

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 capture of specified wildlife; providing a statement of  
8 legislative intent; providing for implementation and  
9 reports; making conforming amendments; and providing for an  
10 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:

1

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

5

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.**

15

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. If  
11 such a determination is made:

12

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

22

23           (B) At any time that gray wolves are  
24 classified as trophy game animals outside of any area

1 specified in W.S. 23-1-101(a)(xii)(B)(I), the commission  
2 shall:

3

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

7

8 (II) At the request of the director of  
9 the Wyoming department of agriculture, consider the  
10 reclassification of wolves in all or a portion of such area  
11 at the commission's next scheduled meeting, but not later  
12 than sixty (60) days from receipt of the request.

13

14 (ii) Maintain the classification of gray wolves  
15 as a predatory animal and trophy game animal as specified  
16 in W.S. 23-1-101(a)(viii) and (xii)(B)(I), if it determines  
17 there were seven (7) packs of gray wolves located in this  
18 state and primarily outside of Yellowstone National Park,  
19 Grand Teton National Park and John D. Rockefeller, Jr.  
20 Memorial Parkway as of the end of the preceding calendar  
21 quarter.

22

23 (c) For purposes of this section "pack" means five  
24 (5) or more gray wolves traveling together. If a group of

1 gray wolves consists of more than ten (10) animals known to  
2 be traveling together, the commission may, at its  
3 discretion, recognize the number of packs within such a  
4 group to be equal to the number of reproductively mature  
5 females bearing young found within that group of wolves.

6  
7 (d) The department shall institute and maintain an  
8 active program of population monitoring statewide. In all  
9 areas of the state, except where otherwise provided, any  
10 person who harvests a wolf shall notify the department  
11 where the harvest occurred within ten (10) days. Any  
12 information regarding the number or nature of wolves  
13 legally harvested within the state of Wyoming shall only be  
14 released in its aggregate form and no information of a  
15 private or confidential nature shall be released without  
16 the written consent of the person to whom the information  
17 may refer. Information identifying any person legally  
18 harvesting a wolf within this state is solely for the use  
19 of the department or appropriate law enforcement offices  
20 and is not a public record for purposes of W.S. 16-4-201  
21 through 16-4-205.

22  
23 (e) This section shall apply from and after the date  
24 gray wolves are removed from the list of experimental

1 nonessential population, endangered species or threatened  
2 species in Wyoming as provided by W.S. 23-1-108.

3

4       **Section 2.**       W.S. 11-6-302(a)(ix) and (x),  
5 23-1-101(a)(viii) and (xii), 23-1-102(a) by creating a new  
6 paragraph (xvi), 23-1-103, 23-1-302(a) by creating a new  
7 paragraph (xxix), 23-2-101(j) by creating a new paragraph  
8 (xlii), 23-2-104(e), 23-2-303(d), 23-3-102(b), 23-3-115 by  
9 creating a new subsection (c), 23-3-301 and 23-3-304(a) are  
10 amended to read:

11

12       **11-6-302. Definitions.**

13

14       (a) As used in this article:

15

16               (ix) "Predatory animal" means:

17

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

20

21                       (B) Until the date gray wolves are removed  
22 from the list of experimental nonessential population,  
23 endangered species or threatened species in Wyoming as  
24 provided by W.S. 23-1-108, "predatory animal" includes

1 wolves. After that date, "predatory animal" shall include  
2 any gray wolf not within an area of the state in which the  
3 gray wolf is:

4  
5 (I) Designated as a trophy game animal  
6 under subdivision (x) (B) (I) of this subsection; or

7  
8 (II) Classified as a trophy game  
9 animal by the game and fish commission pursuant to W.S.  
10 23-1-304(b) (i) (A).

11  
12 (x) "Trophy game animal" means:

13  
14 (A) Black bear, grizzly bear or mountain  
15 lion; and

16  
17 (B) 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 (I) "Trophy game animal" shall include  
23 any gray wolf within those tracts of land within the  
24 boundaries of Wyoming designated as Yellowstone National

1 Park, Grand Teton National Park, the John D. Rockefeller,  
2 Jr. Memorial Parkway, and those federally designated  
3 wilderness areas contiguous to these national parks and  
4 this parkway as defined by the United States congress as of  
5 January 1, 2003; and

6  
7 (II) "Trophy game animal" shall  
8 include any gray wolf within any area of the state where  
9 gray wolves are classified as trophy game animals by the  
10 game and fish commission pursuant to W.S.  
11 23-1-304(b) (i) (A) .

12  
13 **23-1-101. Definitions of wildlife.**

14  
15 (a) As used in this act:

16  
17 (viii) "Predatory animal" means:

18  
19 (A) Coyote, jackrabbit, porcupine, raccoon,  
20 red fox, ~~wolf,~~skunk or stray cat; and

21  
22 (B) Until the date gray wolves are removed  
23 from the list of experimental nonessential population,  
24 endangered species or threatened species in Wyoming as

1 provided by W.S. 23-1-108, "predatory animal" includes  
2 wolves. After that date, "predatory animal" shall include  
3 any gray wolf not within an area of the state in which the  
4 gray wolf is:

5  
6 (I) Designated as a trophy game animal  
7 under subdivision (xii) (B) (I) of this subsection;

8  
9 (II) Classified as a trophy game  
10 animal by the commission pursuant to W.S.  
11 23-1-304(b) (i) (A) .

12  
13 (xii) "Trophy game animal" means:

14  
15 (A) Black bear, grizzly bear or mountain  
16 lion; and

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

22  
23 (I) "Trophy game animal" shall include  
24 any gray wolf within those tracts of land within the

1 boundaries of Wyoming designated as Yellowstone National  
2 Park, Grand Teton National Park, the John D. Rockefeller,  
3 Jr. Memorial Parkway, and those federally designated  
4 wilderness areas contiguous to these national parks and  
5 this parkway as defined by the United States congress as of  
6 January 1, 2003; and

7  
8 (II) "Trophy game animal" shall  
9 include any gray wolf within any area of the state where  
10 gray wolves are classified as trophy game animals by the  
11 commission pursuant to W.S. 23-1-304(b) (i) (A).

12  
13 **23-1-102. General definitions.**

14  
15 (a) As used in this act:

16  
17 (xvi) "Livestock" means horses, mules and asses,  
18 rabbits, llamas, cattle, swine, sheep, goats, poultry, or  
19 other animal generally used for food or in the production  
20 of food or fiber, and guard animals actively engaged in the  
21 protection of livestock. Bison are considered livestock  
22 unless otherwise designated by the Wyoming livestock board  
23 and the commission.

24

1           **23-1-103. Ownership of wildlife; purpose of**  
2 **provisions.**

3  
4 For the purpose of this act, all wildlife in Wyoming is the  
5 property of the state. It is the purpose of this act and  
6 the policy of the state to provide an adequate and flexible  
7 system for control, propagation, management, protection and  
8 regulation of all Wyoming wildlife. There shall be no  
9 private ownership of live animals classified in this act as  
10 big or trophy game animals or of any wolf or wolf hybrid.

11

12           **23-1-302. Powers and duties.**

13

14           (a) The commission is directed and empowered:

15

16           (xxix) After the date gray wolves are removed  
17 from the list of experimental nonessential population,  
18 endangered species or threatened species in Wyoming as  
19 provided by W.S. 23-1-108, to classify gray wolves as  
20 predatory or trophy game animals in accordance with W.S.  
21 23-1-304, and to regulate the number of gray wolves which  
22 may be taken under a license issued under this act.

23

1           **23-2-101. Fees; restrictions; nonresident application**  
 2 **fee; nonresident licenses; verification of residency**  
 3 **required.**

4  
 5           (j) Subject to W.S. 23-2-101(f), the following  
 6 hunting licenses and tags may be purchased for the fee  
 7 indicated and subject to the limitations provided:

8  
 9                   (xlii) From and after the date gray wolves are  
 10 removed from the list of experimental nonessential  
 11 population, endangered species or threatened species in  
 12 Wyoming as provided by W.S. 23-1-108:

13  
 14                           (A) Resident gray wolf license .....\$15.00

15  
 16                           (B) Nonresident gray wolf license ...\$150.00

17  
 18           **23-2-104. Archery licenses; special seasons;**  
 19 **prohibition against firearms; equipment.**

20  
 21           (e) When hunting antelope, bighorn sheep, black bear,  
 22 deer, mountain goat or mountain lion the longbow hunter  
 23 must be equipped with a longbow of not less than forty (40)  
 24 pounds draw weight or possessing the ability to cast a

1 hunting arrow of four hundred (400) grain weight at least  
2 one hundred sixty (160) yards. When hunting elk, grizzly  
3 bear or moose, the longbow hunter must be equipped with a  
4 longbow of not less than fifty (50) pounds draw weight or  
5 possessing the ability to cast a hunting arrow of five  
6 hundred (500) grain weight at least one hundred sixty (160)  
7 yards. The crossbow hunter must be equipped with a crossbow  
8 of not less than ninety (90) pounds draw weight which has a  
9 minimum draw length of fourteen (14) inches (from front of  
10 bow to back of string in the cocked position), a positive  
11 safety mechanism, and, except as provided in subsection (f)  
12 of this section, which must be cocked by hand without the  
13 aid of leverage-gaining devices. Crossbow bolts must be at  
14 least sixteen (16) inches long. The broadhead of arrows or  
15 bolts shall be of sharp steel with a minimum cutting width  
16 of one (1) inch. The provisions of this subsection  
17 relating to the hunting of antelope, bighorn sheep, black  
18 bear, deer, mountain goat and mountain lion shall also  
19 apply to the hunting of the gray wolf as a trophy game  
20 animal from and after the date gray wolves are removed from  
21 the list of experimental nonessential population,  
22 endangered species or threatened species in Wyoming as  
23 provided by W.S. 23-1-108.

24

1           **23-2-303. Trapping licenses; tagging; traps and**  
2 **snares; penalty; confiscation.**

3

4           (d) All traps and snares used for furbearing or  
5 predatory animals shall be permanently marked or tagged  
6 with the name and address of the owner or the  
7 identification number assigned to the owner by the  
8 department. Any identification number attached to a trap or  
9 snare pursuant to this subsection is solely for the use of  
10 the department or appropriate law enforcement officers and  
11 is not a public record for purposes of W.S. 16-4-201  
12 through 16-4-205. No trap or snare shall be set for  
13 furbearing or predatory animals within thirty (30) feet of  
14 any exposed bait or carcass over five (5) pounds in weight.  
15 As used in this subsection, "exposed bait or carcass" means  
16 the meat or viscera of any part of a mammal, bird or fish,  
17 excluding dried bones. In addition, all snares used for  
18 taking furbearing or predatory animals shall be equipped  
19 with a break-away locking device that is designed to  
20 release at two hundred ninety-five (295) pounds of pressure  
21 or less and a snare loop not to exceed twelve (12) inches  
22 in diameter measured side to side. Unless otherwise  
23 specified in this section, all traps, excluding snares set  
24 for furbearing animals and predatory animals and quick kill

1 body grip traps as defined by commission rule and  
2 regulation, shall be checked by the owner at least once  
3 during each seventy-two (72) hour period from the time the  
4 traps were set. Quick kill body grip traps shall be checked  
5 by the owner not less than once each seven (7) day period  
6 from the time the traps were set. All wildlife caught in  
7 any trap or snare shall upon discovery, be removed  
8 immediately by the owner. Violation of this subsection  
9 constitutes a ninth degree misdemeanor. After the date gray  
10 wolves are removed from the list of experimental  
11 nonessential population, endangered species or threatened  
12 species in Wyoming as provided by W.S. 23-1-108 the  
13 commission may enact rules and regulations setting forth  
14 the specifications for traps and snares used for the taking  
15 of gray wolves and the time period for checking such traps  
16 and snares. Except as otherwise provided by commission  
17 rule, the provisions in this section regulating the  
18 trapping of furbearing and predatory animals shall apply to  
19 the trapping of gray wolves.

20

21 **23-3-102. Taking certain game animals without license**  
22 **or during a closed season prohibited.**

23

1           (b) Any person who takes any bighorn sheep, mountain  
2 goat, mountain lion, ~~or~~ grizzly bear or, if licensed  
3 hunting of wolves is authorized, gray wolf, without the  
4 proper license except as otherwise permitted by this act is  
5 guilty of a 4th degree misdemeanor.

6  
7           **23-3-115. Taking black bear, mountain lion, gray**  
8 **wolf, bobcat, weasel, badger, squirrels or muskrat for**  
9 **damaging property.**

10  
11           (c) The provisions of subsection (a) of this section  
12 relating to the taking of animals doing damage to private  
13 property shall apply to gray wolves from and after the date  
14 gray wolves are removed from the list of experimental  
15 nonessential population, endangered species or threatened  
16 species in Wyoming as provided by W.S. 23-1-108. The owner,  
17 employee or lessee acting under authority of this section  
18 shall notify the department of the killing of a gray wolf  
19 within an area of the state in which the gray wolf is  
20 classified as a trophy game animal. The notification shall  
21 be made within ten (10) days of the kill unless the gray  
22 wolf was taken in an area where wolves have been classified  
23 as trophy game animals pursuant to W.S. 23-1-304(b)(i)(A)

1 in which case the notification shall be made within  
2 seventy-two (72) hours.

3

4 **23-3-301. Importation and sale of wildlife**  
5 **prohibited; exceptions.**

6

7 (a) No person shall capture or import into Wyoming  
8 from any source any living antelope, bear, deer, elk,  
9 moose, mountain goat, mountain lion, bighorn sheep, wolf,  
10 wolf hybrid nor any living wildlife except as otherwise  
11 permitted by this act.

12

13 (b) No person shall capture or sell any living  
14 antelope, bear, deer, elk, moose, mountain goat, mountain  
15 lion, bighorn sheep, wolf, wolf hybrid or falcon except as  
16 permitted by the commission.

17

18 **23-3-304. Certain trapping devices unlawful; game for**  
19 **bait prohibited; baiting big game animals prohibited;**  
20 **penalties.**

21

22 (a) No person shall take or wound any game animal,  
23 game bird, or game fish by use of any pit, pitfall, net,  
24 trap, deadfall, poison, or other similar device except as

1 otherwise provided. From and after the date gray wolves  
2 are 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, gray wolves may be  
5 taken with a trap or snare only as allowed by and in  
6 accordance with rules and regulations of the commission.

7

8 **Section 3.** Nothing in this act shall prohibit the  
9 ownership of a wolf hybrid if the animal was owned before  
10 the effective date of this act by a person then residing in  
11 this state.

12

13 **Section 4.**

14

15 (a) It is the purpose of this act, unless the  
16 introduction of the gray wolf into Wyoming is determined by  
17 lawful authorities not to have been in accordance with  
18 federal law, to provide appropriate state management and  
19 control of gray wolves in order to facilitate the removal  
20 of the gray wolf from its listing as an experimental  
21 nonessential population, endangered species or threatened  
22 species in Wyoming and to prevent future listing of the  
23 gray wolf as an experimental nonessential population,  
24 endangered species or threatened species.

1

2 (b) In order to accomplish the purposes of this act,  
3 the game and fish commission shall enter into a memorandum  
4 of understanding with appropriate federal agencies under  
5 which the commission and federal agencies shall endeavor to  
6 manage the prey base for gray wolves in a manner to  
7 maintain a sufficient prey base in Yellowstone National  
8 Park, Grand Teton National Park and John D. Rockefeller,  
9 Jr. Memorial Parkway within the state for at least eight  
10 (8) packs of wolves. The game and fish commission shall  
11 endeavor to manage big game populations providing a prey  
12 base for seven (7) packs of gray wolves in all other areas  
13 of the state in such a manner as to mitigate to the  
14 greatest extent possible, adverse effects on opportunities  
15 for licensed hunters to take big game.

16

17 (c) The game and fish commission shall report to the  
18 joint travel, recreation, wildlife and cultural resources  
19 interim committee not later than September 1, 2003,  
20 regarding the implementation of this act.

21

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

5

6

(END)