

SENATE FILE NO. SF0094

Game and fish-resident preference points.

Sponsored by: Senator(s) Driskill and Hicks and
Representative(s) Harshman

A BILL

for

1 AN ACT relating to game and fish; requiring preference
2 point programs for resident antelope, deer and elk
3 licenses; providing for fees; providing for rulemaking; and
4 providing for an effective date.

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

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8 **Section 1.** W.S. 23-1-703(g), by creating a new
9 subsection (h) and by amending and renumbering (h) as (j)
10 and 23-2-101(m) are amended to read:

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12 **23-1-703. Limitation of number of big or trophy game**
13 **animal licenses; reservation of certain licenses;**
14 **reservation of certain unused licenses.**

15

1 (g) In addition to the authority granted under
2 subsection (b) of this section, the commission ~~may~~ shall
3 through rule and regulation develop and implement a
4 preference point program for resident and nonresident
5 antelope, resident and nonresident deer and resident and
6 nonresident elk licenses which are limited in quota and
7 would otherwise be issued through a random drawing. A
8 program established pursuant to this subsection may be
9 implemented for all or selected hunt areas and may be
10 applied to all or portions of licenses for any particular
11 species. Allocation of resident limited quota licenses for
12 elk, deer and antelope under the preference point program
13 shall be as provided in subsection (h) of this section. The
14 commission may charge ~~nonresident~~—license applicants a
15 nonrefundable fee to accumulate preference points under the
16 program as provided in W.S. 23-2-101(m).

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18 (h) Effective January 1, 2015, resident antelope,
19 deer and elk licenses shall be issued partially through a
20 preference point drawing and partially through a random
21 drawing of all remaining unsuccessful applicants for that
22 year. The department shall assign points to each license
23 applicant for a specific species by multiplying the number
24 of years the applicant has unsuccessfully applied for a

1 license times one (1), but in no event shall the applicants
2 total points, including resident and nonresident points
3 accumulated, exceed the maximum number of points allocated
4 to resident applicants in that year. The calculation used
5 to assign points to an applicant for a particular species
6 under this subsection shall include any year the applicant
7 does not apply for a big or trophy game animal hunting
8 license for that species, provided the applicant pays the
9 fee specified in W.S. 23-2-101(k). License applicants
10 within each hunt area for a species shall be grouped
11 according to the number of assigned points for that
12 species. The commission shall develop a method by which an
13 applicant may submit an application as part of a party
14 application with no more than two (2) youth members of his
15 immediate family as defined in W.S. 40-14-640(a)(vi) and
16 the youth applications shall not count towards the party
17 application points total. If successfully drawn on first
18 choice, all points are forfeited including any acquired by
19 youth. Not less than fifty percent (50%) of available
20 licenses within any hunt area shall be randomly selected
21 through a preference point drawing from among the group of
22 applicants with the largest number of assigned points and
23 shall continue until all applicants within that group have
24 been exhausted or until all available licenses have been

1 issued, whichever first occurs. If any applicant grouping
2 has been exhausted and licenses remain available within
3 that hunt area, selection shall continue from among the
4 group of applicants with the next largest number of
5 assigned points. After the selections through the
6 preference point drawing have been completed within a hunt
7 area, the remaining licenses available from that drawing
8 and the licenses available for the random drawing for that
9 hunt area will be issued through a random selection from
10 among all applicants in the hunt area who were not selected
11 for issuance of a license for the species through the
12 preference point drawing in that hunt area. For purposes of
13 assigning points under this subsection, any unsuccessful
14 license applicant failing to apply for a license, or pay
15 the applicable fee in lieu of applying, during the second
16 calendar year shall be considered to be a first year
17 applicant for any subsequent calendar year in which the
18 applicant submits license application for that particular
19 species.

20

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

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

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6 (m) Subject to the provisions of this subsection, as
7 part of any preference point program for resident and
8 nonresident antelope, nonresident ram bighorn sheep,
9 nonresident moose, resident and nonresident deer or
10 resident and nonresident elk, the commission may establish
11 a nonrefundable fee to be either withheld from the license
12 fee remitted or submitted separately when application for a
13 license or preference point is made through electronic
14 licensing, and may also establish a fee to be paid in lieu
15 of applying for licenses that are limited in quota.
16 Retention of the established fee or payment of the fee in
17 lieu of applying shall authorize the person to accumulate a
18 preference point for future drawings for licenses that are
19 limited in quota for the applicable species in accordance
20 with rules of the commission. The rules may provide for
21 the loss of all accumulated points for persons failing to
22 apply or to pay the in lieu fee in two (2) consecutive
23 calendar years. The fee for any program under this
24 subsection for antelope, deer or elk shall be established

1 by rule and shall not exceed fifty dollars (\$50.00) per
2 species for nonresidents and twenty dollars (\$20.00) per
3 species for residents. Payment of the fee shall be made in
4 compliance with application dates. Nothing in this
5 subsection authorizes the commission to establish or retain
6 a fee for resident moose or resident ram bighorn sheep
7 license preference points in addition to the fee
8 established by subsection (k) of this section or to
9 establish rules for ram bighorn sheep or moose preference
10 point drawings in conflict with the provisions of W.S.
11 23-1-703(b). For nonresident ram bighorn sheep and
12 nonresident moose licenses, the commission may establish by
13 rule a nonrefundable preference point fee to be withheld
14 from either the license fee remitted or submitted
15 separately when application for a license or preference
16 point is made through electronic licensing and may
17 establish a fee in lieu of making application in an amount
18 greater than that established under subsection (k) of this
19 section, but neither fee shall exceed one hundred dollars
20 (\$100.00). Fees established under this subsection may be
21 set at lower amounts for youth license applicants. Nothing
22 in this subsection shall be construed as prohibiting the
23 commission from issuing a different number of licenses for
24 residents and nonresidents.

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2 **Section 2.** This act is effective January 1, 2015.

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(END)