

HOUSE BILL NO. HB0143

Sage grouse hunting licenses-preference point system.

Sponsored by: Representative(s) Edwards and Clausen and  
Senator(s) Driskill

A BILL

for

1 AN ACT relating to game and fish; creating a greater sage  
2 grouse hunting license; establishing a preference point  
3 system for the issuance of greater sage grouse hunting  
4 licenses; making conforming amendments; and providing for  
5 an effective date.

6

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

8

9 **Section 1.** W.S. 23-2-110 is created to read:

10

11 **23-2-110. Greater sage grouse hunting licenses;**  
12 **promulgation of rules; preference point system; fees;**  
13 **restrictions.**

14

1           (a) No person shall take a greater sage grouse  
2 without a license issued by the department under this  
3 section. Any person who qualifies under W.S. 23-2-106 may  
4 apply to the department for a greater sage grouse hunting  
5 license. The fee to be charged to a person for the issuance  
6 of a license under this section shall be the same as the  
7 fee charged for a game bird license pursuant to W.S.  
8 23-2-101(j), provided that no lifetime license shall be  
9 issued for greater sage grouse.

10

11           (b) The commission shall promulgate reasonable rules  
12 and regulations regulating greater sage grouse hunting  
13 licenses and the management of greater sage grouse. The  
14 rules shall provide for the following:

15

16           (i) License drawing procedures in accordance  
17 with subsections (c) through (e) of this section;

18

19           (ii) Notification of license recipients as to  
20 when and where they may hunt;

21

22           (iii) Open and closed hunting seasons;

23

1 (iv) Tagging requirements;

2

3 (v) Possession limits; and

4

5 (vi) Requirements for transportation and  
6 exportation.

7

8 (c) Licenses issued under this section shall be  
9 issued partially through a preference point drawing and  
10 partially through a random drawing of all remaining  
11 unsuccessful applicants for that year. The department shall  
12 assign points to each greater sage grouse license applicant  
13 equal to the number of years the applicant has  
14 unsuccessfully applied for a license. The calculation used  
15 to assign points to a greater sage grouse license applicant  
16 under this subsection shall include any year the applicant  
17 does not apply for a greater sage grouse hunting license,  
18 provided in the case of a resident the applicant pays the  
19 fee specified in W.S. 23-2-101(k) and in the case of a  
20 nonresident the applicant pays the appropriate fee  
21 established by the commission under W.S. 23-2-101(m).  
22 License applicants within each hunt area shall be grouped  
23 according to the number of assigned points for greater sage

1 grouse. Not less than seventy-five percent (75%) of  
2 available licenses within any hunt area shall be randomly  
3 selected through a preference point drawing from among the  
4 group of applicants with the largest number of assigned  
5 points and shall continue until all applicants within that  
6 group have been exhausted or until all available licenses  
7 have been issued, whichever occurs first. If any applicant  
8 grouping has been exhausted and licenses remain available  
9 within that hunt area, selection shall continue from among  
10 the group of applicants with the next largest number of  
11 assigned points. After the selections through the  
12 preference point drawing have been completed within a hunt  
13 area, the remaining licenses available from that drawing  
14 and the licenses available for the random drawing for that  
15 hunt area shall be issued through a random selection from  
16 among all applicants in the hunt area who were not selected  
17 for the issuance of a greater sage grouse license through  
18 the preference point drawing in that hunt area. For  
19 purposes of assigning points under this subsection, any  
20 unsuccessful license applicant failing to apply for a  
21 license, or pay the applicable fee in lieu of applying,  
22 during the second calendar year shall be considered to be a  
23 first year applicant for any subsequent calendar year in

1 which the applicant submits a license application for  
2 greater sage grouse.

3

4 (d) The commission shall reserve seventy-five percent  
5 (75%) of the greater sage grouse licenses to be issued in  
6 any one (1) year for resident hunters.

7

8 (e) Notwithstanding W.S. 23-1-704, any person who is  
9 issued and purchases a greater sage grouse license and is  
10 unable to use that license for good cause, as provided by  
11 regulations, for the year in which the license was issued  
12 may reserve a greater sage grouse license for use during  
13 the immediately succeeding calendar year by applying to the  
14 commission before the opening date of the season during the  
15 year for which the initial license is issued. The initial  
16 sage grouse license shall accompany the application. Upon  
17 receipt, the commission shall cancel the initial license  
18 and, prior to the season opening date for greater sage  
19 grouse during the immediately succeeding calendar year,  
20 issue to the applicant at an administrative cost not  
21 greater than ten dollars (\$10.00), a greater sage grouse  
22 license valid for that year.

23

1           **Section 2.** W.S. 23-1-101(a)(iv), 23-1-705(d),  
2 23-2-101(k) and (m), 23-2-102(c) and 23-2-109 are amended  
3 to read:

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5           **23-1-101. Definitions of wildlife.**

6

7           (a) As used in this act:

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9                   (iv) "Game bird" means grouse, including greater  
10 sage grouse, partridge, pheasant, ptarmigan, quail, wild  
11 turkey and migratory game birds;

12

13           **23-1-705. Complimentary licenses; one-shot antelope**  
14 **hunt licenses; gunpowder and buckskin hunt licenses;**  
15 **gratuitous licenses; donated licenses.**

16

17           (d) The department shall issue without charge  
18 lifetime bird, small game and fish licenses to any resident  
19 or honorably discharged veteran who is over sixty-five (65)  
20 years and who has continuously resided in Wyoming for at  
21 least the thirty (30) years immediately preceding  
22 application for the license, to any disabled veteran who is  
23 one hundred percent (100%) disabled as determined by the

1 United States department of veteran affairs and to any  
2 United States military purple heart medal recipient with  
3 document proof thereof. The license is valid so long as the  
4 licensee remains a Wyoming resident. Bird licenses issued  
5 under this subsection shall not include greater sage grouse  
6 licenses under W.S. 23-2-110.

7

8 **23-2-101. Fees; restrictions; nonresident application**  
9 **fee; nonresident licenses; verification of residency**  
10 **required.**

11

12 (k) Any resident qualified to purchase a moose or ram  
13 big horn sheep hunting license under subsection (j) of this  
14 section or a greater sage grouse hunting license under W.S.  
15 23-2-110 may pay a fee of seven dollars (\$7.00) in lieu of  
16 applying for a moose, greater sage grouse or ram big horn  
17 sheep hunting license. Payment of the fee for a particular  
18 species under this subsection shall authorize the person to  
19 accumulate points under W.S. 23-1-703(b) or 23-2-110(c), as  
20 applicable, for that year in the same manner as if he had  
21 unsuccessfully applied for a hunting license for that  
22 species. Payment of the fee shall be made in compliance  
23 with application dates.

1  
2 (m) Subject to the provisions of this subsection, as  
3 part of any preference point program for nonresident  
4 antelope, nonresident ram bighorn sheep, nonresident moose,  
5 nonresident deer, nonresident greater sage grouse or  
6 nonresident elk, the commission may establish a  
7 nonrefundable fee to be either withheld from the license  
8 fee, remitted or submitted separately when application for  
9 a license or preference point is made through electronic  
10 licensing, and may also establish a fee to be paid in lieu  
11 of applying for licenses that are limited in quota.  
12 Retention of the established fee or payment of the fee in  
13 lieu of applying shall authorize the person to accumulate a  
14 preference point for future drawings for licenses that are  
15 limited in quota for the applicable species in accordance  
16 with rules of the commission. The rules may provide for the  
17 loss of all accumulated points for persons failing to apply  
18 or to pay the in lieu fee in two (2) consecutive calendar  
19 years. The fee for any program under this subsection for  
20 antelope, deer or elk shall be established by rule and  
21 shall not exceed seventy-five dollars (\$75.00) per species.  
22 Payment of the fee shall be made in compliance with  
23 application dates. Nothing in this subsection authorizes



1 the commission to establish or retain a fee for resident  
2 moose, resident greater sage grouse or resident ram bighorn  
3 sheep license preference points in addition to the fee  
4 established by subsection (k) of this section or to  
5 establish rules for ram bighorn sheep, greater sage grouse  
6 or moose preference point drawings in conflict with the  
7 provisions of W.S. 23-1-703(b) or 23-2-110(c). For  
8 nonresident ram bighorn sheep, nonresident greater sage  
9 grouse and nonresident moose licenses, the commission may  
10 establish by rule a nonrefundable preference point fee to  
11 be withheld from either the license fee remitted or  
12 submitted separately when application for a license or  
13 preference point is made through electronic licensing and  
14 may establish a fee in lieu of making application in an  
15 amount greater than that established under subsection (k)  
16 of this section, but neither fee shall exceed one hundred  
17 fifty dollars (\$150.00). Fees established under this  
18 subsection may be set at lower amounts for youth license  
19 applicants.

20

21 **23-2-102. Age restrictions; game animals; game birds.**

22

1 (c) No person fourteen (14) years of age or older  
2 shall take any game bird without obtaining the proper  
3 license. Except as otherwise provided in W.S. 23-2-110, a  
4 resident person under fourteen (14) years of age may take  
5 any game bird in this state except wild turkey without a  
6 license if accompanied by an adult. A resident or  
7 nonresident person under fourteen (14) years of age may  
8 take a wild turkey with the proper license if accompanied  
9 by an adult. The taking of any game bird by a nonresident  
10 person less than fourteen (14) years of age accompanied by  
11 an adult person possessing a valid game bird license shall,  
12 as established by law and commission order, be applied to  
13 and limited by the bag limit under the license held by the  
14 adult in company, subject to the provisions of W.S.  
15 23-2-110.

16

17 **23-2-109. Multiple applications for limited licenses**  
18 **prohibited; penalty.**

19

20 Except as otherwise authorized by law or rule of the  
21 commission, no person shall submit more than one (1)  
22 application for a license for the same big or trophy game  
23 species or for wild turkey or greater sage grouse, if the

1 issuance of the license has been limited by the commission.  
2 A violation of this subsection shall be punishable as a  
3 high misdemeanor punishable as provided in W.S.  
4 23-6-202(a)(ii), by the loss of all points then assigned to  
5 the person pursuant to W.S. 23-1-703(b) or (g) or  
6 23-2-110(c), and disqualification in the year of submission  
7 for any license for the species for which the multiple  
8 applications were submitted.

9

10 **Section 3.** This act is effective January 1, 2019.

11

12

(END)