

2019 Legislative Weekly Update

The 2019 Wyoming legislative session is underway. The session began January 8 and is set to end February 27 with an additional five days available if necessary.

This report provides updates on the status of bills (passed or failed).

February 4, 2019

HB0002 Regulation of hunting methods

Department Impact High

Department Leads Brian Nesvik

Sponsor(s) Joint Travel, Recreation, Wildlife & Cultural Resources Interim Committee

Summary This bill amends W.S. 23-1-302 authorizing the regulation and control of the methods of taking wildlife.

HB002 Status

HB0012 Shed antlers and horns

Department Impact High

Department Leads Brian Nesvik

Sponsor(s) Representative(s) Sommers, Crank, Eyre, Freeman, Schwartz and Stith and Senator(s) Anselmi-Dalton, Baldwin, Driskill and Gierau

Summary This bill amends W.S. 23-1-302 and will ostensibly allow the Game and Fish Commission to regulate the collection of shed antlers and horns on public lands in the entire state of Wyoming and at any time of the year.

Status HB0012

HB0028 Regulation of shed antler and big game horn collection

Department Impact High

Department Leads Brian Nesvik

Sponsor(s) Representative(s) Haley, Flitner, Freeman, Lindholm, MacGuire, Paxton and Sommers and Senator(s) Hicks and Moniz

Summary This bill amends W.S. 23-1-302 allowing the Game and Fish Commission to regulate the collection of shed antlers and horns on public lands in the entire state of Wyoming and at any time of the year.

Status HB0028

HB0042 Preference point amendments

Died – Failed in TRW Committee

Department Impact High

Department Leads Phipps

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

Summary This bill amends W.S. 23-1-703, 23-2-101 and 23-2-109 authorizing the game and fish commission to implement a preference point system for resident big game hunting licenses.

HB0042 Status

HB0073 Use of dogs-recovery of killed or wounded big game

Department Impact Medium

Department Leads Brian Nesvik

Sponsor(s) Representative(s) Representative(s) Blake, Brown, Haley, Lindholm, Miller and Paxton and Senator(s) Baldwin, Boner, Driskill and Gierau

Summary This bill allows a person to use a leashed blood-trailing dog to help recover a killed or wounded or killed big game animal. This bill would create a new subsection to the current W.S. 23-3-109.

HB0073 Status

HB0102 Hunter safety course-preference points

Died – Failed House Committee as a Whole

Department Impact High

Department Leads Phipps

Sponsor(s) Representative(s) Clem and Tass and Senator(s) Baldwin and Driskill

Summary This bill amends W.S. 23-1-703 (b) and 23-2-109 to award one preference point for their species of choice (sheep or moose) to any person who completes a WGFD-sponsored or Commission-approved hunter safety course.

HB0102 Status

HB0135 Hunting licenses-donation to grizzly bear attack victims

Died – Failed in TRW Committee

Department Impact Medium

Department Leads Nesvik

Sponsor(s) Representative(s) Greear, Flitner, Harshman, Lindholm, Salazar and Sommers and Senator(s) Agar, Bebout, Driskill, Hicks, Landen and Wasserburger

Summary This bill creates a new section (23-1-902), modeled after our current damage statute, which would allow an individual, or their representative, file a claim with the Department for payment to cover economic losses resulting from a grizzly bear attack. A new fund to cover claims, supplied by donations made by persons buying or applying for licenses, is created under 23-1-501. New subsections are added in 23-2-101 (Game animal and game bird fees) and 23-2-201 (Fish fees) to allow collection of donations from persons applying for or buying licenses. A minimum account balance of \$50,000.00 is required before any claim can be awarded.

HB0135 Status

HB0141 Front license plate freedom

Died – Failed in House Transportation Committee

Department Impact Low

Department Leads Nesvik

Sponsor(s) Representative(s) Brown, Blake, Clem, Duncan, Larsen, Lindholm, Loucks and Olsen and Senator(s) Boner, Hicks, Moniz and Pappas

Summary This legislation would specify the Department of Transportation to only issue one (1) license plate to motor vehicles, and eliminate the requirement to display a front plate.

HB0141 Status

HB0144 Citation in lieu of arrest

Department Impact Medium

Department Leads Nesvik

Sponsor(s) Representative(s) Pelkey and Lindholm and Senator(s) Case and Von Flatern

Summary This bill modifies state statute 7-2-102 by adding new language and a new subsection.

The new language inserted into 7-2-102 is the phrase ***punishable by imprisonment***. The new language creates a stipulation that an officer may arrest a person without a warrant when any criminal offense ***punishable by imprisonment*** is committed in the officer's presence or the officer has probable cause to believe a misdemeanor ***punishable by imprisonment*** has been committed, that the person to be arrested has committed it and that the person, unless immediately arrested will not be apprehended, may cause injury to himself or others or damage to property, or may destroy or conceal evidence of the commission of the misdemeanor.

This bill adds a new subsection (iv) which allows for an arrest without a warrant, regardless if punishable by imprisonment or not, if a person presents a danger to himself or others, will injure or destroy the property of others, will not appear for future court proceedings, or will not accept the citation.

HB0144 Status

HB0169 Lifetime fishing licenses for permanently disabled persons

Department Impact Medium

Department Leads Osterland

Sponsor(s) Representative(s) Haley, Freeman, Hallinan, Henderson, Kinner, Paxton, Salazar and Zwonitzer and Senator(s) Gierau and Moniz

Summary This legislation would direct the Department to establish a process for issuing resident lifetime fishing licenses and conservation stamps for permanently and totally disabled residents.

HB0169 Status

HB0183 Repeal gun free zones and preemption amendments-2

Died – Failed House Committee as a Whole

Department Impact High

Department Leads Nesvik

Sponsor(s) Representative(s) Salazar, Blackburn, Brown, Burkhart, Clausen, Clem, Edwards, Eklund, Eyre, Gray, Hallinan, Henderson, Jennings, Laursen, Lindholm, Loucks, Miller, Olsen, Piiparinen, Stith, Styvar, Tass, Washut and Winter and Senator(s) Agar, Biteman, Boner, Bouchard, Hicks, Hutchings, James, Kinskey and Steinmetz

Summary This bill modifies statutes pertaining to the carry of concealed weapons (6-8-104) and modifies language in 6-8-401 pertaining to the regulation of the sale, transfer,....,use...of firearms and ammunition.

HB0183 Status

HB0205 Big and trophy game animals-minimum hunting age

Died – Failed House Committee as a Whole

Department Impact Medium

Department Leads Nesvik

Sponsor(s) Representative(s) Northrup, Hunt, Lindholm and Winter and Senator(s) Agar and Hicks

Summary This bill would modify 23-2-102 (a) by changing the legal age to take big or trophy game animals from 12 to 10 years.

HB0205 Status

HB0217 Wyoming camping act

Died – Filed in House Agriculture Committee

Department Impact Medium

Department Leads Nesvik

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Sponsor(s) Representative(s) Gray, Jennings, Miller and Pelkey and Senator(s) Biteman and James

Summary This bill repeals the prohibition of camping on state lands in Wyoming.

HB0217 Status

HB0228 Highway and wildlife safety studies and improvements

Department Impact Medium

Department Leads Smith

Sponsor(s) Representative(s) Crank, Blake, Burkhart, MacGuire and Sommers and Senator(s) Schuler

Summary This bill directs the Wyoming Department of Transportation (WYDOT) and the Wyoming Game and Fish Department (WGFD) to monitor vehicle collisions with big game animals on highways and requires a study of big game animals killed or injured along certain railroads. It authorizes and provides appropriations for wildlife conservation efforts related to highways and railroads.

HB0228 Status

HB0229 Payment processor-state government

Department Impact Medium

Department Leads Phipps

Sponsor(s) Representative(s) Brown, Burkhart, Gray, Larsen, Loucks, Salazar, Sweeney and Walters and Senator(s) Biteman, Coe and Pappas

Summary This legislation would authorize the Department of Enterprise Technology Services (ETS) to establish a uniform state payment processor (credit card processor) services and reporting.

HB0229 Status

HB0248 Sage grouse game bird farms-extension

Department Impact Low

Department Leads Smith

Sponsor(s) Representative(s) Harshman, Burkhart, Larsen, Loucks and Sweeney and Senator(s) Bebout, Boner and Driskill

Summary This bill extends the time limitation on certification of greater sage-grouse game farms from December 31, 2022 to December 31, 2032.

HB0248 Status

HB0252 Reporting of trophy game animal information

Department Impact Medium

Department Leads Nesvik

Sponsor(s) Representative(s) Hunt and Haley and Senator(s) Agar

Summary This bill creates W.S. 23-1-305 restricting release of information regarding the number or nature of trophy game animals legally taken to its aggregate form, and prohibiting release of information of a private or confidential nature without written consent of the person to whom the information may occur. The bill specifies information identifying any person legally taking a trophy game animal in Wyoming is solely for the use of the Commission, the Department, or appropriate law enforcement use and is not public record for the purposes of W.S. 16-4-201 through 16-4-205.

HB0252 Status

HB0276 Fishing outfitters and guides

Department Impact High

Department Leads Osterland

Sponsor(s) Representative(s) Sommers

Summary This legislation requires the Wyoming Game & Fish Commission to regulate and license fishing outfitting and fishing guide services.

HB0276 Status

HB0305 Land access study

Died – Failed in House Agriculture Committee

Department Impact Medium

Department Leads Hawk

Sponsor(s) Representative(s) Roscoe, Haley and Paxton

Summary This legislation would authorize State Parks, OSLI and WVNRT to do a study on land access to identify opportunities for getting access to landlocked parcels of public land. The main purpose is to increase outdoor recreation.

HB0305 Status

HJ0001 Wyoming support for delisting the grizzly bear

Department Impact High

Department Leads Nesvik

Sponsor(s) Representative(s) Winter, Hunt, Kirkbride, Paxton, Salazar and Sommers and Senator(s) Agar, Bebout, Boner and Driskill

Summary This joint resolution details the history of grizzly bear management in Wyoming and the timeline of events associated with attempts to delist grizzly bears from the Endangered Species Act. The resolution requests congressional action to delist the GYE grizzly bear population, have the federal government fully fund the cost of grizzly bear management until delisting occurs, and to have the Wyoming Secretary of State transmit copies of this resolution to the United States President, Senate President, Speaker of the House, Interior Secretary, USFWS, and Wyoming Congressional Delegation.

HJ0001 Status

SF0002 Board of outfitters and guides-area of authorization

Died – Failed Senate Committee as a Whole

Department Impact Medium

Department Leads Nesvik

Sponsor(s) Joint Travel, Recreation, Wildlife & Cultural Resources Interim Committee

Summary This bill amends W.S.23-2-406 (a) by authorizing the Board of Outfitters and Guides to approve or deny areas of authorization for outfitters and providing for an effective date.

SF0002 Status

SF0003 Preference points

Died – Filed in Travel Recreation and Wildlife Committee

Department Impact High

Department Leads Phipps

Sponsor(s) Joint Travel, Recreation, Wildlife & Cultural Resources Interim Committee

Summary This bill amends W.S. 23-1-703 (b) and 23-2-101 (m) removing the provisions for loss of cumulative points after failure to apply in consecutive years.

SF0003 Status

SF0040 Operation of motorboat while intoxicated

Department Impact Medium

Department Leads Nesvik

Sponsor(s) Senator(s) Steinmetz, Baldwin and Hutchings and Representative(s) Duncan, Haley, Jennings and Simpson

Summary This bill amends W.S. 41-13-206 amending the alcohol concentration level that constitutes operation of a motorboat by an intoxicated person.

SF0040 Status

SF0070 Landowner and lessee liability limitations

Department Impact Medium

Department Leads Hawk

Sponsor(s) Senator(s) Driskill, Bebout, Moniz, Steinmetz and Wasserburger and Representative(s) Clausen, Hunt, Lindholm, Pownall, Sommers and Walters

Summary This bill amends W.S. 34-19-103 (a) (iii) to include third parties (whether or not on the property) in a waiver of liability on behalf of any landowner or lessee for any injury to person or property caused by an act or omission of the person using the land. The bill also amends W.S. 34-19-107 to include third parties (whether or not on the property) as being liable for any damage or injury to property, livestock or crops. Finally, the bill amends W.S. 36-5-117 to provide for limited liability of state land lessees for injury associated with improvements upon state lands provided the improvement was granted permission, the user did not obtain written or oral permission from the lessee and that the lessee did not charge the user to use the improvement.

SF0070 Status

SF0075 Repeal gun free zones and preemption amendments

Died – Filed Senate Judiciary Committee

Department Impact Medium

Department Leads Nesvik

Sponsor(s) Senator(s) Bouchard, Agar, Bebout, Biteman, Boner, Case, Dockstader, Driskill, Hicks, Hutchings, James, Kinskey and Steinmetz and Representative(s) Blackburn, Brown, Burkhart, Clausen, Clem, Edwards, Gray, Hunt, Jennings, Laursen, Lindholm, Loucks, Miller, Olsen, Piiparinen, Pownall, Salazar, Stith, Styvar, Tass, Washut, Western and Winter

Summary This bill modifies statutes pertaining to the carry of concealed weapons (6-8-104) and modifies language in 6-8-401 pertaining to the regulation of the sale, transfer,....,use...of firearms and ammunition.

SF0075 Status

SF0076 Warrants for digital records

Department Impact Low

Department Leads Nesvik

Sponsor(s) Senator(s) Nethercott, Anselmi-Dalton, Hicks and Kinskey and Representative(s) Haley, Jennings, Pelkey, Pownall, Stith and Wilson

Summary This bill creates W.S. 7-7-106 as related to criminal procedure. This bill would authorize warrants to out-of-state providers of electronic communication services. It would also require Wyoming providers to comply with out-of-state warrants and immunity for compliance.

SF0076 Status

SF0077 2019 large project funding

Department Impact High

Department Leads Phipps

Sponsor(s) Select Natural Resource Funding Committee

Summary This bill authorizes funding for large projects exceeding \$200,000 in requested funds from the Wyoming Wildlife and Natural Resource Trust Fund including the following projects:

- Double Bar E Conservation Easement
- Big Fork Canal
- Richie Ranch Conservation Easement II
- Richie Ranch Conservation Easement III
- Encampment River WYCO Dam
- Dunham Ranch Conservation Easement
- Lower Swift Creek
- Sublette Cheatgrass
- Gun Barrel Flats Conservation Easement

SF0077 Status

SF0087 Temporary instream water use

Died – Failed Senate Agricultural Committee

Department Impact Medium

Department Leads Osterland

Sponsor(s) Senator(s) Case and Representative(s) Blackburn, Pelkey and Zwonitzer

Summary Allows private property owners to use existing water rights for instream flow on a temporary basis. This bill requires the water right holder to apply for the temporary change of use.

SF0087 Status

SF0093 Grizzly bear hunts

Department Impact High

Department Leads Nesvik

Sponsor(s) Senator(s) Agar, Bebout, Boner, Driskill, Kinskey and Moniz and Representative(s) Clausen, Hunt, Lindholm, Salazar, Sommers and Winter

Summary This bill invokes the 10th amendment to the U.S. Constitution as a basis for granting state statutory authority to the Wyoming Game and Fish Commission to conduct a grizzly bear hunt if the WGFC determines a hunt would be beneficial for:

- Managing Wyoming's wildlife
- Protecting Wyoming workers and other citizens and tourists of the state

SF0093 Status

SF0145 State trust land revenues

Died - No report prior to Senate Committee of the Whole Cutoff

Department Impact High

Department Leads Phipps

Sponsor(s) Senator(s) Hicks, Coe, Driskill, Kost, Landen and Rothfuss and Representative(s) Freeman, Harshman, Northrup, Olsen and Piiparinen

Summary This legislation would allow for the Office of State Lands Investment (OSLI) to charge six dollars (\$6.00) for a recreational permit to use specified state trust lands.

SF0145 Status

SF0162 State funded capital construction

Department Impact Medium

Department Leads Phipps

Sponsor(s) Senator(s) Hicks, Coe, Driskill, Kost, Landen and Rothfuss and Representative(s) Freeman, Harshman, Northrup, Olsen and Piiparinen

Summary This legislation would authorize the establishment of an account(s) and appropriation(s) for numerous capital construction projects. The one of interest to the Wyoming Game and Fish Department is in Section 4 “Wildlife Crossings”. This bill would allow for a \$4.2 million appropriation to be placed in an account that would also require money from a third party (NGOs, private donation or political subdivision), WYDOT, and Wyoming Game and Fish Commission before work could start.

SF0162 Status

Monitored Bills

HB0003 Board of outfitters and guides-civil penalties - HB0003 Status

HB0010 Crimes against critical infrastructure - HB0010 Status

HB0050 Legislative review of state land transfers - Died in House Agriculture Committee

HB0051 Lawful fence standards-county preemption - HB0051 Status

HB0054 Federal natural resource policy account-amendments - HB0054 Status

HB0081 Omnibus water bill-planning - HB0081 Status

HB0084 Wage equality-state employees and programs - HB0084 Status

HB0085 State health reinsurance program - HB0085 Status

HB0099 Wyoming public lands day - HB0099 Status

HB0108 Contractors-final payment provisions restructure - HB0108 Status

HB0122 Citizen standing – Died in House Committee of the Whole

HB0142 Wildlife and natural resource trust account board-duties – HB0142 Status

HB0148 State offices-contract transparency - HB0148 Status

HB0153 Public reports-state spending and revenues – Died in House Appropriations Committee

HB0172 Wyoming Budget Stabilization Act - HB0172 Status

HB0184 Private roads – HB0184 Status

HB0235 Care of animals - HB0235 Status

HB0256 Contracts for public improvements-prequalifying amount – HB0256 Status

HB0283 Budget reserve account-repeal and transfer - HB0283 Status

HB0288 Animal cruelty-snowmobiles - HB0288 Status

SF0005 - Budget reserve account-repeal - Died in Senate Appropriations

SF0011 Budget submission deadline - SF0011 Status

SF0033 Cruelty to animals-penalties - Died in House Committee of the Whole

SF0036 Oil and gas drilling units-calculation of owner shares - SF0036 Status

SF0050 State amphibian - SF0050 Status

SF0053 Government contracts-labor organization - SF0053 Status

SF0057 Public records - SF0057 Status

SF0059 Omnibus water bill-construction - SF0059 Status

SF0069 Water development program - SF0069 Status

SF0070 Landowner and lessee liability limitations - SF0070 Status

SF0074 Professional services procurement - SF0074 Status

SF0089 Death benefits-Wyoming retirement plans – SF0089 Status

SF0090 Nonvested member accounts-Wyoming retirement plans – SF0090 Status

SF0098 Wyoming Budget Stabilization Act-2 –Died in Senate Appropriations

SF0105 Procurement pricing transparency - SF0105 Status

SF0127 Felony fleeing or eluding police - SF0127 Status

SF0131 Spending policy amendments - SF0131 Status

SF0137 State budgeting-negotiation incentives – Died in Senate Committee of the Whole

SJ0001 State-federal school trust lands exchange - SJ0001 Status

SJ0010 Multiple use of public lands - SJ0010 Status