

HOUSE BILL NO. HB0071

Game and fish-license fees 2.

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

A BILL

for

1 AN ACT relating to game and fish; adjusting license,
2 application, entry, stamp and permit fees annually;
3 adjusting selling agent fees annually; adjusting landowner
4 coupon payments annually; requiring reports; authorizing
5 rulemaking; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 23-1-504 is created to read:

10

11 **23-1-504. Annual fee adjustments.**

12

13 (a) As provided in W.S. 23-1-701(b), 23-2-101(e), (f)
14 and (j), 23-2-107(c)(ii) and (e), 23-2-201(d), 23-2-301(c),
15 23-2-306(a) and (b), 23-2-307(b) and 23-3-105(b) the
16 changes in the implicit price deflator for state and local

1 government purchases of goods and services, as published by
2 the United States department of commerce, shall be used by
3 the commission as the index to determine an annual rate of
4 increase or decrease in the application fees, entry fees
5 and fees for licenses, stamps, permits and tags issued by
6 the department, selling agent fees collected by authorized
7 selling agents and landowner coupon payments paid by the
8 department.

9

10 (b) The commission shall determine the change in the
11 implicit price deflator for state and local government
12 purchases of goods and services, as published by the United
13 States department of commerce, for the quarter ending March
14 31 of the current year compared to the quarter ending March
15 31 of the previous year. The relative amount of the change
16 shall be multiplied by the current application fee or entry
17 fee and for each current license, stamp, permit and tag
18 issued by the department, the current selling agent fee
19 collected by authorized selling agents and the current
20 landowner coupon payment paid by the department. The
21 product shall be rounded to the nearest twenty-five cents
22 (\$0.25) and the resulting amount shall be added to the fee
23 for the current year. The resulting amount shall be the
24 fee for the license year beginning on or after January 1 of

1 the next succeeding calendar year for the application fee
2 and license, stamp, permit and tag issued by the
3 department, selling agent fee collected by authorized
4 selling agents and landowner coupon payment paid by the
5 department that is adjusted under this section.

6

7 (c) Notwithstanding any other provision of law, the
8 commission may recalculate the current fees charged for
9 each application fee, entry fee and license, stamp, permit
10 and tag issued by the department, selling agent fee
11 collected by authorized selling agents and landowner coupon
12 payment paid by the department to determine that all
13 appropriate indexing has been included in the current fees.

14

15 (d) The calculations provided for in this section
16 shall be reported to the legislature and the governor in
17 the annual report provided in W.S. 23-1-503.

18

19 (e) The commission shall, at least every five (5)
20 years, analyze all application fees and fees for licenses,
21 stamps, permits and tags issued by the department, selling
22 agent fees collected by authorized selling agents and
23 landowner coupon payments paid by the department to ensure
24 the appropriate fee is charged. Where appropriate, the

1 commission shall recommend to the legislature that fees
2 established by statute be adjusted to ensure that those
3 fees are appropriate.

4

5 **Section 2.** W.S. 23-1-302(a) by creating a new
6 paragraph (xxx), 23-1-701(b), 23-2-101(e), (f)(intro) and
7 (j)(intro), 23-2-107(c)(ii) and (e), 23-2-201(d)(intro),
8 23-2-301(c)(intro), 23-2-306(a)(intro) and (b)(intro) and
9 23-3-105(b) are amended to read:

10

11 **23-1-302. Powers and duties.**

12

13 (a) The commission is directed and empowered:

14

15 (xxx) By rule and regulation, to adjust
16 application fees, entry fees and fees for licenses, stamps,
17 permits and tags issued by the department, selling agent
18 fees collected by authorized selling agents and landowner
19 coupon payments paid by the department annually to an
20 amount computed under W.S. 23-1-504.

21

22 **23-1-701. Selling agents; administration of oaths;**
23 **licenses, permits and game tags.**

24

1 (b) Each license selling agent shall charge a fee as
2 provided in this subsection for each license, permit or
3 stamp he sells or distributes pursuant to this act. The
4 fee shall not be charged if this act specifies that the
5 issuance shall be without fee or fails to establish a fee
6 for the issuance of the license, permit or stamp. Each
7 license, permit or stamp sold or distributed under this act
8 shall display the total amount only of all fees and other
9 charges required under this act or otherwise provided by
10 law. Each selling agent shall retain one dollar and fifty
11 cents (\$1.50) for each license and fifty cents (\$.50) for
12 each stamp or permit he sells as adjusted pursuant to W.S.
13 23-1-504. For failure to comply with this section, selling
14 agents shall not be entitled to retain the amounts
15 specified in this subsection and shall be liable on their
16 bond. No employee of the commission shall receive any
17 commission on licenses, stamps or permits sold, but the
18 department shall charge the additional fee specified in
19 this subsection, or otherwise provided by law, for each
20 license, stamp or permit sold by commission employees. The
21 fee charged under this subsection shall be in addition to
22 the amount otherwise established by this act for the
23 license, permit or stamp and shall be as follows:

24

1 (i) One dollar (\$1.00) for each license as
2 adjusted pursuant to W.S. 23-1-504, except that this
3 additional fee shall not be charged for licenses under W.S.
4 23-1-705(e), 23-2-101(j)(xi), (xvi), (xvii), (xx), (xxi),
5 (xxxii) or (xxxiii), 23-2-201(d)(iii) or (iv) or (f) or
6 23-2-301(c)(xiii);

7
8 (ii) Fifty cents (\$.50) for each stamp as
9 adjusted pursuant to W.S. 23-1-504;

10

11 (iii) Fifty cents (\$.50) for each permit as
12 adjusted pursuant to W.S. 23-1-504, except that this
13 additional fee shall not be charged for permits under W.S.
14 23-1-302(m).

15

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

19

20 (e) Resident and nonresident license applicants shall
21 pay an application fee in an amount specified by this
22 subsection upon submission of an application for purchase
23 of any limited quota drawing for big or trophy game license
24 or wild bison license. The resident application fee shall

1 be four dollars (\$4.00) and the nonresident application fee
2 shall be twelve dollars (\$12.00) as adjusted pursuant to
3 W.S. 23-1-504. The application fee is in addition to the
4 fees prescribed by subsections (f) and (j) of this section
5 and by W.S. 23-2-107 and shall be payable to the department
6 either directly or through an authorized selling agent of
7 the department. At the beginning of each month, the
8 commission shall set aside all of the fees collected during
9 calendar year 1980 and not to exceed twenty-five percent
10 (25%) of the fees collected thereafter pursuant to this
11 subsection to establish and maintain a working balance of
12 five hundred thousand dollars (\$500,000.00), to compensate
13 owners or lessees of property damaged by game animals and
14 game birds.

15

16 (f) Forty percent (40%) of available nonresident elk
17 licenses, forty percent (40%) of available nonresident deer
18 licenses and forty percent (40%) of available nonresident
19 antelope licenses for any one (1) calendar year shall as
20 established by the commission, be offered to nonresident
21 applicants upon receipt of the fee prescribed by this
22 subsection. Seventy-five (75) of the nonresident deer
23 licenses set aside pursuant to this subsection shall be
24 used for a national bow hunt for deer. The licenses

1 authorized by this subsection shall be offered by drawing
2 to nonresident applicants prior to the drawing for the
3 remaining nonresident licenses issued. The licenses
4 offered under this subsection shall be issued in a manner
5 prescribed by rules and regulations promulgated by the
6 commission. Nothing in this subsection shall prohibit any
7 unsuccessful applicant for a nonresident license pursuant
8 to this subsection from submitting an application for any
9 licenses remaining after the drawing during the calendar
10 year in which the application under this subsection was
11 submitted. The following fees as adjusted pursuant to W.S.
12 23-1-504 shall be collected by the department and are in
13 addition to the nonresident license fee for the appropriate
14 big game species imposed under subsection (j) of this
15 section and the application fee imposed under subsection
16 (e) of this section:

17

18 (j) Subject to W.S. 23-2-101(f), 23-1-705(e) and the
19 applicable fee under W.S. 23-1-701, the following hunting
20 licenses and tags may be purchased for the fee indicated as
21 adjusted pursuant to W.S. 23-1-504 and subject to the
22 limitations provided:

23

24 **23-2-107. Wild bison licenses.**

1

2 (c) The commission shall promulgate reasonable rules
3 and regulations regulating wild bison licenses and the
4 management of wild bison. The rules shall provide for:

5

6 (ii) A nonrefundable entry fee for the drawing
7 of a license, which shall be a minimum of five dollars
8 (\$5.00) as adjusted pursuant to W.S. 23-1-504;

9

10 (e) A resident applicant shall pay a license fee of
11 three hundred thirty dollars (\$330.00) as adjusted pursuant
12 to W.S. 23-1-504 and shall pay the fee required by W.S.
13 23-2-101(e). A nonresident applicant shall pay a license
14 fee of two thousand one hundred dollars (\$2,100.00) as
15 adjusted pursuant to W.S. 23-1-504 and shall pay the fee
16 required by W.S. 23-2-101(e). The fee charged under W.S.
17 23-1-701 shall be in addition to the fee imposed under this
18 subsection.

19

20 **23-2-201. Fees; restrictions; verification of**
21 **residency required.**

22

23 (d) The following fishing licenses may be purchased
24 for the fee indicated as adjusted pursuant to W.S. 23-1-504

1 in addition to the applicable fee under W.S. 23-1-701 and
2 subject to the limitations provided:

3

4 **23-2-301. Miscellaneous fees; verification of**
5 **residency required.**

6

7 (c) The following licenses and tags may be purchased
8 for the fee indicated as adjusted pursuant to W.S. 23-1-504
9 in addition to the applicable fee under W.S. 23-1-701 and
10 subject to other requirements of this article:

11

12 **23-2-306. Conservation stamp; exemptions.**

13

14 (a) Subject to subsection (b) of this section and the
15 applicable fee under W.S. 23-1-701, each sportsman licensed
16 under W.S. 23-2-101, 23-2-107 or 23-2-201 shall purchase a
17 single conservation stamp for ten dollars (\$10.00) as
18 adjusted pursuant to W.S. 23-1-504 which shall be valid for
19 one (1) calendar year and the stamp or an authorization
20 signifying purchase of the stamp shall be in the possession
21 of any person exercising rights under any fishing or
22 hunting license issued pursuant to W.S. 23-2-101, 23-2-107
23 or 23-2-201. Holders of licenses issued under W.S.
24 23-1-705(d) and (e), of special limited fishing permits

1 issued under W.S. 23-2-207 and holders of licenses only
2 under W.S. 23-2-101(j)(v) and (vi), 23-2-201(d)(vi) and
3 (vii), 23-2-201(f) and 23-2-201(g) are exempt from the
4 provisions of this section. Revenues collected from the
5 sale of each stamp under this subsection shall be deposited
6 as follows:

7

8 (b) A lifetime conservation stamp may be purchased
9 for one hundred fifty dollars (\$150.00) as adjusted
10 pursuant to W.S. 23-1-504 plus the applicable fee under
11 W.S. 23-1-701. Revenues collected from the sale of each
12 stamp under this subsection shall be deposited as follows:

13

14 **23-3-105. Antelope, deer and elk coupons; payment to**
15 **landowner; kill on federal or state land.**

16

17 (b) The landowner's coupon shall promptly be
18 detached, dated, signed and delivered to the landowner. The
19 landowner on or before February 1 following the year for
20 which the license was valid, shall deliver to the
21 department the coupon and an affidavit that the antelope,
22 deer or elk for which the coupon was delivered was killed
23 on his land. Upon receipt of the coupon and affidavit the
24 department shall pay the landowner thirteen dollars

1 (\$13.00) as adjusted pursuant to W.S. 23-1-504 for each
2 coupon from an antelope, deer or elk license. Landowner's
3 coupons are not transferable. Any unauthorized person
4 attempting to collect any sum for any landowner's coupon is
5 guilty of a second degree misdemeanor. Effective January 1,
6 2000, the department shall provide a checkoff box on each
7 landowner coupon affidavit claim form that offers the
8 claimant the opportunity to designate the animal damage
9 management board to receive his payment amount for
10 landowner coupons claimed on that form. For each claim made
11 where the landowner has designated his payment to the
12 animal damage management board, the department shall
13 transfer that amount to the animal damage management
14 account created by W.S. 11-6-306 and the department shall
15 retain the fees related to those administrative costs of
16 the transfer.

17

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

22 .

23

(END)