

SENATE FILE NO. SF0041

Wolf management.

Sponsored by: Joint Travel, Recreation, Wildlife and
Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to game and fish; providing for designation
2 of wolves in specified areas and within specified dates as
3 trophy game animals; providing for management for a
4 specified number of breeding pairs and individual gray
5 wolves; repealing commission authority to enlarge or
6 diminish areas where wolves are managed as trophy game
7 animals; repealing governor's authority to change areas
8 where wolves are managed as trophy game animals; limiting
9 commission authority to establish areas where wolves
10 designated as trophy game animals may be taken as predatory
11 animals; amending authorized management techniques for
12 controlling wolf populations; providing for use of animal
13 damage management boards funds; specifying legislative
14 intent; providing appropriations; and providing for an
15 effective date.

16

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

2

3 **Section 1.** W.S. 11-6-302(a)(ix)(B)(I) and (x)(B)(I),
4 11-6-309, 23-1-101(a)(viii)(B)(I), (xii)(B)(I) and (II),
5 23-1-302(a)(ii) and (xxix), 23-1-304(a), (d), (g), (h), (j)
6 and (n), 23-1-901 by creating a new subsection (g) and
7 23-3-115(c) are amended to read:

8

9 **11-6-302. Definitions.**

10

11 (a) As used in this article:

12

13 (ix) "Predatory animal" means:

14

15 (B) Until the date gray wolves are removed
16 from the list of experimental nonessential population,
17 endangered species or threatened species in Wyoming as
18 provided by W.S. 23-1-108, "predatory animal" includes
19 wolves. After that date, "predatory animal" shall include
20 any gray wolf not within an area of the state in which the
21 gray wolf is:

22

1 (I) Designated as a trophy game animal
2 under ~~subdivision (x) (B) (I) of this subsection, or~~ W.S.
3 23-1-101(a) (xii) (B) (I) or (II).
4

5 (x) "Trophy game animal" means:
6

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

12 (I) "Trophy game animal" shall include
13 any gray wolf within those ~~tracts of land within the~~
14 ~~following described area, subject to modification as~~
15 ~~authorized in this subdivision: northwest Wyoming beginning~~
16 ~~at the east boundary of the Shoshone National Forest and~~
17 ~~the Wyoming-Montana state line; southerly along said forest~~
18 ~~boundary to the common boundary between the Shoshone~~
19 ~~National Forest and the Wind River Indian Reservation;~~
20 ~~westerly and then southeasterly along the Shoshone National~~
21 ~~Forest boundary to the Union Pass Road (USFS Road 263);~~
22 ~~southerly along said road until it intersects the north~~
23 ~~boundary of the Upper Green River Cattle Association's~~
24 ~~grazing allotment on forest service lands; following the~~

1 ~~eastern boundary of said allotment southerly and westerly~~
2 ~~to the point it intersects the Bridger Teton National~~
3 ~~Forest boundary; westerly along said forest boundary to~~
4 ~~U.S. Highway 189 191; northwesterly along said highway to~~
5 ~~U.S. Highway 26 89 191 at Hoback Junction; northerly along~~
6 ~~said highway to Wyoming Highway 22; westerly along said~~
7 ~~highway to the Wyoming Idaho state line; north along said~~
8 ~~state line to the Wyoming Montana state line; north and~~
9 ~~then east along said state line to the east boundary of the~~
10 ~~Shoshone National Forest. This described area may be~~
11 ~~diminished by rule of the game and fish commission if the~~
12 ~~game and fish commission determines the diminution does not~~
13 ~~impede the delisting of gray wolves and will facilitate~~
14 ~~Wyoming's management of wolves; and areas where gray wolves~~
15 ~~are designated as trophy game animals as provided in W.S~~
16 ~~23-1-101(a)(xii)(B)(I) or (II).~~

17

18 **11-6-309. Predator management district participation**
19 **with the ADMB.**

20

21 (a) Except as provided in subsection (b) of this
22 section, if the predator management district has elected to
23 participate in providing funding or upon approval of the
24 ADMB, other in-kind resources, to the animal damage

1 management account, the district may solicit funds or
2 receive services from the ADMB under separate negotiated
3 agreement.

4

5 (b) Whether or not a predator management district has
6 elected to participate in providing funding to the animal
7 damage management account, the district may solicit funds
8 or receive services from the ADMB for control of gray
9 wolves.

10

11 **23-1-101. Definitions of wildlife.**

12

13 (a) As used in this act:

14

15 (viii) "Predatory animal" means:

16

17 (B) Until the date gray wolves are removed
18 from the list of experimental nonessential population,
19 endangered species or threatened species in Wyoming as
20 provided by W.S. 23-1-108, "predatory animal" includes
21 wolves. After that date, "predatory animal" shall include
22 any gray wolf not within an area of the state in which the
23 gray wolf is:

24

1 (I) Designated as a trophy game animal
2 under subdivision (xii) (B) (I) or (II) of this subsection.7

3

4 (xii) "Trophy game animal" means:

5

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

10

11 (I) "Trophy game animal" shall include
12 any gray wolf within those tracts of land within the
13 following described area, ~~subject to modification as~~
14 ~~authorized in this subdivision: northwest Wyoming beginning~~
15 ~~at the east boundary of the Shoshone National Forest and~~
16 ~~the Wyoming Montana state line; southerly along said forest~~
17 ~~boundary to the common boundary between the Shoshone~~
18 ~~National Forest and the Wind River Indian Reservation;~~
19 ~~westerly and then southeasterly along the Shoshone National~~
20 ~~Forest boundary to the Union Pass Road (USFS Road 263);~~
21 ~~southerly along said road until it intersects the north~~
22 ~~boundary of the Upper Green River Cattle Association's~~
23 ~~grazing allotment on forest service lands; following the~~
24 ~~eastern boundary of said allotment southerly and westerly~~

1 ~~to the point it intersects the Bridger-Teton National~~
2 ~~Forest boundary; westerly along said forest boundary to~~
3 ~~U.S. Highway 189-191; northwesterly along said highway to~~
4 ~~U.S. Highway 26-89-191 at Hoback Junction; northerly along~~
5 ~~said highway to Wyoming Highway 22; westerly along said~~
6 ~~highway to the Wyoming-Idaho state line; north along said~~
7 ~~state line to the Wyoming-Montana state line; north and~~
8 ~~then east along said state line to the east boundary of the~~
9 ~~Shoshone National Forest. This described area may be~~
10 ~~diminished by rule of the commission if the commission~~
11 ~~determines the diminution does not impede the delisting of~~
12 ~~gray wolves and will facilitate Wyoming's management of~~
13 ~~wolves~~ excluding Yellowstone National Park: northwest
14 Wyoming beginning at the junction of Wyoming Highway 120
15 and the Wyoming-Montana state line; southerly along Wyoming
16 Highway 120 to the Greybull River; southwesterly up said
17 river to the Wood River; southwesterly up said river to the
18 Shoshone National Forest boundary; southerly along said
19 boundary to the Wind River Indian Reservation boundary;
20 westerly, then southerly along said boundary to the
21 Continental Divide; southeasterly along said divide to the
22 Middle Fork of Boulder Creek; westerly down said creek to
23 Boulder Creek; westerly down said creek to the Bridger-
24 Teton National Forest boundary; northwesterly along said

1 boundary to its intersection with U.S. Highway 189-191;
2 northwesterly along said highway to the intersection with
3 U.S. Highway 26-89-191; northerly along said highway to
4 Wyoming Highway 22 in the town of Jackson; westerly along
5 said highway to the Wyoming-Idaho state line; north along
6 said state line to the Wyoming-Montana state line; north,
7 then east along said state line to Wyoming Highway 120;~~and~~

8
9 (II) "Trophy game animal" shall
10 include any gray wolf ~~within any area of the state where~~
11 ~~gray wolves are classified as trophy game animals by the~~
12 ~~commission pursuant to W.S. 23-1-304(a)~~ located, from
13 October 15 through the last day of February in the
14 subsequent year, within the following described area:
15 beginning at the boundary described in subdivision (B)(I)
16 of this paragraph, where the Bridger-Teton National Forest
17 boundary intersects U.S. Highway 189-191 at Hoback Rim;
18 westerly and then southerly along said forest boundary to
19 its intersection with USFS Road 10125 (McDougal Gap Road);
20 westerly along said road to USFS Road 10138 (Grey's River
21 Road); southerly along said road to Sheep Creek; westerly
22 down said creek to Grey's River; southwesterly up said
23 river to Bear Creek; southwesterly up said creek to the
24 hydrographic divide between Bear Creek and Willow Creek;

1 west from said divide to USFS Road 10080 (Willow Creek
2 Road); northwesterly along said road to Lincoln County Road
3 123; southerly along said road to USFS Road 10081 (Grover
4 Park Road); southerly then westerly along said road to
5 Lincoln County Road 172; westerly along said road to the
6 junction with Wyoming Highway 237; westerly along said
7 highway to Wyoming Highway 238; southerly along said
8 highway to Lincoln County Road 134; westerly along said
9 road to the Wyoming-Idaho state line; north along said
10 state line to Wyoming Highway 22 where the boundary
11 described in this subdivision will rejoin the boundary
12 described in subdivision (B)(I) of this paragraph.

13

14 **23-1-302. Powers and duties.**

15

16 (a) The commission is directed and empowered:

17

18 (ii) To establish zones and areas in which
19 trophy game animals, other than gray wolves, may be taken
20 as game animals with a license or in the same manner as
21 predatory animals without a license, giving proper regard
22 to the livestock and game industries in those particular
23 areas;

24

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~~ set seasons and bag
5 limits for gray wolves ~~as predatory or~~ designated as trophy
6 game animals ~~in accordance with~~ pursuant to W.S. ~~23-1-304~~
7 23-1-101(a)(xii)(B)(I) and (II), and to regulate the number
8 of gray wolves which may be taken under a license issued
9 under this act or as necessary to carry out the
10 commission's duties under this act;

11

12 **23-1-304. Classification of gray wolves.**

13

14 (a) The commission shall by rule and regulation
15 ~~establish areas within the state where gray wolves are~~
16 ~~classified as trophy game animals and~~ set seasons and bag
17 limits and any other requirements necessary to adequately
18 monitor wolf populations within those areas where gray
19 wolves are designated as trophy game animals pursuant to
20 W.S. 23-1-101(a)(xii)(B)(I) and (II). The ~~areas~~
21 ~~designated,~~ seasons and bag limits shall be set annually in
22 a manner the commission determines, through rule and
23 regulation, ~~only~~ as necessary to reasonably ensure at least
24 ~~seven (7)~~ ten (10) breeding pairs of gray wolves and a

1 total of at least one hundred (100) individual gray wolves
2 are located in this state and primarily outside of
3 Yellowstone National Park, ~~Grand Teton National Park and~~
4 ~~John D. Rockefeller, Jr. Memorial Parkway~~ and the Wind
5 River Indian Reservation at the end of the current calendar
6 year.

7
8 (d) The department shall institute and maintain an
9 active program of population monitoring statewide.
10 Population monitoring shall include the use of global
11 positioning systems and radio collaring of gray wolves,
12 including use of aerial tracking, necessary to accurately
13 determine the population and movement of gray wolves in the
14 state. The commission is authorized to enter into memoranda
15 of understanding with the United States fish and wildlife
16 service or other federal agencies to fund the purchase of
17 the necessary technology and to ensure accurate and
18 adequate monitoring of wolf population levels and movements
19 through global positioning systems and radio collar
20 tracking. In all areas of the state, except where
21 otherwise provided, any person who harvests a wolf shall
22 notify the department where the harvest occurred within ten
23 (10) days. In areas of the state where gray wolves are
24 designated as trophy game animals, any person who harvests

1 a wolf shall notify the department of the harvest and where
2 the harvest occurred within a time period set by rule and
3 regulation, which shall not exceed seventy-two (72) hours.

4 Any information regarding the number or nature of wolves
5 legally harvested within the state of Wyoming shall only be
6 released in its aggregate form and no information of a
7 private or confidential nature shall be released without
8 the written consent of the person to whom the information
9 may refer. Information identifying any person legally
10 harvesting a wolf within this state is solely for the use
11 of the department or appropriate law enforcement offices
12 and is not a public record for purposes of W.S. 16-4-201
13 through 16-4-205.

14
15 (g) The commission is authorized, through rule and
16 regulation, to use ~~aggressive~~ management techniques
17 including the use of aerial hunting and hazing by the
18 department and issuance of permits to private landowners to
19 take wolves to protect private property including, but not
20 limited to, livestock and other domesticated animals from
21 wolf depredation.

22
23 (h) Within forty-eight (48) hours of receiving
24 notification from a landowner or his designee that any gray

1 wolf in the state has harassed, injured, maimed or killed
2 livestock or any domesticated animal, the department shall
3 respond. The department may use the ~~aggressive~~ management
4 techniques authorized under subsection (g) of this section
5 or any other management methods necessary, to minimize the
6 harassing, injuring, maiming or killing of livestock and
7 other domesticated animals.

8

9 (j) At any time that there exists the number of
10 breeding pairs of gray wolves and the number of individual
11 gray wolves specified in subsection (a) of this section,
12 the department is authorized to take any action necessary
13 to protect big and trophy game populations in this state
14 from predation by gray wolves. The department shall give
15 priority to areas where the wild ungulate herd is
16 experiencing unacceptable impacts from wolf predation.

17

18 (n) The commission shall promulgate rules and
19 regulations providing for issuance of ~~annual~~ permits to
20 landowners or livestock owners for removing wolves which
21 are harassing, injuring, maiming or killing livestock or
22 other domesticated animals and for wolves occupying
23 geographic areas where chronic wolf predation occurs.

24 Permits issued or renewed under this subsection shall be

1 valid for not more than forty-five (45) days from issuance
2 or renewal. The permits shall be issued as long as there
3 are ~~seven (7)~~ at least ten (10) breeding pairs and a total
4 of at least one hundred (100) individual gray wolves within
5 the state and outside of Yellowstone National Park, ~~Grand~~
6 ~~Teton National Park and John D. Rockefeller, Jr. Memorial~~
7 ~~Parkway~~ and the Wind River Indian Reservation. The rules
8 shall provide for suspending or cancelling permits if
9 further lethal control could cause relisting of wolves
10 under the endangered species act.

11

12 **23-1-901. Owner of damaged property to report damage;**
13 **claims for damages; time for filing; determination; appeal;**
14 **arbitration.**

15

16 (g) For purposes of this section, "trophy game
17 animals" shall include gray wolves located in the area
18 described in W.S. 23-1-101(a)(xii)(B)(II) regardless of the
19 date on which the damage occurs.

20

21 **23-3-115. Taking black bear, mountain lion, gray**
22 **wolf, bobcat, weasel, badger, squirrels or muskrat for**
23 **damaging property.**

24

1 (c) The provisions of subsection (a) of this section
2 relating to the taking of animals doing damage to private
3 property shall apply to gray wolves from and after the date
4 gray wolves are removed from the list of experimental
5 nonessential population, endangered species or threatened
6 species in Wyoming as provided by W.S. 23-1-108. For
7 purposes of this section as it applies to gray wolves,
8 "doing damage to private property" means actual biting,
9 wounding, grasping or killing of livestock or a dog, or
10 chasing, molesting or harassing of livestock or a dog by a
11 wolf that would indicate to a reasonable person that actual
12 biting, wounding, grasping or killing of the livestock or
13 dog is likely to occur at any moment. The owner, employee
14 or lessee acting under authority of this section shall
15 notify the department of the killing of a gray wolf within
16 an area of the state in which the gray wolf is ~~classified~~
17 ~~designated~~ as a trophy game animal. The notification shall
18 be made within ~~ten (10) days of the kill unless the gray~~
19 ~~wolf was taken in an area where wolves have been classified~~
20 ~~as trophy game animals pursuant to W.S. 23-1-304(a) in~~
21 ~~which case the notification shall be made within~~ seventy-
22 two (72) hours of the kill.

23

24 **Section 2.** W.S. 11-6-302(a)(ix)(B)(II),

1 (x) (B) (II) and (b), 23-1-101(a) (viii) (B) (II) and (b),
2 23-1-109, 2003 Wyoming Session Laws, Chapter 115, Section
3 4(c) and 2007 Wyoming Session Laws, Chapter 168, Section 1
4 are repealed.

5

6 **Section 3.** The legislature finds that the
7 contingencies required by 2007 Wyoming Session Laws,
8 Chapter 168, Section 1 occurred and the provisions of 2007
9 Wyoming Session Laws, Chapter 168 became effective, and
10 shall be effective, subject to amendment or repeal as
11 provided in this act.

12

13 **Section 4.**

14

15 (a) There is appropriated three hundred thousand
16 dollars (\$300,000.00) from the general fund to the game and
17 fish department. This appropriation shall be for the
18 period beginning with the effective date of this act and
19 ending June 30, 2014. This appropriation shall only be
20 expended for the purpose of funding damage payments for
21 wolf depredation of livestock under W.S. 23-1-901.
22 Notwithstanding any other provision of law, this
23 appropriation shall not be transferred or expended for any
24 other purpose and any unexpended, unobligated funds

1 remaining from this appropriation shall revert as provided
2 by law on June 30, 2014.

3

4 (b) There is appropriated two hundred thousand
5 dollars (\$200,000.00) from the general fund to the animal
6 damage management account created by W.S. 11-6-306. This
7 appropriation shall be for the period beginning with the
8 effective date of this act and ending June 30, 2014. This
9 appropriation shall only be expended for the purpose of
10 funding wolf control activities by the animal damage
11 management board. Notwithstanding any other provision of
12 law, this appropriation shall not be transferred or
13 expended for any other purpose and any unexpended,
14 unobligated funds remaining from this appropriation shall
15 revert as provided by law on June 30, 2014.

16

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

21

22

(END)