

HOUSE BILL NO. HB0073

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

9 **Section 1.** W.S. 23-1-501(e), 23-1-703(b), by creating
10 a new subsection (g) and by amending and renumbering (g) as
11 (h), 23-2-101(g), (k), by creating a new subsection (m) and
12 by renumbering (m) as (n) and 23-2-109 are amended to read:

13

14 **23-1-501. Game and fish fund.**

15

1 (e) An account within the game and fish fund is
2 created. Revenues collected under W.S. ~~23-2-101(m)~~
3 23-2-101(n), 23-2-201(e) and as specified under W.S.
4 23-2-306(a) shall be deposited within the account. The
5 commission shall use revenues in the account to purchase
6 access easements to provide access to public and private
7 lands. The commission shall notify in writing the
8 appropriate boards of county commissioners before
9 purchasing any access easements under this subsection. In
10 addition and on or before February 1 of each year, the
11 commission shall annually report to the legislature on
12 easements purchased pursuant to this subsection during the
13 preceding fiscal year.

14

15 **23-1-703. Limitation of number of big or trophy game**
16 **animal licenses; reservation of certain licenses;**
17 **reservation of certain unused licenses.**

18

19 (b) Except as specifically provided under this
20 subsection, subsection (f) of this section or W.S.
21 23-1-705(a), no person may apply for and receive more than
22 one (1) moose or one (1) bighorn sheep license in any
23 consecutive five (5) year period. Effective for the 1995
24 hunting season and each hunting season thereafter, licenses

1 issued under this subsection shall be based upon the number
2 of points assigned to each applicant for a particular
3 species. Effective January 1, 2000, licenses issued under
4 this subsection shall be issued partially through a
5 preference point drawing and partially through a random
6 drawing of all remaining unsuccessful applicants for that
7 year. The department shall assign points to each license
8 applicant for a specific species by multiplying the number
9 of years the applicant has unsuccessfully applied for a
10 license times one (1). The calculation used to assign
11 points to an applicant for a particular species under this
12 subsection shall include any year the applicant does not
13 apply for a big or trophy game animal hunting license for
14 that species, provided in the case of a resident the
15 applicant pays the fee specified in W.S. 23-2-101(k) and in
16 the case of a nonresident the applicant pays the
17 appropriate fee established by the commission under W.S.
18 23-2-101(m). License applicants within each hunt area for a
19 species shall be grouped according to the number of
20 assigned points for that species. Not less than seventy-
21 five percent (75%) of available licenses within any hunt
22 area shall be randomly selected through a preference point
23 drawing from among the group of applicants with the largest
24 number of assigned points and shall continue until all

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

20

21 (g) In addition to the authority granted under
22 subsection (b) of this section, the commission may through
23 rule and regulation develop and implement a preference
24 point program for nonresident antelope, nonresident deer

1 and nonresident elk licenses which are limited in quota and
2 would otherwise be issued through a random drawing. A
3 program established pursuant to this subsection may be
4 implemented for all or selected hunt areas and may be
5 applied to all or portions of licenses for any particular
6 species. The commission may charge nonresident license
7 applicants a nonrefundable fee to accumulate preference
8 points under the program as provided in W.S. 23-2-101(m).

9
10 ~~(g)~~(h) Rules and regulations shall be promulgated by
11 the game and fish commission to carry out subsections (a)
12 through (f) of this section and may be promulgated as
13 provided in subsection (g) of this section.

14
15 **23-2-101. Fees; restrictions; nonresident application**
16 **fee; nonresident licenses; verification of residency**
17 **required.**

18
19 (g) In promulgating rules and regulations for the
20 taking of bighorn sheep and moose, the commission shall not
21 discriminate between residents and nonresidents regarding
22 the maturity, horn size or sex of the animals which may be
23 taken. Nothing in this subsection shall be construed as
24 prohibiting the commission from issuing a different number

1 of licenses for residents and nonresidents or from
2 requiring a preference point fee from nonresidents only
3 pursuant to subsection (m) of this section.

4
5 (k) ~~Effective January 1, 2000, Any person resident~~
6 qualified to purchase a moose or big horn sheep hunting
7 license under subsection (b) of this section may pay a fee
8 of seven dollars (\$7.00) in lieu of applying for a moose or
9 big horn sheep hunting license. Payment of the fee for a
10 particular species under this subsection shall authorize
11 the person to accumulate points under W.S. 23-1-703(b) for
12 that year in the same manner as if he had unsuccessfully
13 applied for a hunting license for that species. Payment of
14 the fee shall be made in compliance with application dates.

15
16 (m) Subject to the provisions of this subsection, as
17 part of any preference point program for nonresident
18 antelope, nonresident bighorn sheep, nonresident moose,
19 nonresident deer or nonresident elk, the commission may
20 establish a nonrefundable fee to be retained from the
21 license fee submitted, and may also establish a fee to be
22 paid in lieu of applying for the limited quota license.
23 Retention of the established fee or payment of the fee in
24 lieu of applying shall authorize the person to accumulate a

1 preference point for future limited quota drawings for the
2 applicable species in accordance with rules of the
3 commission. The rules may provide for the loss of all
4 accumulated points for persons failing to apply or to pay
5 the in lieu fee in any calendar year. The fee for any
6 program under this subsection shall be established by rule
7 and shall not exceed fifty dollars (\$50.00) per species.
8 Payment of the fee shall be made in compliance with
9 application dates. Nothing in this subsection authorizes
10 the commission to establish or retain a fee for resident
11 moose or resident bighorn sheep license preference points
12 in addition to the fee established by subsection (k) of
13 this section or to establish rules for bighorn sheep or
14 moose preference point drawings in conflict with the
15 provisions of W.S. 23-1-703(b). For nonresident bighorn
16 sheep and nonresident moose licenses, the commission may
17 establish by rule a nonrefundable preference point fee to
18 be retained from the license fee submitted and may
19 establish a fee in lieu of making application in an amount
20 greater than that established under subsection (k) of this
21 section, but neither fee shall exceed one hundred dollars
22 (\$100.00).

23

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

6

7 **23-2-109. Multiple applications for limited licenses**
8 **prohibited; penalty.**

9

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

20

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

24

1 **Section 3.**

2

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

7

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

10

11

(END)