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.

**HB0002 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) 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
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