

## 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).

## January 22, 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 – 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**

**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**

**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**

## **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**

### **HB0153 Public reports-state spending and revenues**

**Department Impact** Medium

**Department Leads** Phipps

**Sponsor(s)** Representative(s) Jennings, Clem, Edwards, Gray, Laursen, Miller, Salazar and Stith and Senator(s) Biteman and James

**Summary** Not Available at this Time

#### **HB0153 Status**

### **HB0169 Lifetime fishing licenses for permanently disabled persons**

**Department Impact**

**Department Leads** Osterland

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

**Summary** Not Available at this Time

#### **HB0169 Status**

### **HB0183 Repeal gun free zones and preemption amendments-2**

**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**

**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**

## **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 – In TRW 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**

### **SF0053 Government contracts-labor organization**

**Department Impact** Medium

**Department Leads** Phipps

**Sponsor(s)** Senator(s) Anderson, Boner, Driskill and Kinskey and Representative(s) Clausen, Lindholm, Pownall and Walters

**Summary** This bill is an act relating to public works and contracts. It will prohibit governmental entities from including specified terms related to labor organization agreements in construction related contracts and grants. It also provides exemptions, legislative findings and an effective date.

**SF0053 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**

**SF0074 Professional services procurement**

**Department Impact** Medium

**Department Leads** Phipps

**Sponsor(s)** Senator(s) Case, Kinskey and Pappas and Representative(s) Loucks and Sommers

**Summary** This bill creates new definitions in W.S. 9-2-1028. This act relates to modifying residency requirements related to the procurement of professional architectural, engineering and land surveying services.

**SF0074 Status**

**SF0075 Repeal gun free zones and preemption amendments**

**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**

**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**

## **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 - HB0050 Status**

**HB0051 Lawful fence standards-county preemption - HB0051 Status**

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**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 – HB0022 Status**

**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 - HB0153 Status**

**HB0172 Wyoming Budget Stabilization Act - HB0172 Status**

**HB0184 Private roads –HB0184 Status**

**SF0005 - Budget reserve account-repeal - HB005 Status**

**SF0011 Budget submission deadline - SF0011 Status**

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

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

**SF0050 State amphibian - SF0050 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 – SF0098 Status**

**SF0103 State capital construction – SF0103 Status**

**SF0105 Procurement pricing transparency - SF0105 Status**

**SJ0001 State-federal school trust lands exchange - SJ0001 Status**