

SENATE FILE NO. SF0114

Game and fish-resident preference points.

Sponsored by: Senator(s) Driskill, Barnard 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.

5

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

7

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:

11

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).

17

18 (h) Effective January 1, 2016, 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

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

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

22

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

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6 **23-2-101. Fees; restrictions; nonresident application**
7 **fee; nonresident licenses; verification of residency**
8 **required.**

9

10 (m) Subject to the provisions of this subsection, as
11 part of any preference point program for resident and
12 nonresident antelope, nonresident ram bighorn sheep,
13 nonresident moose, resident and nonresident deer or
14 resident and nonresident elk, the commission may establish
15 a nonrefundable fee to be either withheld from the license
16 fee remitted or submitted separately when application for a
17 license or preference point is made through electronic
18 licensing, and may also establish a fee to be paid in lieu
19 of applying for licenses that are limited in quota.
20 Retention of the established fee or payment of the fee in
21 lieu of applying shall authorize the person to accumulate a
22 preference point for future drawings for licenses that are
23 limited in quota for the applicable species in accordance

1 with rules of the commission. The rules may provide for
2 the loss of all accumulated points for persons failing to
3 apply or to pay the in lieu fee in two (2) consecutive
4 calendar years. The fee for any program under this
5 subsection for antelope, deer or elk shall be established
6 by rule and shall not exceed fifty dollars (\$50.00) per
7 species for nonresidents and twenty dollars (\$20.00) per
8 species for residents. Payment of the fee shall be made in
9 compliance with application dates. Nothing in this
10 subsection authorizes the commission to establish or retain
11 a fee for resident moose or resident ram bighorn sheep
12 license preference points in addition to the fee
13 established by subsection (k) of this section or to
14 establish rules for ram bighorn sheep or moose preference
15 point drawings in conflict with the provisions of W.S.
16 23-1-703(b). For nonresident ram bighorn sheep and
17 nonresident moose licenses, the commission may establish by
18 rule a nonrefundable preference point fee to be withheld
19 from either the license fee remitted or submitted
20 separately when application for a license or preference
21 point is made through electronic licensing and may
22 establish a fee in lieu of making application in an amount
23 greater than that established under subsection (k) of this

1 section, but neither fee shall exceed one hundred dollars
2 (\$100.00). Fees established under this subsection may be
3 set at lower amounts for youth license applicants. Nothing
4 in this subsection shall be construed as prohibiting the
5 commission from issuing a different number of licenses for
6 residents and nonresidents.

7

8 **Section 2.** This act is effective January 1, 2016.

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(END)