals in accordance with W.S.
 6 23-1-304, and to regulate the number of gray wolves which
 7 may be taken under a license issued under this act.

8

9 **23-2-101. Fees; restrictions; nonresident application**
 10 **fee; nonresident licenses; verification of residency**
 11 **required.**

12

13 (j) Subject to W.S. 23-2-101(f), the following
 14 hunting licenses and tags may be purchased for the fee
 15 indicated and subject to the limitations provided:

16

17 (xlii) From and after the date gray wolves are
 18 removed from the list of experimental nonessential
 19 population, endangered species or threatened species in
 20 Wyoming as provided by W.S. 23-1-108:

21

22 (A) Resident gray wolf license\$15.00

23

24 (B) Nonresident gray wolf license ...\$150.00

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2 **23-2-104. Archery licenses; special seasons;**
3 **prohibition against firearms; equipment.**

4

5 (e) When hunting antelope, bighorn sheep, black bear,
6 deer, mountain goat or mountain lion the longbow hunter
7 must be equipped with a longbow of not less than forty (40)
8 pounds draw weight or possessing the ability to cast a
9 hunting arrow of four hundred (400) grain weight at least
10 one hundred sixty (160) yards. When hunting elk, grizzly
11 bear or moose, the longbow hunter must be equipped with a
12 longbow of not less than fifty (50) pounds draw weight or
13 possessing the ability to cast a hunting arrow of five
14 hundred (500) grain weight at least one hundred sixty (160)
15 yards. The crossbow hunter must be equipped with a crossbow
16 of not less than ninety (90) pounds draw weight which has a
17 minimum draw length of fourteen (14) inches (from front of
18 bow to back of string in the cocked position), a positive
19 safety mechanism, and, except as provided in subsection (f)
20 of this section, which must be cocked by hand without the
21 aid of leverage-gaining devices. Crossbow bolts must be at
22 least sixteen (16) inches long. The broadhead of arrows or
23 bolts shall be of sharp steel with a minimum cutting width
24 of one (1) inch. The provisions of this subsection

1 relating to the hunting of antelope, bighorn sheep, black
2 bear, deer, mountain goat and mountain lion shall also
3 apply to the hunting of the gray wolf as a trophy game
4 animal from and after the date gray wolves are removed from
5 the list of experimental nonessential population,
6 endangered species or threatened species in Wyoming as
7 provided by W.S. 23-1-108.

8
9 **23-2-303. Trapping licenses; tagging; traps and**
10 **snares; penalty; confiscation.**

11
12 (d) All traps and snares used for furbearing or
13 predatory animals shall be permanently marked or tagged
14 with the name and address of the owner or the
15 identification number assigned to the owner by the
16 department. Any identification number attached to a trap or
17 snare pursuant to this subsection is solely for the use of
18 the department or appropriate law enforcement officers and
19 is not a public record for purposes of W.S. 16-4-201
20 through 16-4-205. No trap or snare shall be set for
21 furbearing or predatory animals within thirty (30) feet of
22 any exposed bait or carcass over five (5) pounds in weight.
23 As used in this subsection, "exposed bait or carcass" means
24 the meat or viscera of any part of a mammal, bird or fish,

1 excluding dried bones. In addition, all snares used for
2 taking furbearing or predatory animals shall be equipped
3 with a break-away locking device that is designed to
4 release at two hundred ninety-five (295) pounds of pressure
5 or less and a snare loop not to exceed twelve (12) inches
6 in diameter measured side to side. Unless otherwise
7 specified in this section, all traps, excluding snares set
8 for furbearing animals and predatory animals and quick kill
9 body grip traps as defined by commission rule and
10 regulation, shall be checked by the owner at least once
11 during each seventy-two (72) hour period from the time the
12 traps were set. Quick kill body grip traps shall be checked
13 by the owner not less than once each seven (7) day period
14 from the time the traps were set. All wildlife caught in
15 any trap or snare shall upon discovery, be removed
16 immediately by the owner. Violation of this subsection
17 constitutes a ninth degree misdemeanor. After the date gray
18 wolves are removed from the list of experimental
19 nonessential population, endangered species or threatened
20 species in Wyoming as provided by W.S. 23-1-108 the
21 commission may enact rules and regulations setting forth
22 the specifications for traps and snares used for the taking
23 of gray wolves and the time period for checking such traps
24 and snares. Except as otherwise provided by commission

1 rule, the provisions in this section regulating the
2 trapping of furbearing and predatory animals shall apply to
3 the trapping of gray wolves.

4
5 **23-3-102. Taking certain game animals without license**
6 **or during a closed season prohibited.**

7
8 (b) Any person who takes any bighorn sheep, mountain
9 goat, mountain lion, ~~or~~ grizzly bear or, gray wolf where
10 classified as a trophy game animal, without the proper
11 license except as otherwise permitted by this act is guilty
12 of a 4th degree misdemeanor.

13
14 **23-3-115. Taking black bear, mountain lion, gray**
15 **wolf, bobcat, weasel, badger, squirrels or muskrat for**
16 **damaging property.**

17
18 (c) The provisions of subsection (a) of this section
19 relating to the taking of animals doing damage to private
20 property shall apply to gray wolves from and after the date
21 gray wolves are removed from the list of experimental
22 nonessential population, endangered species or threatened
23 species in Wyoming as provided by W.S. 23-1-108. The owner,
24 employee or lessee acting under authority of this section

1 shall notify the department of the killing of a gray wolf
2 within an area of the state in which the gray wolf is
3 classified as a trophy game animal. The notification shall
4 be made within ten (10) days of the kill unless the gray
5 wolf was taken in an area where wolves have been classified
6 as trophy game animals pursuant to W.S. 23-1-304(b)(i)(A)
7 in which case the notification shall be made within
8 seventy-two (72) hours.

9
10 **23-3-301. Importation and sale of wildlife**
11 **prohibited; exceptions.**

12
13 (a) No person shall import into Wyoming from any
14 source any living antelope, bear, deer, elk, moose,
15 mountain goat, mountain lion, bighorn sheep, wolf, wolf
16 hybrid nor any living wildlife except as otherwise
17 permitted by this act.

18
19 (b) No person shall sell any living antelope, bear,
20 deer, elk, moose, mountain goat, mountain lion, bighorn
21 sheep, wolf, wolf hybrid or falcon except as permitted by
22 the commission.

23

1 **23-3-304. Certain trapping devices unlawful; game for**
2 **bait prohibited; baiting big game animals prohibited;**
3 **penalties.**

4
5 (a) No person shall take or wound any game animal,
6 game bird, or game fish by use of any pit, pitfall, net,
7 trap, deadfall, poison, or other similar device except as
8 otherwise provided. From and after the date gray wolves
9 are removed from the list of experimental nonessential
10 population, endangered species or threatened species in
11 Wyoming as provided by W.S. 23-1-108, gray wolves may be
12 taken with a trap or snare only as allowed by and in
13 accordance with rules and regulations of the commission.

14
15 **Section 3.** Nothing in this act shall prohibit the
16 ownership of a wolf hybrid if the animal was owned before
17 the effective date of this act by a person then residing in
18 this state.

19
20 **Section 4.**

21
22 (a) It is the purpose of this act, unless the
23 introduction of the gray wolf into Wyoming is determined by
24 lawful authorities not to have been in accordance with

1 federal law, to provide appropriate state management and
2 control of gray wolves in order to facilitate the removal
3 of the gray wolf from its listing as an experimental
4 nonessential population, endangered species or threatened
5 species in Wyoming and to prevent future listing of the
6 gray wolf as an experimental nonessential population,
7 endangered species or threatened species.

8

9 (b) In providing appropriate state management and
10 control of gray wolves, the state acknowledges the need to
11 fill the current vacuum of management of this species
12 within the state. The state retains all rights to
13 investigate and, if determined by state officials to be
14 appropriate, take legal actions against the federal
15 government relating to the introduction of the gray wolf
16 into the boundaries of this state.

17

18 (c) In order to accomplish the purposes of this act,
19 the game and fish commission shall enter into a memorandum
20 of understanding with appropriate federal agencies under
21 which the commission and federal agencies shall endeavor to
22 manage the prey base for gray wolves in a manner to
23 maintain a sufficient prey base in Yellowstone National
24 Park, Grand Teton National Park and John D. Rockefeller,

1 Jr. Memorial Parkway within the state for at least eight
2 (8) packs of wolves. The game and fish commission shall
3 endeavor to manage big game populations providing a prey
4 base for seven (7) packs of gray wolves in all other areas
5 of the state in such a manner as to mitigate to the
6 greatest extent possible, adverse effects on opportunities
7 for licensed hunters to take big game.

8

9 (d) The game and fish commission shall report to the
10 joint travel, recreation, wildlife and cultural resources
11 interim committee not later than September 1, 2003,
12 regarding the implementation of this act.

13

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

18

19

(END)