

HOUSE BILL NO. HB0137

Game and fish-indexing of license fees.

Sponsored by: Representative(s) Davison

A BILL

for

1 AN ACT relating to game and fish; providing for the
2 adjustment of license, application, entry, stamp and permit
3 fees annually; requiring reports; authorizing rulemaking;
4 and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 23-1-505 is created to read:

9

10 **23-1-505. Annual fee adjustments.**

11

12 (a) As provided in W.S. 23-1-702, 23-2-101(e), (f),
13 (j) and (k), 23-2-107(c)(ii) and (e), 23-2-201(d),
14 23-2-301(c), 23-2-306(a) and (b), 23-2-307(b), 41-13-104(f)
15 and 41-13-109(a), the changes in the implicit price
16 deflator for state and local government purchases of goods
17 and services, as published by the United States department

1 of commerce, shall be used by the commission as the index
2 to determine an annual rate of increase or decrease in the
3 application fees, entry fees and fees for licenses, stamps,
4 permits and tags issued by the department.

5

6 (b) The commission shall determine the change in the
7 implicit price deflator for state and local government
8 purchases of goods and services, as published by the United
9 States department of commerce, for the quarter ending March
10 31 of the current year compared to the quarter ending March
11 31 of the previous year. The relative amount of the change
12 may be multiplied by the current application fee or entry
13 fee and for each current license, stamp, permit and tag
14 issued by the department. The product may be rounded to
15 the nearest even dollar amount and the resulting amount may
16 be added to the fee for the current year. If adopted by
17 rule and regulation the resulting amount may be the fee for
18 the license year beginning in the next succeeding calendar
19 year for the application fee and license, stamp, permit and
20 tag issued by the department that is adjusted under this
21 section.

22

23 (c) Notwithstanding any other provision of law, the
24 commission may recalculate the current fees charged for

1 each application fee, entry fee and license, stamp, permit
2 and tag issued by the department to determine that all
3 appropriate indexing has been included in the current fees.

4

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

8

9 (e) The commission shall, at least every six (6)
10 years, analyze all application fees and fees for licenses,
11 stamps, permits and tags issued by the department to ensure
12 the appropriate fee is charged. Where appropriate, the
13 commission shall recommend to the legislature that fees
14 established by statute be adjusted to ensure that those
15 fees are appropriate.

16

17 (f) In accordance with W.S. 16-3-104(b)(i), rules
18 promulgated by the commission to adjust fees as provided in
19 this section shall not become effective until after the
20 legislature has convened and adjourned the regular general
21 or budget session next succeeding the adoption of the rules
22 by the commission.

23

1 **Section 2.** W.S. 23-1-302(a) by creating a new
2 paragraph (xxxii), 23-1-702, 23-2-101(e), (f)(intro),
3 (j)(intro) and (k), 23-2-107(c)(ii) and (e),
4 23-2-201(d)(intro), 23-2-301(c)(intro), 23-2-306(a)(intro)
5 and (b)(intro), 23-2-307(b), 41-13-104(f) and
6 41-13-109(a)(i) and (ii) are amended to read:

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8 **23-1-302. Powers and duties.**

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10 (a) The commission is directed and empowered:

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12 (xxxii) By rule and regulation, to adjust
13 application fees, entry fees and fees for licenses, stamps,
14 permits and tags issued by the department annually to an
15 amount computed in accordance with W.S. 23-1-505.

16

17 **23-1-702. Duplicate license upon loss or destruction**
18 **of original; issuance; fees.**

19

20 When any license issued under this act has been lost or
21 destroyed, the licensee may secure a duplicate of the
22 original license from any district office or any authorized
23 personnel of the department upon the presentation of
24 satisfactory proof that the original license was lost or

1 destroyed. Prior to issuing the duplicate license and in
2 accordance with rule and regulation of the commission, the
3 department may assess a fee of not more than three dollars
4 (\$3.00) as adjusted pursuant to W.S. 23-1-505, plus the fee
5 charged under W.S. 23-1-701. Duplicate licenses shall be
6 issued in accordance with procedure established by
7 commission order.

8

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

12

13 (e) Resident and nonresident license applicants shall
14 pay an application fee in an amount specified by this
15 subsection upon submission of an application for purchase
16 of any limited quota drawing for big or trophy game license
17 or wild bison license. The resident application fee shall
18 be five dollars (\$5.00) and the nonresident application fee
19 shall be fourteen dollars (\$14.00) as adjusted pursuant to
20 W.S. 23-1-505. The application fee is in addition to the
21 fees prescribed by subsections (f) and (j) of this section
22 and by W.S. 23-2-107 and shall be payable to the department
23 either directly or through an authorized selling agent of
24 the department. At the beginning of each month, the

1 commission shall set aside all of the fees collected during
2 calendar year 1980 and not to exceed twenty-five percent
3 (25%) of the fees collected thereafter pursuant to this
4 subsection to establish and maintain a working balance of
5 five hundred thousand dollars (\$500,000.00), to compensate
6 owners or lessees of property damaged by game animals and
7 game birds.

8

9 (f) Forty percent (40%) of available nonresident elk
10 licenses, forty percent (40%) of available nonresident deer
11 licenses and forty percent (40%) of available nonresident
12 antelope licenses for any one (1) calendar year shall as
13 established by the commission, be offered to nonresident
14 applicants upon receipt of the fee prescribed by this
15 subsection. Seventy-five (75) of the nonresident deer
16 licenses set aside pursuant to this subsection shall be
17 used for a national bow hunt for deer. The licenses
18 authorized by this subsection shall be offered by drawing
19 to nonresident applicants prior to the drawing for the
20 remaining nonresident licenses issued. The licenses
21 offered under this subsection shall be issued in a manner
22 prescribed by rules and regulations promulgated by the
23 commission. Nothing in this subsection shall prohibit any
24 unsuccessful applicant for a nonresident license pursuant

1 to this subsection from submitting an application for any
2 licenses remaining after the drawing during the calendar
3 year in which the application under this subsection was
4 submitted. The following fees as adjusted pursuant to W.S.
5 23-1-505 shall be collected by the department and are in
6 addition to the nonresident license fee for the appropriate
7 big game species imposed under subsection (j) of this
8 section and the application fee imposed under subsection
9 (e) of this section:

10
11 (j) Subject to W.S. 23-2-101(f), 23-1-705(e) and the
12 applicable fee under W.S. 23-1-701, the following hunting
13 licenses and tags may be purchased for the fee indicated as
14 adjusted pursuant to W.S. 23-1-505 and subject to the
15 limitations provided:

16
17 (k) Any resident qualified to purchase a moose or ram
18 big horn sheep hunting license under subsection (b) of this
19 section may pay a fee of seven dollars (\$7.00) as adjusted
20 pursuant to W.S. 23-1-505 in lieu of applying for a moose
21 or ram big horn sheep hunting license. Payment of the fee
22 for a particular species under this subsection shall
23 authorize the person to accumulate points under W.S.
24 23-1-703(b) for that year in the same manner as if he had

1 unsuccessfully applied for a hunting license for that
2 species. Payment of the fee shall be made in compliance
3 with application dates.

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5 **23-2-107. Wild bison licenses.**

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7 (c) The commission shall promulgate reasonable rules
8 and regulations regulating wild bison licenses and the
9 management of wild bison. The rules shall provide for:

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11 (ii) A nonrefundable entry fee for the drawing
12 of a license, which shall be a minimum of six dollars
13 (\$6.00) as adjusted pursuant to W.S. 23-1-505;

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15 (e) A resident applicant shall pay a license fee of
16 four hundred dollars (\$400.00) as adjusted pursuant to W.S.
17 23-1-505 and shall pay the fee required by W.S.
18 23-2-101(e). A nonresident applicant shall pay a license
19 fee of two thousand five hundred dollars (\$2,500.00) as
20 adjusted pursuant to W.S. 23-1-505 and shall pay the fee
21 required by W.S. 23-2-101(e). The fee charged under W.S.
22 23-1-701 shall be in addition to the fee imposed under this
23 subsection.

24

1 **23-2-201. Fees; restrictions; verification of**
2 **residency required.**

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4 (d) The following fishing licenses may be purchased
5 for the fee indicated as adjusted pursuant to W.S. 23-1-505
6 in addition to the applicable fee under W.S. 23-1-701 and
7 subject to the limitations provided:

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9 **23-2-301. Miscellaneous fees; verification of**
10 **residency required.**

11

12 (c) The following licenses and tags may be purchased
13 for the fee indicated as adjusted pursuant to W.S. 23-1-505
14 in addition to the applicable fee under W.S. 23-1-701 and
15 subject to other requirements of this article:

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17 **23-2-306. Conservation stamp; exemptions.**

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19 (a) Subject to subsections (b) and (c) of this
20 section and the applicable fee under W.S. 23-1-701, each
21 sportsman licensed under W.S. 23-2-101, 23-2-107 or
22 23-2-201 shall purchase a single conservation stamp for
23 twelve dollars (\$12.00) as adjusted pursuant to W.S.
24 23-1-505 which shall be valid for one (1) calendar year and

1 the stamp or an authorization signifying purchase of the
2 stamp shall be in the possession of any person exercising
3 rights under any fishing or hunting license issued pursuant
4 to W.S. 23-2-101, 23-2-107 or 23-2-201. Holders of special
5 limited fishing permits issued under W.S. 23-2-207 and
6 holders of licenses only under W.S. 23-2-101(j)(v) and
7 (vi), 23-2-201(d)(vi) and (vii), 23-2-201(f) and
8 23-2-201(g) are exempt from the provisions of this section
9 when exercising hunting or fishing privileges provided
10 under those specific licenses. Revenues collected from the
11 sale of each stamp under this subsection shall be deposited
12 as follows:

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14 (b) A lifetime conservation stamp may be purchased
15 for one hundred eighty dollars (\$180.00) as adjusted
16 pursuant to W.S. 23-1-505 plus the applicable fee under
17 W.S. 23-1-701. Revenues collected from the sale of each
18 stamp under this subsection shall be deposited as follows:

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20 **23-2-307. Special management permit.**

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22 (b) Special management permits may be purchased from
23 the department or its authorized selling agents for twelve
24 dollars (\$12.00) as adjusted pursuant to W.S. 23-1-505 plus

1 the applicable fee under W.S. 23-1-701 and shall be valid
2 for one (1) calendar year.

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4 **41-13-104. Application for certificate; issuance of**
5 **certificate and assignment of number; conformity with**
6 **federal numbering system; expiration and renewal of**
7 **certificate; transfer of ownership; duplicate certificate;**
8 **manufacturer and dealer certificates.**

9

10 (f) Each certificate of number issued under this act
11 expires on December 31 of the last year of valid
12 registration under the certificate unless sooner terminated
13 or discontinued under this act. A duplicate number may be
14 obtained by an owner upon application to the department,
15 which may require payment of a fee of not more than five
16 dollars (\$5.00) as adjusted pursuant to W.S. 23-1-505.
17 Certificates of number may be renewed by the owner in the
18 same manner provided under this act for obtaining initial
19 certification.

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21 **41-13-109. Motorboat registration fee.**

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23 (a) The nonrefundable and nontransferable
24 registration fee for motorboats is:

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(i) Fifteen dollars (\$15.00) as adjusted pursuant to W.S. 23-1-505 for one (1) year; or

(ii) Forty dollars (\$40.00) as adjusted pursuant to W.S. 23-1-505 for three (3) years.

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

(END)