

SUMMARY *of* PROCEEDINGS



TREATMENT OF PREDATORS WORKING GROUP

COMMITTEE MEETING INFORMATION

June 25, 2024 | 8:30 a.m.
Fremont County School District, Board Room
863 Sweetwater
Lander, Wyoming

COMMITTEE MEMBERS PRESENT

Representative Liz Storer, Chairwoman
Senator Fred Baldwin
Senator Mike Gierau
Representative Sandy Newsome
Representative John Winter
Director Brian Nesvik
Director Doug Miyamoto
Jessi Johnson, Wyoming Wildlife Federation
Jim Magagna, Wyoming Stock Growers Association

LEGISLATIVE SERVICE OFFICE STAFF

Luke Plumb, Staff Attorney
Kelly Lower, Associate Research Analyst
Heather Hunter, Legislative Editor

OTHERS PRESENT AT MEETING

Please refer to **(Appendix 1-02)** to review the Sign-in Sheet for a list of other individuals who attended the meeting.

The Committee Meeting Summary of Proceedings (meeting minutes) is prepared by the Legislative Service Office (LSO) and is the official record of the proceedings of a legislative committee meeting. This document does not represent a transcript of the meeting; it is a digest of the meeting and provides a record of official actions taken by the Committee. All meeting materials and handouts provided to the Committee by the Legislative Service Office, public officials, lobbyists, and the public are on file at the Legislative Service Office and are part of the official record of the meeting. An index of these materials is provided at the end of this document and these materials are on file at the Legislative Service Office. For more information or to review meeting materials, please contact the Legislative Service Office at (307) 777-7881 or by e-mail at lso@wyoleg.gov. The Summary of Proceedings for each legislative committee meeting can be found on the Wyoming Legislature's website at www.wyoleg.gov.

EXECUTIVE SUMMARY

The Treatment of Predators Working Group (Working Group) met for half a day in Lander to begin its work. The Working Group received information on wolf management in Wyoming, current law regarding predatory animals and the permissible methods of take for predatory animals.

TUESDAY, JUNE 25, 2024

CALL TO ORDER

Chairwoman Storer called the meeting to order at 8:34 a.m. The following sections summarize the Working Group proceedings by topic. Please refer to ([Appendix 1-01](#)) to review the Working Group Meeting Agenda. The meeting recordings are available on the Wyoming Legislature's YouTube page [here](#).

Chairwoman Storer provided opening remarks to outline the reasons that the Working Group was formed, an overview of written public comment that was submitted to the Working Group and the goals for the meeting. She noted that the written comments that were submitted were thoughtful and indicated that the topic of treatment of predators was an important issue for the public. Chairwoman Storer explained that the concerns raised over the incident in Daniel Wyoming, which involved the display of a live and injured wolf in a bar, has been given to the legislature to work with Wyoming Game and Fish Department (WGFD) as well as other agencies to address the issue and see what legislative options are available to discourage similar future behavior. She recognized that there is a need for responsible predator management for agricultural and wildlife management purposes.

Chairwoman Storer summarized the written public comment that had been received and discussed that the paramount concern is animal welfare and the mistreatment of animals, which goes against the North American Model of Wildlife Conservation ([Appendix 2-03](#)). She provided a brief overview of the Model and explained that there is a difference between legitimate predator management activity for the purposes of agriculture and wildlife management as opposed to other activities that are currently legal under Wyoming law but go against the tenants of the North American Model of Wildlife Conservation. She also discussed that other comments raised concerns over the lack of fair chase for animals, particularly in context of running down an animal with a motor vehicle that can exceed speeds of most animals or at speeds an animal cannot sustain. Chairwoman Storer noted that there were several comments which expressed concern over the possession and transport of an injured animal instead of putting it down humanely and the subsequent public display of a live and injured animal. She explained that a core issue is the lack of decency and a lack of respect for wildlife and that the Working Group is seeking ways to discriminate certain behaviors that should or should not be legal under Wyoming law as it relates to predator management. Chairwoman Storer emphasized that Wyoming law does recognize that cruelty to animals is wrong, but there are exceptions for predatory animals.

Finally, Chairwoman Storer discussed the goals for the Working Group, which included identifying areas of animal cruelty that the Working Group wants to address and propose legislative options that would not unduly interfere with hunting and agricultural practices. Once those areas were identified, the Working Group would work conceptually and build consensus to provide directives to the Legislative Service Office (LSO) to draft legislation that will be considered at a later meeting to be held via Zoom. Once the Working Group has reviewed potential legislation, it will be forwarded on to the Joint Travel, Recreation, Wildlife and Cultural Resource Interim Committee for consideration.

WYOMING STATUTORY REVIEW

Legislative Service Office

Kelly Lower, Research Analyst, LSO, discussed the memorandum on Predator Management in Wyoming and Surrounding States ([Appendix 2-01](#)).

Luke Plumb, Staff Attorney, LSO, discussed the statutes which define predatory animals.

Director Brian Nesvik, WGFD, provided additional information on the game and fish statutes, including the specific definition of "take" and other provisions related to hunting and predator management. Director Nesvik expressed that the incident in Daniel, Wyoming, involving the display of a live and injured wolf in a bar, cannot be considered either hunting or predator management but something different altogether. He explained that a good place for the working group to focus on would be to increase the penalties for the crime that was charged in the Daniel incident and he also noted that there could be a nexus with animal abuse to explore.

WOLF MANAGEMENT IN WYOMING

Director Nesvik discussed wolf management in Wyoming, and explained that the WGFD does maintain a wolf management plan with a focus on the Wolf Trophy Game Management Areas in the Northwest corner of the state. He noted that Wyoming has stayed within their federally required management and population goals for wolves since the state took over management of the wolf population several years ago. Director Nesvik explained further that the Department also has requirements for the taking of wolves, which includes required reporting by any person who takes a wolf and genetic information tracking by the Department. Finally, Director Nesvik provided that outside of the Wolf Trophy Game Management Areas, his Department does not really manage the wolf population, which is left more to the Department of Agriculture and the animal damage management boards (ADMB).

Director Doug Miyamoto, Wyoming Department of Agriculture, discussed predatory animal damage management. He explained that his Department sets aside money each year to work in partnership with the United States Department of Agriculture (USDA) and the Animal and Plant Health Inspection Service (APHIS) for wolf management. Director Miyamoto also expressed that he did not see the Daniel incident as either hunting or proper predator management from an agricultural perspective. Next, Director Miyamoto discussed the indemnification process for depredation by wolves and other predatory animals, which is a process for people who have had their livestock depredated to be reimbursed for their losses through an application process. This is handled by the ADMB's who review claims and issue funding on a first come, first serve basis. Director Miyamoto also explained that wolf depredation is generally cyclical, and it can depend on how much funding is paid out year-to-year on that basis.

Jim Magagna, Wyoming Stock Growers Association, pointed out that depredation reimbursement is only available when wolves are listed as an endangered species because it is unlawful for a person to take a wolf when they are listed on the endangered species list.

Director Nesvik provided further comment on the WGFD's depredation loss program which operates similarly to the Department of Agriculture's program. He also discussed two points on the problems that the Working Group is focused on. First, the taking of a live animal and prolonging its suffering before killing the animal as it happened in the Daneil incident. Second, he warned that a discussion on how to take animals could become a difficult issue to properly address.

Director Miyamoto expressed similar sentiments as Director Nesvik, including that the penalties for the Daniel incident were likely too low and that there should be broader discretion for imposing penalties for similar incidences. He also explained how the Department of Agriculture received calls to take regulatory action against the bar in Daniel where the wolf was publicly displayed but he noted that there was no action that his Department could take unless there were continuing and egregious violations.

Senator Gierau asked questions of Director Nesvik and specifically about the incident in Daniel, Wyoming, when the live and injured wolf was taken into the bar.

Jessi Johnson, Wyoming Wildlife Federation, agreed with Director Nesvik and Director Miyamoto that the incident in Daniel was not hunting or predator management but instead human behavior that has been tolerated for a long time. She noted that there are distinctions to be drawn between the take and the prolonged suffering of an animal, such as in the case of the wolf in the Daniel incident, but that those distinctions likely need to be kept separate. Ms. Johnson discussed that the primary focus should be to require the speedy death of a taken animal. She expressed concern about blending animal cruelty between pets and wildlife and suggested that the Working Group focus on making statutory changes to Game and Fish statutes. Finally, she explained that she would like to see the penalties for wildlife violations be on par with crimes against humans.

Senator Baldwin provided comments and that he believes the Daniel incident involving the live and injured wolf was a human behavior problem and not a Game and Fish issue. He expressed that he is concerned about legislating ethics and morals and suggested that the best option to address the concerns arising from the Daniel incident be a change to the animal cruelty statutes as predator management in Wyoming has been working.

Representative Winter discussed his view that gray wolves were illegally introduced by the federal government and left to be managed by Wyoming. He expressed that he believes that timber wolves were not properly managed in Wyoming by the federal government. Representative Winter further explained that the legislature needs to be careful with any new legislation on this topic as the WGFD has been doing a good job on predator management and the Department of Agriculture has been working hard on behalf of the agricultural community.

WORKING GROUP DISCUSSION

Ms. Johnson discussed proposed changes to statute ([Appendix 2-04](#)). She explained that the proposal would require that any predatory animal or predacious bird that is intentionally taken into possession should be promptly killed or released. This statutory change would be within the Game and Fish statutes, and she noted that while she does not want to create more work for game wardens, she believes that most people would think to call a game warden for wildlife violations. The Working Group discussed changing the language in the proposal to be more similar to the language presented by Mr. Magagna as outlined below.

Mr. Magagna discussed another proposed change to statute ([Appendix 2-05](#)). He explained that this statutory change would be to the animal cruelty laws in the crimes and offenses title. This proposal would require that any person who intentionally injures or disables a predatory animal to make an immediate good faith effort to kill the animal. Any person who fails to comply would be guilty of animal cruelty.

Committee Action

The Working Group requested LSO draft a bill based on Ms. Johnson's proposal to amend game and fish statutes to require any person who injures or disables a predatory animal to make a good faith effort to kill the animal.

The Working Group requested LSO draft a bill to amend the criminal statute regarding cruelty to animals to require that a person who injures or disables a predatory animal to make a good faith effort to kill the animal and to adjust the penalty for a violation of the statute to match the low misdemeanor found in the Game and Fish statutes to be a \$1,000 fine.

MEETING ADJOURNMENT

There being no further business, Chairwoman Storer adjourned the meeting at 11:05 a.m.

Respectfully submitted,

Representative Liz Storer, Chairwoman

Committee Meeting Materials Index

Index Number	Agenda Item	Document Description	Document Provider
1-01		Agenda	Legislative Service Office
1-02		Sign-In Sheet	LSO
2-01	Wyoming Statutory Review	Memorandum-Predator Management in Wyoming and Surrounding States	LSO
2-02	Wyoming Statutory Review	Letter to the Working Group	Governor's Office
2-03	Wyoming Statutory Review	North American Model of Wildlife Conservation	LSO
2-04	Wyoming Statutory Review	Proposed Statute Changes	Ms. Johnson
2-05	Wyoming Statutory Review	Proposed Statute Change	Mr. Magagna