

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

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. 23-2-
4 306(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 or paying the applicable fee in lieu of
17 applying, during the second calendar year shall be
18 considered to be a first year applicant for any subsequent
19 calendar year in which the applicant submits license
20 application for that particular species.

21

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

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

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

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

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

1 prohibiting the commission from issuing a different number
2 of licenses for residents and nonresidents or from
3 requiring a preference point fee from nonresidents only
4 pursuant to subsection (m) of this section.

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

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

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

1 (\$100.00). Fees established under this subsection may be
2 set at lower amounts for youth license applicants.

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.**

6

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

11

12 (b) Except as provided in subsection (a) of this
13 section, this act is effective January 1, 2005.

14

15

(END)

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