

WORKING DRAFT

HOUSE BILL NO. _____

Preference points for hunting licenses.

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

A BILL

for

1 AN ACT relating to game and fish; granting the game and
2 fish commission authority to establish preference point
3 programs for hunting licenses and permits; authorizing the
4 establishment of fees; making conforming amendments; and
5 providing for effective dates.

6

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

8

***** STAFF COMMENTS *****

9 **This draft contains alternatives. The first**
10 **version implements the proposal submitted by the**
11 **Game and Fish Department. Version 2 is alternate**
12 **language implementing a request by the Committee**
13 **to limit the new preference point program**
14 **authority to elk, deer and antelope nonresident**
15 **licenses.**

16

17

VERSION 1.

18

Section 1. W.S. 23-1-501(e), 23-1-703(b), by creating

19

a new subsection (g) and amending and renumbering (g) as

1 (h), 23-2-101(g), (k), by creating a new subsection (m) and
2 renumbering (m) as (n) and 23-2-109 are amended to read:

3

4 **23-1-501. Game and fish fund.**

5

6 (e) An account within the game and fish fund is
7 created. Revenues collected under W.S. 23-2-101~~(m)~~ (n), 23-
8 2-201(e) and as specified under W.S. 23-2-306(a) shall be
9 deposited within the account. The commission shall use
10 revenues in the account to purchase access easements to
11 provide access to public and private lands. The commission
12 shall notify in writing the appropriate boards of county
13 commissioners before purchasing any access easements under
14 this subsection. In addition and on or before February 1 of
15 each year, the commission shall annually report to the
16 legislature on easements purchased pursuant to this
17 subsection during the preceding fiscal year.

18

19 **23-1-703. Limitation of number of big or trophy game**
20 **animal licenses; reservation of certain licenses;**
21 **reservation of certain unused licenses.**

22

23 (b) Except as specifically provided under this
24 subsection, subsection (f) of this section or W.S. 23-1-

1 705(a), no person may apply for and receive more than one
2 (1) moose or one (1) bighorn sheep license in any
3 consecutive five (5) year period. Effective for the 1995
4 hunting season and each hunting season thereafter, licenses
5 issued under this subsection shall be based upon the number
6 of points assigned to each applicant for a particular
7 species. Effective January 1, 2000, licenses issued under
8 this subsection shall be issued partially through a
9 preference point drawing and partially through a random
10 drawing of all remaining unsuccessful applicants for that
11 year. The department shall assign points to each license
12 applicant for a specific species by multiplying the number
13 of years the applicant has unsuccessfully applied for a
14 license times one (1). The calculation used to assign
15 points to an applicant for a particular species under this
16 subsection shall include any year the applicant does not
17 apply for a big or trophy game animal hunting license for
18 that species, provided in the case of a resident the
19 applicant pays the fee specified in W.S. 23-2-101(k) and in
20 the case of a nonresident the applicant pays the
21 appropriate fee established by the commission under W.S.
22 23-2-101(m). License applicants within each hunt area for a
23 species shall be grouped according to the number of
24 assigned points for that species. Not less than seventy-

1 five percent (75%) of available licenses within any hunt
2 area shall be randomly selected through a preference point
3 drawing from among the group of applicants with the largest
4 number of assigned points and shall continue until all
5 applicants within that group have been exhausted or until
6 all available licenses have been issued, whichever first
7 occurs. If any applicant grouping has been exhausted and
8 licenses remain available within that hunt area, selection
9 shall continue from among the group of applicants with the
10 next largest number of assigned points. After the
11 selections through the preference point drawing have been
12 completed within a hunt area, the remaining licenses
13 available from that drawing and the licenses available for
14 the random drawing for that hunt area will be issued
15 through a random selection from among all applicants in the
16 hunt area who were not selected for issuance of a license
17 for the species through the preference point drawing in
18 that hunt area. For purposes of assigning points under this
19 subsection, any unsuccessful license applicant failing to
20 apply for a license during the second calendar year shall
21 be considered to be a first year applicant for any
22 subsequent calendar year in which the applicant submits
23 license application for that particular species.

24

1 (g) In addition to the authority granted under
2 subsection (b) of this section, the commission may through
3 rule and regulation develop and implement a preference
4 point program for any other hunting licenses or permits
5 which are limited in quota and would otherwise be issued
6 through a random drawing. A program established pursuant
7 to this subsection may be implemented for all or selected
8 hunt areas, may be applied to all or portions of licenses
9 for any particular species and may distinguish between
10 resident and nonresidents in its application. The
11 commission may charge license applicants a nonrefundable
12 fee to accumulate preference points under the program as
13 provided in W.S. 23-2-101(m).

14
15 ~~(g)~~(h) Rules and regulations shall be promulgated by
16 the game and fish commission to carry out subsections (a)
17 through (f) of this section and may be promulgated as
18 provided in subsection (g) of this section.

19
20 **23-2-101. Fees; restrictions; nonresident application**
21 **fee; nonresident licenses; verification of residency**
22 **required.**

23

1 (g) In promulgating rules and regulations for the
2 taking of bighorn sheep and moose, the commission shall not
3 discriminate between residents and nonresidents regarding
4 the maturity, horn size or sex of the animals which may be
5 taken. Nothing in this subsection shall be construed as
6 prohibiting the commission from issuing a different number
7 of licenses for residents and nonresidents or from
8 requiring a preference point fee from nonresidents only
9 pursuant to subsection (m) of this section.

10
11 (k) ~~Effective January 1, 2000,~~ Any person resident
12 qualified to purchase a moose or big horn sheep hunting
13 license under subsection (b) of this section may pay a fee
14 of seven dollars (\$7.00) in lieu of applying for a moose or
15 big horn sheep hunting license. Payment of the fee for a
16 particular species under this subsection shall authorize
17 the person to accumulate points under W.S. 23-1-703(b) for
18 that year in the same manner as if he had unsuccessfully
19 applied for a hunting license for that species. Payment of
20 the fee shall be made in compliance with application dates.

21
22 (m) Subject to the provisions of this subsection, as
23 part of any preference point program, the commission may
24 establish a nonrefundable fee to be retained from the

1 license fee submitted for the limited quota drawing, and
2 may also establish a fee to be paid in lieu of applying for
3 the limited quota license. Retention of the established
4 fee or payment of the fee in lieu of applying shall
5 authorize the person to accumulate a preference point for
6 future limited quota drawings for the applicable species in
7 accordance with rules of the commission. The rules may
8 provide for the loss of all accumulated points for persons
9 failing to apply or to pay the in lieu fee in any calendar
10 year. The fee for any program under this subsection shall
11 be established by rule and shall not exceed fifty dollars
12 (\$50.00) per species. Payment of the fee shall be made in
13 compliance with application dates. Nothing in this
14 subsection authorizes the commission to establish or retain
15 a fee for resident moose or resident big horn sheep license
16 preference points in addition to the fee established by
17 subsection (k) of this section or to establish rules for
18 big horn sheep or moose preference point drawings in
19 conflict with the provisions of W.S. 23-1-703(b). For
20 nonresident big horn sheep and nonresident moose licenses,
21 the commission may establish by rule a nonrefundable
22 preference point fee to be retained from the license fee
23 submitted and may establish a fee in lieu of making
24 application in an amount greater than that established

1 under subsection (k) of this section, but neither fee shall
2 exceed fifty dollars (\$50.00).

3
4 ~~(m)~~(n) In addition to other fees under this section,
5 persons applying for a license or tag under this section
6 may pay any whole dollar amount to fund the purchase of
7 access easements by the commission to provide access to
8 public and private lands.

9
10 **23-2-109. Multiple applications for limited licenses**
11 **prohibited; penalty.**

12
13 Except as otherwise authorized by law or rule of the
14 commission, no person shall submit more than one (1)
15 application for a license for the same big or trophy game
16 species or for wild turkey, if the issuance of the license
17 has been limited by the commission. A violation of this
18 subsection shall be punishable as a 5th degree misdemeanor,
19 by the loss of all points then assigned to the person
20 pursuant to W.S. 23-1-703(b) or (g), and disqualification
21 in the year of submission for any license for the species
22 for which the multiple applications were submitted.

23

1 **Section 2.** The game and fish commission may adopt
2 rules and regulations implementing the provisions of this
3 act upon the effective date of this section.

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

9
10 (b) Except as provided in subsection (a) of this
11 section, this act is effective January 1, 2004.

12
13 **VERSION 2.**

14
15 **Section 3.** W.S. 23-1-501(e), 23-1-703(f), by creating
16 a new subsection (g) and amending and renumbering (g) as
17 (h), 23-2-101(k), by creating a new subsection (m) and
18 renumbering (m) as (n) and 23-2-109 are amended to read:

19
20 **23-1-501. Game and fish fund.**

21
22 (e) An account within the game and fish fund is
23 created. Revenues collected under W.S. 23-2-101-~~(m)~~ (n), 23-
24 2-201(e) and as specified under W.S. 23-2-306(a) shall be

1 deposited within the account. The commission shall use
2 revenues in the account to purchase access easements to
3 provide access to public and private lands. The commission
4 shall notify in writing the appropriate boards of county
5 commissioners before purchasing any access easements under
6 this subsection. In addition and on or before February 1 of
7 each year, the commission shall annually report to the
8 legislature on easements purchased pursuant to this
9 subsection during the preceding fiscal year.

10
11 **23-1-703. Limitation of number of big or trophy game**
12 **animal licenses; reservation of certain licenses;**
13 **reservation of certain unused licenses.**

14
15 (g) In addition to the authority granted under
16 subsection (b) of this section, the commission may through
17 rule and regulation develop and implement a preference
18 point program for nonresident antelope, nonresident deer
19 and nonresident elk licenses which are limited in quota and
20 would otherwise be issued through a random drawing. A
21 program established pursuant to this subsection may be
22 implemented for all or selected hunt areas and may be
23 applied to all or portions of licenses for any particular
24 species. The commission may charge nonresident license

1 applicants a nonrefundable fee to accumulate preference
2 points under the program as provided in W.S. 23-2-101(m).

3
4 ~~(g)~~(h) Rules and regulations shall be promulgated by
5 the game and fish commission to carry out subsections (a)
6 through (f) of this section and may be promulgated as
7 provided in subsection (g) of this section.

8
9
10 **23-2-101. Fees; restrictions; nonresident application**
11 **fee; nonresident licenses; verification of residency**
12 **required.**

13
14 (k) ~~Effective January 1, 2000,~~ Any person qualified
15 to purchase a moose or big horn sheep hunting license under
16 subsection (b) of this section may pay a fee of seven
17 dollars (\$7.00) in lieu of applying for a moose or big horn
18 sheep hunting license. Payment of the fee for a particular
19 species under this subsection shall authorize the person to
20 accumulate points under W.S. 23-1-703(b) for that year in
21 the same manner as if he had unsuccessfully applied for a
22 hunting license for that species. Payment of the fee shall
23 be made in compliance with application dates.

24

1 (m) Subject to the provisions of this subsection, as
2 part of any preference point program for nonresident
3 antelope, nonresident deer or nonresident elk, the
4 commission may establish a nonrefundable fee to be retained
5 from the license fee submitted, and may also establish a
6 fee to be paid in lieu of applying for the limited quota
7 license. Retention of the established fee or payment of
8 the fee in lieu of applying shall authorize the person to
9 accumulate a preference point for future limited quota
10 drawings for the applicable species in accordance with
11 rules of the commission. The rules may provide for the
12 loss of all accumulated points for persons failing to apply
13 or to pay the in lieu fee in any calendar year. The fee
14 for any program under this subsection shall be established
15 by rule and shall not exceed fifty dollars (\$50.00) per
16 species. Payment of the fee shall be made in compliance
17 with application dates.

18
19 ~~(m)~~(n) In addition to other fees under this section,
20 persons applying for a license or tag under this section
21 may pay any whole dollar amount to fund the purchase of
22 access easements by the commission to provide access to
23 public and private lands.

24

1 **23-2-109. Multiple applications for limited licenses**
2 **prohibited; penalty.**

3
4 Except as otherwise authorized by law or rule of the
5 commission, no person shall submit more than one (1)
6 application for a license for the same big or trophy game
7 species or for wild turkey, if the issuance of the license
8 has been limited by the commission. A violation of this
9 subsection shall be punishable as a 5th degree misdemeanor,
10 by the loss of all points then assigned to the person
11 pursuant to W.S. 23-1-703(b) or (g), and disqualification
12 in the year of submission for any license for the species
13 for which the multiple applications were submitted.

14
15 **Section 2.** The game and fish commission may adopt
16 rules and regulations implementing the provisions of this
17 act upon the effective date of this section.

18
19 **Section 3.** (a) Section 2 of this act is effective
20 immediately upon completion of all acts necessary for a
21 bill to become law as provided by Article 4, Section 8 of
22 the Wyoming Constitution.

23

1 (b) Except as provided in subsection (a) of this
2 section, this act is effective January 1, 2004.

3

4

(END)

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