

ORIGINAL HOUSE  
BILL NO. 0032

ENROLLED ACT NO. 4, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2006 BUDGET SESSION

AN ACT relating to game and fish; providing for electronic licensing for hunting and fishing licenses, stamps and tags; providing conforming amendments; and providing for an effective date.

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

**Section 1.** W.S. 23-1-102(a) by creating a new paragraph (xviii), 23-1-302(a)(xiv) and by creating a new subsection (o), 23-1-701(b)(intro) and (c), 23-1-801, 23-2-101(m) and 23-2-306(a)(intro) are amended to read:

**23-1-102. General definitions.**

(a) As used in this act:

(xviii) "Electronic licensing" means a system for the issuance of licenses, stamps and tags as an alternative to issuing original paper licenses, stamps and tags. An electronic licensing system is a system in which the license, stamp or tag, or authorization therefor, is received through a point of sale terminal or through a computer.

**23-1-302. Powers and duties.**

(a) The commission is directed and empowered:

(xiv) To prescribe the requirements and form, including electronic licensing format, for the licenses, stamps and tags provided for in this act, to issue licenses, stamps and tags under the provisions of this act, including through electronic licensing, to make regulations for the sale and record of licenses, stamps and tags, including sale by electronic licensing, and to distribute

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licenses, ~~and stamps,~~ tags and electronic equipment and software programs associated with electronic licensing only to persons authorized by the commission to issue ~~them~~ licenses, stamps or tags;

(o) The commission may, by rule and regulation, establish an electronic licensing system and prescribe the manner of payment for any electronic payment accepted by the department. For purposes of facilitating the implementation of an electronic licensing system, the commission may:

(i) Enter into agreements with the state treasurer to establish an electronic funds transfer system;

(ii) Permit license selling agents to authorize an electronic funds transfer to a collection account as set forth by commission rule and regulation;

(iii) Charge the license selling agent an additional fee of not more than thirty dollars (\$30.00) for each nonsufficient funds debit from the license selling agent's account; and

(iv) Promulgate all other necessary rules and regulations to effectuate electronic licensing.

**23-1-701. Selling agents; administration of oaths; licenses, permits and game tags.**

(b) Each license selling agent shall charge a fee as provided in this subsection for each license, permit or stamp he sells or distributes pursuant to this act. The fee shall not be charged if this act specifies that the issuance shall be without fee or fails to establish a fee for the issuance of the license, permit or stamp. Each

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license, permit or stamp sold or distributed under this act shall display the total amount only of all fees and other charges required under this act or otherwise provided by law. Each selling agent shall retain one dollar and fifty cents (\$1.50) for each license and fifty cents (\$.50) for each stamp or permit he sells. For failure to comply with this section, selling agents shall not be entitled to retain the amounts specified in this subsection and shall be liable on their bond. No employee of the commission shall receive any commission on licenses, stamps or permits sold, but the department shall charge the additional fee specified in this subsection, or otherwise provided by law, for each license, stamp or permit sold by commission employees. The fee charged under this subsection shall be in addition to the amount otherwise established by this act for the license, permit or stamp and shall be as follows:

(c) ~~On or before the 10th of each month~~ Every selling agent shall file a report ~~for the preceding month~~ with the commission ~~on forms approved at such times and in such manner as prescribed~~ by ~~the~~ commission. ~~Selling agents shall also remit all money collected during the previous month less commission,~~ rule and shall account for ~~and deliver~~ all ~~surplus, unused and damaged~~ licenses, permits, ~~and~~ stamps, ~~and stubs of licenses~~ received by the selling agent to the commission.

**23-1-801. Reciprocal fishing agreements with adjoining states authorized; stamps for licenses.**

The commission is authorized to enter into reciprocal agreements with corresponding state officials of adjoining states for purposes of providing for the licensing for fishing of residents of this state and adjoining states upon artificial impoundments of water forming the boundary between this state and adjoining states. The agreements may

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include provisions by which each state shall honor the license of the other only when ~~there is affixed to the license a stamp~~ the licensee has purchased a stamp or authorization signifying purchase of a stamp from the other state, the charge for the stamp being set by mutual agreement of the states.

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

(m) Subject to the provisions of this subsection, as part of any preference point program for nonresident antelope, nonresident bighorn sheep, nonresident moose, nonresident deer or nonresident elk, the commission may establish a nonrefundable fee to be ~~retained~~ either withheld from the license fee remitted or submitted separately when application for a license or preference point is made through electronic licensing, and may also establish a fee to be paid in lieu of applying for licenses that are limited in quota. Retention of the established fee or payment of the fee in lieu of applying shall authorize the person to accumulate a preference point for future drawings for licenses that are limited in quota for the applicable species in accordance with rules of the commission. The rules may provide for the loss of all accumulated points for persons failing to apply or to pay the in lieu fee in two (2) consecutive calendar years. The fee for any program under this subsection for antelope, deer or elk shall be established by rule and shall not exceed fifty dollars (\$50.00) per species. Payment of the fee shall be made in compliance with application dates. Nothing in this subsection authorizes the commission to establish or retain a fee for resident moose or resident bighorn sheep license preference points in addition to the fee established by subsection (k) of this section or to

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establish rules for bighorn sheep or moose preference point drawings in conflict with the provisions of W.S. 23-1-703(b). For nonresident bighorn sheep and nonresident moose licenses, the commission may establish by rule a nonrefundable preference point fee to be ~~retained~~withheld from either the license fee remitted or submitted separately when application for a license or preference point is made through electronic licensing and may establish a fee in lieu of making application in an amount greater than that established under subsection (k) of this section, but neither fee shall exceed one hundred dollars (\$100.00). Fees established under this subsection may be set at lower amounts for youth license applicants.

**23-2-306. Conservation stamp; exemptions.**

(a) Subject to subsection (b) of this section and the applicable fee under W.S. 23-1-701, each sportsman licensed under W.S. 23-2-101, 23-2-107 or 23-2-201 shall purchase a single conservation stamp for ten dollars (\$10.00) which shall be valid for one (1) calendar year and the stamp or an authorization signifying purchase of the stamp shall be in the possession of any person exercising rights under any fishing or hunting license issued pursuant to W.S. 23-2-101, 23-2-107 or 23-2-201. Holders of pioneer licenses as defined under W.S. 23-1-705(d) and (e), of special limited fishing permits issued under W.S. 23-2-207 and holders of licenses only under W.S. 23-2-101(j)(v) and (vi), 23-2-201(d)(vi) and (vii) and 23-2-201(f) are exempt from the provisions of this section. Revenues collected from the sale of each stamp under this subsection shall be deposited as follows:

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**Section 2.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk