

## HOUSE BILL NO. HB0042

Preference point amendments.

Sponsored by: Representative(s) Sweeney, Barlow, Brown,  
Duncan, Haley, Harshman, Henderson, Loucks and  
Paxton and Senator(s) Anselmi-Dalton and  
Bebout

A BILL

for

1 AN ACT relating to game and fish; authorizing the game and  
2 fish commission to implement a preference point system for  
3 resident licenses as specified; authorizing rulemaking for  
4 awarding preference points to resident youth and other  
5 hunters as specified; making conforming amendments; and  
6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 23-1-703(b), (g), (h) and by creating  
11 a new subsection (j), 23-2-101(m) and 23-2-109 are amended to  
12 read:

13

1           **23-1-703. Limitation of number of big or trophy game**  
2 **animal licenses; reservation of certain licenses; reservation**  
3 **of certain unused licenses.**

4  
5           (b) Except as specifically provided under this  
6 subsection, subsection (f) of this section or W.S.  
7 23-1-705(a), no person may apply for and receive more than  
8 one (1) moose or one (1) ram bighorn sheep license in any  
9 consecutive five (5) year period. Effective for the 1995  
10 hunting season and each hunting season thereafter, licenses  
11 issued under this subsection shall be based upon the number  
12 of points assigned to each applicant for a particular species.  
13 Effective January 1, 2000, licenses issued under this  
14 subsection shall be issued partially through a preference  
15 point drawing and partially through a random drawing of all  
16 remaining unsuccessful applicants for that year. The  
17 department shall assign points to each license applicant for  
18 a specific species by multiplying the number of years the  
19 applicant has unsuccessfully applied for a license times one  
20 (1). The calculation used to assign points to an applicant  
21 for a particular species under this subsection shall include  
22 any year the applicant does not apply for a big or trophy  
23 game animal hunting license for that species, provided in the

1 case of a resident the applicant pays the fee specified in  
2 W.S. 23-2-101(k) and in the case of a nonresident the  
3 applicant pays the appropriate fee established by the  
4 commission under W.S. 23-2-101(m), and shall include any  
5 points awarded to the applicant under subsection (j) of this  
6 section. License applicants within each hunt area for a  
7 species shall be grouped according to the number of assigned  
8 points for that species. Not less than seventy-five percent  
9 (75%) of available licenses within any hunt area shall be  
10 randomly selected through a preference point drawing from  
11 among the group of applicants with the largest number of  
12 assigned points and shall continue until all applicants  
13 within that group have been exhausted or until all available  
14 licenses have been issued, whichever first occurs. If any  
15 applicant grouping has been exhausted and licenses remain  
16 available within that hunt area, selection shall continue  
17 from among the group of applicants with the next largest  
18 number of assigned points. After the selections through the  
19 preference point drawing have been completed within a hunt  
20 area, the remaining licenses available from that drawing and  
21 the licenses available for the random drawing for that hunt  
22 area will be issued through a random selection from among all  
23 applicants in the hunt area who were not selected for issuance

1 of a license for the species through the preference point  
2 drawing in that hunt area. For purposes of assigning points  
3 under this subsection, any unsuccessful license applicant  
4 failing to apply for a license, or pay the applicable fee in  
5 lieu of applying, or receive a point under subsection (j) of  
6 this section, during the second calendar year shall be  
7 considered to be a first year applicant for any subsequent  
8 calendar year in which the applicant submits license  
9 application for that particular species.

10

11 (g) In addition to the authority granted under  
12 subsection (b) of this section, the commission may through  
13 rule and regulation develop and implement a preference point  
14 program for ~~nonresident~~ antelope, ~~nonresident~~ deer and  
15 ~~nonresident~~ elk licenses which are limited in quota and would  
16 otherwise be issued through a random drawing. A program  
17 established pursuant to this subsection may be implemented  
18 for all or selected hunt areas and may be applied to all or  
19 portions of licenses for any particular species. The  
20 commission may charge ~~nonresident~~ license applicants a  
21 nonrefundable fee to accumulate preference points under the  
22 program as provided in W.S. 23-2-101(m). The calculation used

1 to assign points under this program shall include any points  
2 awarded to the applicant under subsection (j) of this section.

3

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

8

9 (j) The commission may promulgate rules and regulations  
10 to award a preference point to an applicant for completion of  
11 a hunter safety course approved by the commission, provided:

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13 (i) The applicant is a resident youth or a person  
14 who is applying for a resident hunting license for the first  
15 time following completion of the hunter safety course;

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17 (ii) Not more than one (1) preference point shall  
18 be awarded to an applicant under this subsection; and

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20 (iii) The applicant may designate a preference  
21 point earned under this subsection toward any particular  
22 species for which the commission has established a preference  
23 point program.

1

2           **23-2-101. Fees; restrictions; application fee;**  
3 **licenses; verification of residency required.**

4

5           (m) Subject to the provisions of this subsection, as  
6 part of any preference point program for ~~nonresident~~  
7 antelope, nonresident ram bighorn sheep, nonresident moose,  
8 ~~nonresident~~ deer or ~~nonresident~~ elk, the commission may  
9 establish a nonrefundable fee to be either withheld from the  
10 license fee remitted or submitted separately when application  
11 for a license or preference point is made through electronic  
12 licensing, and may also establish a fee to be paid in lieu of  
13 applying for licenses that are limited in quota. Retention  
14 of the established fee or payment of the fee in lieu of  
15 applying shall authorize the person to accumulate a  
16 preference point for future drawings for licenses that are  
17 limited in quota for the applicable species in accordance  
18 with rules of the commission. The rules may provide for the  
19 loss of all accumulated points for persons failing to apply  
20 or to pay the in lieu fee in two (2) consecutive calendar  
21 years. The fee for any program under this subsection for  
22 antelope, deer or elk shall be established by rule and shall  
23 not exceed seventy-five dollars (\$75.00) per species.

1 Payment of the fee shall be made in compliance with  
2 application dates. Nothing in this subsection authorizes the  
3 commission to establish or retain a fee for resident moose or  
4 resident ram bighorn sheep license preference points in  
5 addition to the fee established by subsection (k) of this  
6 section or to establish rules for ram bighorn sheep or moose  
7 preference point drawings in conflict with the provisions of  
8 W.S. 23-1-703(b). For nonresident ram bighorn sheep and  
9 nonresident moose licenses, the commission may establish by  
10 rule a nonrefundable preference point fee to be withheld from  
11 either the license fee remitted or submitted separately when  
12 application for a license or preference point is made through  
13 electronic licensing and may establish a fee in lieu of making  
14 application in an amount greater than that established under  
15 subsection (k) of this section, but neither fee shall exceed  
16 one hundred fifty dollars (\$150.00). Fees established under  
17 this subsection may be set at lower amounts for youth license  
18 applicants.

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20 **23-2-109. Multiple applications for limited licenses**  
21 **prohibited; penalty.**

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1 Except as otherwise authorized by law or rule of the  
2 commission, no person shall submit more than one (1)  
3 application for a license for the same big or trophy game  
4 species or for wild turkey, if the issuance of the license  
5 has been limited by the commission. A violation of this  
6 subsection shall be punishable as a high misdemeanor  
7 punishable as provided in W.S. 23-6-202(a)(ii), by the loss  
8 of all points then assigned to the person pursuant to W.S.  
9 23-1-703(b), ~~or (g)~~ or (j), and disqualification in the year  
10 of submission for any license for the species for which the  
11 multiple applications were submitted.

12

13 **Section 2.** This act is effective July 1, 2019.

14

15

(END)