

ORIGINAL HOUSE
BILL NO. 0006

ENROLLED ACT NO. 16, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

AN ACT relating to game and fish; providing for the regulation of specifications for trapping and snaring through rule and regulation; providing time periods for the checking of snares and traps; providing for exceptions; and providing for effective dates.

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

Section 1. W.S. 23-2-303(d), by creating a new subsection (e) and by amending and renumbering (e) as (f) and by renumbering (f) as (g) and 23-3-103(a) are amended to read:

23-2-303. Trapping licenses; tagging; traps and snares; penalty; confiscation; inspection; interference with trapping.

(d) The commission, following consultation with other affected entities, may promulgate rules and regulations establishing specifications for snares, breakaway weights, location of breakaway devices, loop size and anchors for trapping and snaring of furbearing and predatory animals. All traps and snares used for furbearing or predatory animals shall be permanently marked or tagged with the name and address of the owner or the identification number assigned to the owner by the department. Any identification number attached to a trap or snare pursuant to this subsection is solely for the use of the department or appropriate law enforcement officers and is not a public record for purposes of W.S. 16-4-201 through 16-4-205. No trap or snare shall be set for furbearing or predatory animals within thirty (30) feet of any exposed bait or carcass over five (5) pounds in weight. As used in this subsection, "exposed bait or carcass" means the meat or viscera of any part of a mammal, bird or fish, excluding

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dried bones. ~~In addition,~~ All snares used for taking furbearing or predatory animals shall be equipped with a break-away ~~locking device. that is designed to release at two hundred ninety five (295) pounds of pressure or less and a snare loop not to exceed twelve (12) inches in diameter measured side to side.~~ Unless otherwise specified in this ~~section~~ subsection, all steel-jawed leghold traps, ~~excluding snares set for furbearing animals and predatory animals and quick kill body grip traps as defined by commission rule and regulation,~~ shall be checked by the owner at least once during each seventy-two (72) hour period ~~from the time the traps were set unless extensions are granted by the department.~~ All snares and quick kill body grip traps shall be checked by the owner not less than once each seven (7) day period from the time the traps were set week unless extensions are granted by the department. All wildlife caught in any trap or snare shall upon discovery, be removed immediately by the owner. Violation of this subsection constitutes a low misdemeanor punishable as provided in W.S. 23-6-202(a)(v).

(e) After the date gray wolves are removed from the list of experimental nonessential population, endangered species or threatened species in Wyoming as provided by W.S. 23-1-108 the commission may enact rules and regulations setting forth the specifications for traps and snares used for the taking of gray wolves and the time period for checking such traps and snares. Except as otherwise provided by commission rule, the provisions in this section regulating the trapping of furbearing and predatory animals shall apply to the trapping of gray wolves.

~~(e)~~ (f) Any trap or snare found in the field not bearing the name and address of the owner of the trap or snare or the identification number assigned by the

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department to the owner of the trap or snare may be confiscated by any employee of the department. Any landowner or his agent may inspect any trap or snare set on his property, ~~and~~ may remove the trap or snare and may release or remove from the trap or snare any wildlife which has not been taken lawfully. The landowner or his agent shall ~~immediately~~ notify the department of any such wildlife, excluding predatory animals, ~~prior to~~ as soon as practicably possible after removing the wildlife from a trap or snare.

~~(f)~~ (g) A violation of this subsection constitutes a low misdemeanor punishable as provided in W.S. 23-6-202(a)(v). Except as otherwise provided in this section, no person shall intentionally:

(i) Tamper with or remove a trap or snare set and maintained in compliance with this act; or

(ii) Release or remove a furbearer or predator from a trap or snare set and maintained in compliance with this act.

23-3-103. Taking predatory animals, predacious birds and trophy animals; taking furbearing animals and game birds without license prohibited.

(a) Predatory animals and predacious birds may be taken without a license in any manner and at any time except as provided by W.S. 23-2-303(d) and (e), 23-3-112, 23-3-304(b), 23-3-305 and 23-3-307. The department shall report annually to the Wyoming department of agriculture the number of predatory animals and predacious birds taken by the department's animal damage control agents, and include in the report the area where taken and the control method used.

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Section 2. The commission shall adopt final rules to implement this act not later than July 1, 2009.

Section 3.

(a) Except as otherwise provided in subsection (b) of this section, this act is effective July 1, 2009.

(b) Section 2 of this act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk