

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 28, 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

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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

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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

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.

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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

**HB0217 Wyoming camping
act**

Department Impact
Medium **Department**
Leads Nesvik

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

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**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

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

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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

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**

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**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

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 - Senate Judiciary
Committee Department Impact

Medium **Department Leads**

Nesvik

Sponsor(s) enator(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
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- 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

Department Impact High

Department Leads

Phipps

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

Summary

[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

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[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**

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**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 -
HB0153 Status**

**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**

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

**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**

**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**

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**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 –
SF0137 Status**

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

**SJ0010 Multiple use of public lands - SJ0010
Status**