

Chapter 36

SALE OF HUNTING AND FISHING LICENSES

Original House Bill No. 103

AN ACT relating to game and fish; modifying provisions relating to fees charged for the sale of specified hunting and fishing licenses, permits, stamps and tags; providing for additional charges to the price of licenses, permits, stamps and tags; modifying provisions for the retention of fees by selling agents; modifying provisions relating to the sale of interstate game tags; conforming provisions; and providing for an effective date.

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

Section 1. W.S. 11-6-305(a), 23-1-701(a) through (c) and (e), 23-1-702, 23-2-101(j)(intro) and by creating a new subsection (n), 23-2-107(e), 23-2-201(d)(intro), 23-2-301(c)(intro), 23-2-306(a)(intro) and (b)(intro) and 23-2-307(b) are amended to read:

11-6-305. Wyoming animal damage management board funding; sources; methods of collection.

(a) Effective January 1, 2000, there is created a "wildlife damage management" stamp. The stamp, issued at licensed selling agents as designated by the Wyoming game and fish commission may be purchased voluntarily. Proceeds from the sale of the stamp, excluding ~~twenty-five cents (\$.25)~~ fifty cents (\$.50) which the agent shall retain for each stamp sold, shall be deposited by the state treasurer into the animal damage management account created by W.S. 11-6-306. The Wyoming game and fish commission shall retain the fees related to those administrative costs which are required to design and print stamps, and collect, account for and disburse these funds to the ADMB. The Wyoming game and fish commission shall annually provide to the ADMB a complete and detailed accounting of all administrative costs and fees.

23-1-701. Selling agents; administration of oaths; game tags.

(a) The commission with the advice of the director shall appoint agents to sell game, bird and fish licenses, ~~and tags~~. Any vendor engaged in the commercial sale of sporting goods and equipment who holds a valid sales tax license issued by the department of revenue under W.S. 39-15-106 may apply to the commission and shall be appointed as an agent to sell game, bird and fish licenses, ~~and tags permits and stamps~~. At the end of each year, the commission shall renew the appointment of agents who had combined game, bird and fish license, ~~permit and stamp~~ sales during that year of not less than one thousand dollars (\$1,000.00). Renewal of the appointment of agents selling fish licenses only or agents serving remote locations shall not be subject to the one thousand dollar (\$1,000.00) minimum sales requirement. The commission shall provide bonding for agents for the purpose of selling game, bird and fish licenses, ~~permits and stamps, and tags~~. Bonding shall be provided upon receipt of a nonrefundable annual fee of fifty dollars (\$50.00). The fees shall be deposited in a bond pool fund except in any month when the bond pool fund contains one hundred thousand dollars (\$100,000.00) or more the fees shall be deposited in the game and fish fund. The fee shall be paid to the commission before December 1 preceding the year for which the bond shall be in effect. Newly appointed agents shall pay the same fee immediately upon appointment by the commission to receive bonding for the remainder of the calendar year in which the agent was appointed. All claims against an agent's bond shall be paid from the bond pool account.

(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 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. Each selling agent shall retain fifty cents (\$.50) one dollar and fifty cents (\$1.50) for each license and twenty five cents (\$.25) fifty cents (\$.50) for each conservation stamp under W.S. 23-2-306 or permit he sells. For failure to comply with this section, selling agents shall not be entitled to fifty cents (\$.50) per license and twenty five cents (\$.25) for each conservation stamp sold 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, ~~or tags stamps or permits~~ sold, but the department shall charge the additional fee specified in this subsection 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:

(i) One dollar (\$1.00) for each license, except that this additional fee shall not be charged for licenses under W.S. 23-1-705(e), 23-2-101(j)(xi), (xvi), (xvii), (xx), (xxi), (xxxii) or (xxxiii), 23-2-201(d)(iii) or (iv) or (f) or 23-2-301(c)(xiii);

(ii) Fifty cents (\$.50) for each stamp;

(iii) Fifty cents (\$.50) for each permit, except that this additional fee shall not be charged for permits under W.S. 23-1-302(m).

(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 by the commission. Selling agents shall also remit all money collected during the previous month less commission, and shall account for and deliver all surplus, unused and damaged licenses, ~~tags, permits, stamps,~~ and stubs of licenses received by the selling agent to the commission.

(e) The department shall supply sufficient numbers of self-locking tags stamped with the words "~~Wyoming game tag~~" or "Wyoming interstate game tag". The commission by rule may authorize the distribution of interstate game tags by taxidermists, meat processing plants or other businesses as the commission determines. The commission by rule may set the commissions for the sale of interstate game tags not to exceed the commissions paid to license selling agents for the sale of licenses. The commission by rule may also set the reporting requirements for businesses authorized to distribute interstate game tags. Interstate game tags shall be furnished through the chief game warden for distribution to the game wardens, and such ~~selling agents game tag distributors~~ as the commission may designate. Game wardens and ~~selling agents game tag distributors~~ shall collect and remit to the department the proper fee for each ~~Wyoming game tag or~~ Wyoming interstate game tag.

23-1-702. Duplicate license upon loss or destruction of original; issuance; fees.

When any license issued under this act has been lost or destroyed, the licensee may secure a duplicate of the original license from any district office or any authorized personnel of the department upon the presentation of satisfactory proof that the original license was lost or destroyed. Prior to issuing the duplicate license and in accordance with rule and regulation of the commission, the department may assess a fee of not more than three dollars (\$3.00) plus the fee charged under W.S. 23-1-701. Duplicate licenses shall be issued in accordance with procedure established by commission order.

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

(j) Subject to W.S. 23-2-101(f) and the applicable fee under W.S. 23-1-701, the following hunting licenses and tags may be purchased for the fee indicated and subject to the limitations provided:

(n) For issuing each harvest information permit required under federal law license selling agents and commission employees shall charge the fee authorized by W.S. 23-1-701(b)(iii).

23-2-107. Wild bison licenses.

(e) A resident applicant shall pay a license fee of three hundred thirty dollars (\$330.00) and shall pay the fee required by W.S. 23-2-101(e). A nonresident applicant shall pay a license fee of two thousand one hundred dollars (\$2,100.00) and shall pay the fee required by W.S.

23-2-101(e). The fee charged under W.S. 23-1-701 shall be in addition to the fee imposed under this subsection.

23-2-201. Fees; restrictions; verification of residency required.

(d) The following fishing licenses may be purchased for the fee indicated in addition to the applicable fee under W.S. 23-1-701 and subject to the limitations provided:

23-2-301. Miscellaneous fees; verification of residency required.

(c) The following licenses and tags may be purchased for the fee indicated in addition to the applicable fee under W.S. 23-1-701 and subject to other requirements of this article:

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 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:

(b) A lifetime conservation stamp may be purchased for one hundred fifty dollars (\$150.00) plus the applicable fee under W.S. 23-1-701. Revenues collected from the sale of each stamp under this subsection shall be deposited as follows:

23-2-307. Special management permit.

(b) Special management permits may be purchased from the department or its authorized selling agents for ten dollars (\$10.00) plus the applicable fee under W.S. 23-1-701 and shall be valid for one (1) calendar year.

Section 2. This act is effective January 1, 2005.

Approved March 3, 2004.