

2005



# Legislative Scorecard



WYOMING  
CONSERVATION  
VOTERS

RESOURCES FROM  
THE WYOMING CONSERVATION VOTERS EDUCATION FUND

*WCV's tax-deductible 501(c)(3) affiliate, the Wyoming Conservation Voters Education Fund, offers several resources to voters concerned about our wildlife and natural resources.*

***"A Citizen's Guide to the Wyoming Animal Damage Management Board"***

Managing for sustainable, predictable predator populations would once have been a contradiction in terms. Now, an understanding of big predators is growing, accompanied by conflicts between public land users, agricultural producers and wildlife advocates.

The Wyoming Conservation Voters Education Fund offers "A Citizen's Guide to the Wyoming Animal Damage Management Board" in hopes the public will study these issues.

***"Your State Land Board"***

Wyoming's five statewide elected officials oversee 3.6 million acres of state land surface and 4.2 million acres of state mineral tracts. Sportsmen, recreational users and conservationists need a Land Board that values public access to public lands. We need a board that won't overpay state lessees for "surface damages" and turn state leases into private profit centers. Above all we need a board that manages our resources not only for school funding but also for long-term land quality and more low-impact recreational opportunities.

The Wyoming Conservation Voters Education Fund offers this guide to explain this board's duties, so conservation-minded voters may be fully informed of the issues their leaders will confront.

*Both reports available online at [www.wcvedfund.org](http://www.wcvedfund.org), or call (307) 265-0870 for copies.*

***WCVedfund.org***

Need to know how to get an absentee ballot? Want to contact your legislators? Curious about who serves on the boards that affect your public land? The WCVF Web site has all this information and more.

From Wyoming's Constitution, to useful links for voters, you'll find the resources you need to be an informed citizen and an effective voter. In addition, our website gives you access to WCVF publications in a printable format. Stop by and take advantage of the information we've collected for you.

*Visit [www.wcvedfund.org](http://www.wcvedfund.org) on the Internet*

*Wyoming Conservation Voters*  
**2005 LEGISLATIVE  
SCORECARD**

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# Introduction

## DEAR SCORECARD READER

Wyoming Conservation Voters is proud to bring you our fourth annual Legislative Scorecard, showing how state lawmakers voted on conservation, wildlife and sportsman bills during the 58th Legislature's General Session. It is our most comprehensive scorecard ever, which we hope you will use as a lasting source of information.

WCV's two lobbyists were at the Capitol in Cheyenne throughout the 40-day session to evaluate, track, testify about, and advocate for and against bills affecting habitat preservation, hunting licenses, state land management, water use, energy production, wildlife management funding and many other topics important to conservationists, hunters and anglers.

We started our work on these bills during the legislative interim prior to the session, and are now following up after the session as new state rules and regulations implement successful bills. This report is about what happened during the session in Cheyenne.

The Legislative Scorecard is the final and most important step in the "Cycle of Accountability" that begins and ends every two years at the ballot box.

After the campaigns have ended and those elected begin their service, the conservation and sportsman communities work with lawmakers on legislation to protect our wildlife and landscapes and our citizens' ability to enjoy these resources for generations to come.

Some of these ideas are acted upon, while others fall by the wayside. Our job in Cheyenne, and in front of committees between sessions, is to get as many of our ideas acted on as possible, while guarding against proposals which would hamper our goals.

Throughout the year we work with a wide range of member-supported Wyoming conservation and sportsman groups to ensure that voters who share our values are aware of specific legislative decisions which made a difference.

Lawmaking and legislation, lobbying and activism, are all imperfect processes. Scorecards have their flaws

too, and should be used as one of many tools for evaluating your elected officials. Sometimes legislative votes are cast by voice or by standing, leaving no written record of each member's vote and no way to include them in lawmakers' scores. Sometimes a bill crafted over months or even years is sidelined without a vote. Sometimes, a bill's impacts are underappreciated, or overstated. And sometimes a score based on percentages of votes is skewed by the fact that one bill was more important than another.

But despite the limitations, year after year the scores are good indicators of each lawmaker's overall effort to protect wildlife, conserve our environmental quality, and sustainably manage our natural resources.

We hope you will find these scores, and the stories behind them, useful in deciding whether your senator and representative are accountable to the vast majority of Wyoming voters who want our air, land and water kept healthy for the future. Then it will be up to you to make your own decisions at the ballot box the next time you choose your state legislators.

We strongly encourage you to look behind the numbers. Communicate openly with lawmakers about their votes, and encourage them to respect wildlife and the environment when they vote in the future.

Complete scorecards from 2002 through 2004 are also available on our Web site or through the mail upon request. Our staff is also happy to share "the rest of the story" on any important legislative proposal affecting our environment. And most importantly, your lawmakers are a phone call or e-mail away and are always interested to hear from you about these and other topics.

We thank each lawmaker for their attention to our community's needs this year, and each of the countless citizens who shared their opinions with them this session. And we thank the voters of Wyoming for keeping score at home and helping all of us by choosing pro-conservation legislators to represent their interests.

CHRIS MADSON  
*Chairman, Board of Directors*

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### Wyoming Conservation Voters Board of Directors

Chris Madson, *Chairman*    Kirk Koepsel, *Secretary*    Laurie Goodman, *Treasurer*  
*Directors:* Susan Danford, Robert "Chico" Pistono, Marcia Shanor, Craig Thompson

## WHAT'S NEW IN THIS YEAR'S SCORECARD

Wyoming Conservation Voters has improved this year's Legislative Scorecard. We believe these changes make it a more comprehensive and useful handbook for citizens committed to helping the Legislature achieve a bipartisan majority for conserving our wildlife and natural resources and preserving Wyoming's hunting and angling heritage. New or expanded features include:

- **Promising newcomers.** This year's scorecard includes a new category of commendation, for lawmakers new to the Legislature who are already showing leadership in protecting our natural resources.
- **Expanded bill descriptions.** This year, each bill we scored will be clearly summarized by three major topic areas: what each bill would have done; why sportsmen and conservationists were involved; and what happened during the session. We hope this will make the legislative process clearer and demonstrate our reasoning for including each item in this report.
- **Committee performance.** The 2005 Scorecard includes quick summaries of the performance this year by each standing committee with significant jurisdiction over conservation and sportsman interests.
- **Committee votes.** For the first time, legislators' scores include votes cast in standing committees, specifically on those bills which received a committee vote but no recorded vote on the House or Senate floor. Scores are affected only for those lawmakers who voted in committee on such a bill. Scoring these votes allows us to improve legislative accountability for bills which were shelved by the House or Senate leadership, and expands the range of issues the scorecard covers.
- **By the Numbers.** Scattered throughout this year's scorecard are statistics and illustrations that help tell the story of the Wyoming Conservation Voters Legislative Scorecard over the last four years. This feature will help readers quickly grasp the amazing progress sportsmen and conservationists have made since 2002 in building momentum for our shared legislative agenda.

Overall, we hope these changes improve your experience as a scorecard reader and give you more tools with which to hold your legislators accountable for their actions or inactions.

## ACKNOWLEDGEMENTS

WCV thanks each of our individual donors, who have put their own hard-earned dollars, without benefit of a tax deduction, into building an organization that works full-time to increase the legislative and political support for conserving Wyoming's wildlife and natural resources. We simply could not do this work without your support and generosity.

We, and other conservationists and sportsmen across the state, also owe enormous gratitude to several organizations whose leaders and members were invaluable advocates for our wildlife and natural resources before, during, and since the 2005 General Session. The Wyoming Wildlife Federation was our community's leading partner in securing passage of the Wildlife and Natural Resource Trust Fund, and worked closely with WCV on several other bills as well. WWF, The Nature Conservancy and the Greater Yellowstone

Coalition provided outstanding advocates for the trust fund, and local leaders for the Rocky Mountain Elk Foundation, Ducks Unlimited, Trout Unlimited and other species-specific conservation groups took the time to come to Cheyenne and personally meet with key lawmakers along the way to the bill's impressive margin of passage. Working Wyoming families also threw their support heavily behind the bill with solid results, through the involvement of Kim Floyd of the Wyoming State AFL-CIO and affiliated trade organizations. We also wish to thank Stephanie Kessler of Lander, whose discipline and tenacity over months of research and outreach on this landmark legislation made all the difference. Finally, the Wyoming Chapter of the Sierra Club deserves special thanks for its contribution toward publication of this report, and for its staff and volunteer presence this year at the Legislature.

# Honors

*In alphabetical order by category*

## CONSERVATION CHAMPIONS

**Rep. Rosie Berger** (*R-Big Horn/HD 51*) capped several years of intense effort with this year's passage of legislation that will better protect surface landowners from the financial impacts of subsurface mineral exploration and production in cases where the surface owners do not control the mineral estate beneath their lands. With outstanding help from Rep. Jim Hageman of Fort Laramie, Rep. Berger was able to help the owners of "split estate" surface lands to secure additional legal protections against disruptions of their operations and damage to their property, and to have a say in selecting the timing of access and the degree of cleanup required. Rep. Berger was also a voice on the Appropriations Committee this year in favor of investing a share of the state surplus to help protect wildlife.

**Sen. Bruce Burns** (*R-Sheridan/SD 21*) easily deserves this honor again in 2005, a third consecutive year, for his thoughtful and influential leadership on wildlife and natural resource issues in the Legislature. As the new chairman of the Senate Travel Committee, Sen. Burns has already shaped legislation that strengthens Wyoming's ability to manage wildlife wisely, protect its habitat and maintain its tradition of sportsmen-led conservation. We encourage his Sheridan-area constituents to remain in close contact with Sen. Burns in the run-up to the 2006 session and to thank him for his work.

**Sen. Cale Case** (*R-Lander/SD 25*) is by far the Legislature's most forward-looking leader on improving Wyoming water management for the benefit of river and fishery health. He is undaunted by opposition to water law reform, and continues to refine his proposals, responding thoughtfully to critics and energizing anglers and river conservationists to protect and improve our natural stream flows.

**Sen. Mike Massie** (*D-Laramie/SD 9*) earns a third consecutive "Conservation Champion" accolade in 2005 for his strong advocacy for the Wildlife Trust Fund in the Travel Committee, on the Senate floor and in the Joint Conference Committee. Sen. Massie's vigorous efforts created excitement about the bill's possibilities, inspired citizen and lobbyist support, persuaded skeptics to reconsider, and strengthened the legislation against those critics who sought to constrain the fund's size and spending and to weaken the hand of its citizen board.

**Rep. Wayne Reese** (*D-Cheyenne/HD 11*) was a tenacious advocate in committee and on the House floor this year in debate on dozens of proposed amendments to the Wildlife Trust Fund bill. He consistently exhorted his colleagues to make sure the act was funded at a level that would allow the greatest possible degree of habitat protection, and to set it up so that its citizen board had the authority and the resources to do its job well.

**Sen. Tony Ross** (*R-Cheyenne/SD 4*) jumped in wholeheartedly as a new member of the Senate Travel Committee, joining that panel's solid bipartisan majority in support of wildlife habitat protection, supplemental Game & Fish funding, and other measures to protect our natural resources. Sen. Ross was the Senate's highest-scoring Republican member this year, and is one of only two GOP senators in the last three sessions to exceed 80 percent.

**Sen. John Schiffer** (*R-Kaycee/SD 22*) put his strong influence into supporting the Wildlife Trust Fund, and contributed greatly to the bill's 22-8 bipartisan majority for Senate passage. He successfully counseled the bill's supporters to craft a version that would pass muster with lawmakers across the political spectrum.

**By the numbers...** **83%** Average Score of 2005 "Honors" Recipients  
**76%** Average Score of 2004 "Honors" Recipients

## CONSERVATION ADVOCATES

**Rep. George Bagby** (*D-Rawlins/HD 15*) was one of only two representatives to cast a pro-conservation vote on every bill we evaluated this year. He is a solid supporter of sportsmen, wildlife and the environment.

**Sen. Tex Boggs** (*D-Rock Springs/SD 13*) thoughtfully and perceptively contributes to wildlife and environmental debates in committee and on the Senate floor, asking the right questions, winning respect with his arguments, and consistently voting appropriately.

**Sen. Ken Decaria** (*D-Evanston/SD 15*) is a former Travel, Recreation and Wildlife Committee member who still closely follows and supports positive changes to our sportsman laws and state land management.

**Rep. Ross Diercks** (*D-Lusk/HD 2*) is a powerful example of how a lawmaker can straightforwardly work to protect wildlife and sportsmen while still remaining true to the values of rural and agricultural communities.

**Rep. Floyd Esquibel** (*D-Cheyenne/HD 44*) is frank in his support for wildlife and natural resources protection, fair-minded, and attentive to his constituents. He is one of the most reliable conservation voters in the House year after year.

**Rep. Gerald Gay** (*R-Casper/HD 36*) personifies the hunter-conservationist ethic through his unwavering support for public land access and openness in state land management.

**Rep. Mary Gilmore** (*D-Casper/HD 59*) started working on her first bill to benefit anglers, as a citizen working with her legislator long before she was elected to the House three years ago. She staunchly supports outdoor recreation and wildlife.

**Rep. Keith Gingery** (*R-Jackson/HD 23*) hit the ground running in his first legislative session, making the case in committee and on the floor for a strong, well-funded wildlife habitat preservation and improvement program, and by promoting other sensible conservation policies.

**Sen. Rae Lynn Job** (*D-Rock Springs/SD 12*) was the only senator to post a 100 percent score on conservation bills in 2005. She was a key ally on the Appropriations Committee in favor of making wise investments in wildlife management and protection.

**Rep. Pete Jorgensen** (*D-Jackson/HD 16*) missed much of the session due to illness but voted with the conservation community on all the bills he was present for. He showed particular leadership during water development spending debates early in the session.

**Sen. John Hanes** (*R-Cheyenne/SD 5*) continues to show the common-sense conservation philosophy he often demonstrated during two years on the Travel Committee. He was one of just two Senate Republicans to score over 90 percent this year.

**Sen. Wayne Johnson** (*R-Cheyenne/SD 6*) left behind 12 years as an influential House moderate to join the Senate in 2005, where he quickly established one of the body's strongest conservation voting records for the year.

**Rep. Randall Luthi** (*R-Freedom/HD 21*), the speaker of the House, put his leadership skills to work for the Wildlife Trust Fund this year, helping forge compromises between supporters and opponents, notably providing crucial support during debate.

**Rep. Ann Robinson** (*D-Casper/HD 58*) steadily supports conservation and sportsmen causes year after year, despite long serving on committees which mostly deal with other issues. Her extra efforts to reach out to us are noticed, and appreciated.

### In Memoriam...

**Sen. Laness Northrup** (*R-Powell/SD 19*) passed away suddenly this April after his third session in the Senate.

A member of the Agriculture and Transportation committees, Sen. Northrup was a lifelong proponent of the agriculture industry, from a family with a public service heritage. He was a strong conservative and did not always agree with the conservation agenda, but still supported our position on nearly a third of all scorecard votes taken during his term.

Modest, honest and diligent, Sen. Northrup set a high standard for representing his Park and Big Horn county constituency. We offer our respect, and our condolences, to his loved ones and to his supporters.

## CONSERVATION ADVOCATES *(continued)*

**Sen. Charles Scott** (*R-Casper/SD 30*) helped our community recapture and build upon legislative support for a wildlife habitat trust fund, much like the one he had first advocated a generation ago as a new member of the House and proponent of the original bill.

**Sen. Kathryn Sessions** (*D-Cheyenne/SD 7*) has been a dedicated supporter of wildlife, sportsmen and the environment during a 13-year legislative career in both the House and Senate. An educator by trade, she is an active participant in floor debates.

**Rep. Bill Thompson** (*D-Green River/HD 60*) has been an active and outspoken member of the House Travel Committee for several years. A retired teacher, he employs a moderate, common-sense philosophy to advance sportsman and wildlife issues.

**Sen. Bill Vasey** (*D-Rawlins/SD 11*) is one of the Senate's truly moderate Democrats, and an effective member of the Agriculture Committee, where he has long sought a constructive compromise between proponents of new water storage projects and backers of in-stream flow for fisheries. He is extremely conscientious in his efforts to represent citizens and organizations from his district located in Carbon and Albany counties.

**Rep. Dan Zwonitzer** (*R-Cheyenne/HD 43*) started his legislative career by swiftly sponsoring new legislation on travel and tourism promotion; fuel-efficient vehicle registration; and drinking water quality regulation. He often took to the House floor to push for conservation causes, above all the Wildlife Trust Fund. The youngest House member, Rep. Zwonitzer closely watches how legislative decisions will affect future generations.

## Contact Your Legislator

### DURING THE SESSION

*To leave a message for your legislator*

Senate: (307) 777-7711

House: (307) 777-7852

*To recommend a vote on a bill*

Toll free (866) 996-VOTE

*To write your legislator via U.S. Mail*

The Honorable (Your Legislator's Name)

State Capitol

Cheyenne, Wyo. 82002

### DURING THE YEAR

*Legislators' addresses and phone numbers available at:*

<http://legisweb.state.wy.us>

*Legislator e-mail addresses available at:*

<http://legisweb.state.wy.us/email/email.htm>

## Promising Newcomers

The following legislators were first elected in 2004 and received scores of 67 percent or more in the 2005 General Session. We applaud the strong start to these members' tenure:

**Sen. Pat Aullman** (*R-Thayne/SD 16*)

**Rep. Bruce Barnard** (*R-Evanston/HD 49*)

**Rep. Kermit Brown** (*R-Laramie/HD 14*)

**Rep. Keith Gingery** (*R-Jackson/HD 23*)

**Rep. Patrick Goggles** (*D-Ethete/HD 33*)

**Rep. Debbie Hammons** (*D-Worland/HD 27*)

**Rep. Brian Pedersen** (*R-Cheyenne/HD 9*)

**Rep. Lorraine Quarberg** (*R-Thermopolis/HD 28*)

**Sen. Mike Von Flatern** (*R-Gillette/SD 24*)

**Rep. Kevin White** (*R-Laramie/HD 45*)

**Rep. Dan Zwonitzer** (*R-Cheyenne/HD 43*)



## DISTINGUISHED DEEDS

**Sen. John Barrasso** (*R-Casper/SD 27*) increased his score by nearly two-thirds compared to 2004 and was one of only nine GOP senators to vote both to fully fund the Wildlife Trust Fund, and to allow it to purchase real estate from willing sellers.

**Sen. Gerald Geis** (*R-Worland/SD 20*) successfully pushed as Agriculture Committee chairman for stiffer penalties for water-law violators, and also tried hard to broker a compromise to give towns the power to use stored water temporarily to enhance in-stream flow.

**Sen. Bill Hawks** (*R-Casper/SD 29*) put his considerable clout behind legislation increasing penalties for oil and gas operators who violate state regulations, and also helped give the Game & Fish Commission the power to limit drilling on its property.

**Sen. Grant Larson** (*R-Jackson/SD 17*) provided leadership as Senate president in many different ways which helped assure passage of the Wildlife Trust Fund.

**Sen. Jayne Mockler** (*D-Cheyenne/SD 8*) overcame a strong and public hesitancy about new state trust funds, to become a leading Senate supporter of the Wildlife Trust Fund because of some of its unique attributes.

**Sen. Phil Nicholas** (*R-Laramie/SD 10*) helped improve political support and funding availability for the Wildlife

Trust Fund, from his position on the Senate Appropriations Committee.

**Rep. Monte Olsen** (*R-Daniel/HD 22*) provided strong support for the Wildlife Trust Fund on the House floor, helping turn the tide of debate at a crucial stage. He also showed good faith in working with conservationists who disagreed with his federal-land roads bill.

**Rep. Lorraine Quarberg** (*R-Thermopolis/HD 28*) went the extra mile to fix legislation to study environmental health threats and conflicting responsibilities within government, after helping shape amendments which sharpened the bill's focus and allowed it to pass. She also wisely cautioned colleagues about potential negative precedents of changing an individual water use through statute.

**Rep. Doug Samuelson** (*R-Cheyenne/HD 71*) actively sought conservationists' advice and involvement as he weighed issues in the House Agriculture Committee and on the floor. His score this year was more than five times higher than his last score as a legislator in 2002.

**Rep. Jane Warren** (*D-Laramie/HD 13*) continues to be a consistent and passionate advocate for wildlife and sportsmen, both on the House floor and as an Appropriations Committee member. She is the only House member with a lifetime score above 90%.

## Room to Grow

The continued strength of a group of moderate lawmakers in both houses of the Legislature is encouraging for the future political strength of conservation and sportsman interests. **These 12 senators and representatives scored between 50 and 59 percent this year**, showing each of them are open to hearing from both sides. We feel these legislators are deserving of special attention from citizens seeking to participate in decisions about the environment, wildlife, hunting and angling.

Notably, moderates continue to become advocates over time, while past opponents are becoming more moderate. Of the 22 legislators listed under "Room to Grow" in WCV's 2004 scorecard who continued to serve in 2005, all but one saw his or her score increase this year, with the average increase topping 17 percent. And out of this year's list of 12 moderates, five had scored below 50 percent last year. We applaud every legislator who has provided balance for the needs of the environment in this time of growing demands on Wyoming's resources.

**Sen. Jim Anderson** (*R-Glenrock/SD 2*)

**Sen. Hank Coe** (*R-Cody/SD 18*)

**Sen. Gerald Geis** (*R-Worland/SD 20*)

**Sen. Curt Meier** (*R-La Grange/SD 3*)

**Rep. Kathy Davison** (*R-Kemmerer/HD 20*)

**Rep. Jim Hageman** (*R-Fort Laramie/HD 5*)

**Rep. Steve Harshman** (*R-Casper/HD 37*)

**Rep. Frank Latta** (*R-Gillette/HD 53*)

**Rep. Tom Lubnau** (*R-Gillette/HD 31*)

**Rep. Frank Philp** (*R-Shoshoni/HD 34*)

**Rep. Mark Semlek** (*R-Moorcroft/HD 1*)

**Rep. Jeff Wasserburger** (*R-Gillette/HD 32*)

## ON THE WATCH LIST

Wyoming Conservation Voters believes each of these lawmakers share our basic goals and philosophies about promoting sensible resource conservation. We also believe each to be capable of much higher scores, for a number of reasons. We urge these legislators' constituents (and voters statewide, for those legislators with leadership positions) to communicate their conservation values more frequently, positively, and openly with lawmakers to help them see things from our perspective more often.

*Update: Of the five lawmakers 'On The Watch List' in 2004, all five increased their scores substantially this year, with an average increase of almost 29%. We thank them for their attention to our concerns.*

**Rep. Kermit Brown (R-Laramie/HD 14)** is a new but respected member of both the Agriculture Committee and the Travel Committee, two of the most important panels for conservation legislation. He brought frankness and common sense to the Ag Committee's debate on allowing cities to use their stored water temporarily for in-stream flow. His 67 percent score is promising. He was also extremely influential in the Wildlife Trust Fund debate, unfortunately often toward limiting the bill's funding or the power of its citizen board to act. Rep. Brown was among the House conferees who refused to compromise with the more progressive Senate version, preventing cooperation between the chambers to craft a final bill. In time, we expect the Trust Fund and its board to show skeptics the House position was too restrictive. Personal outreach from sportsmen and conservationists in his Albany County district would help Rep. Brown keep our views in mind and weight them as he serves on these two important committees.

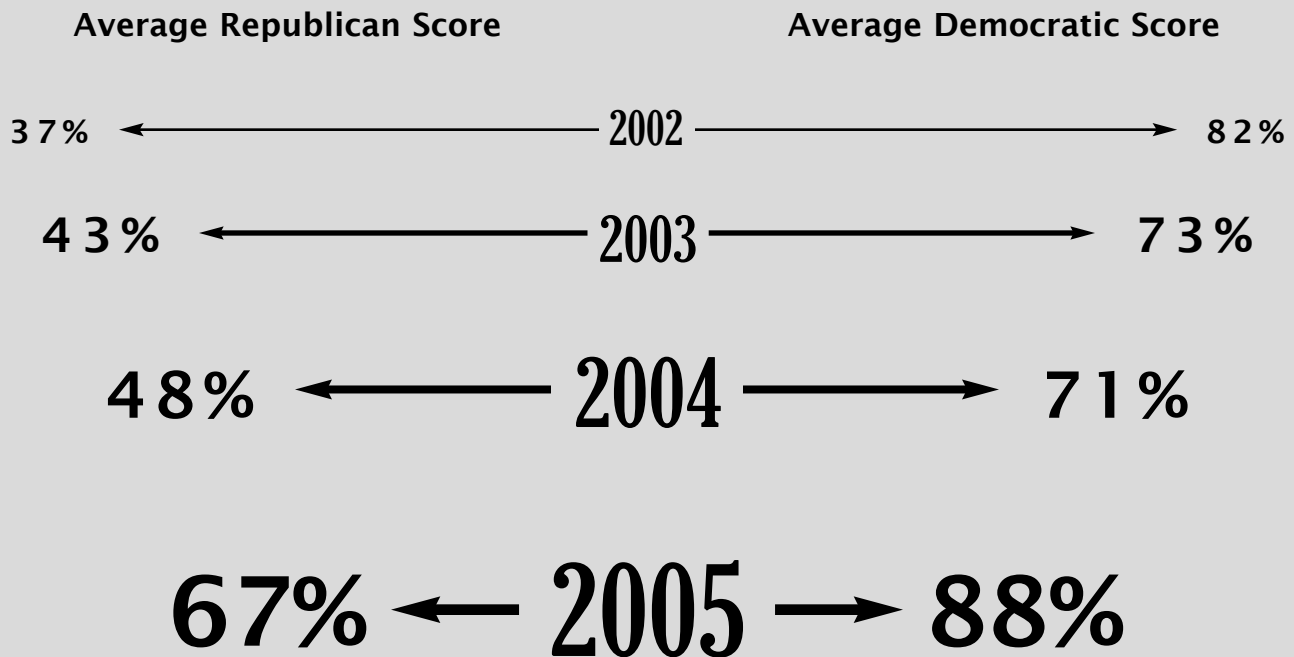
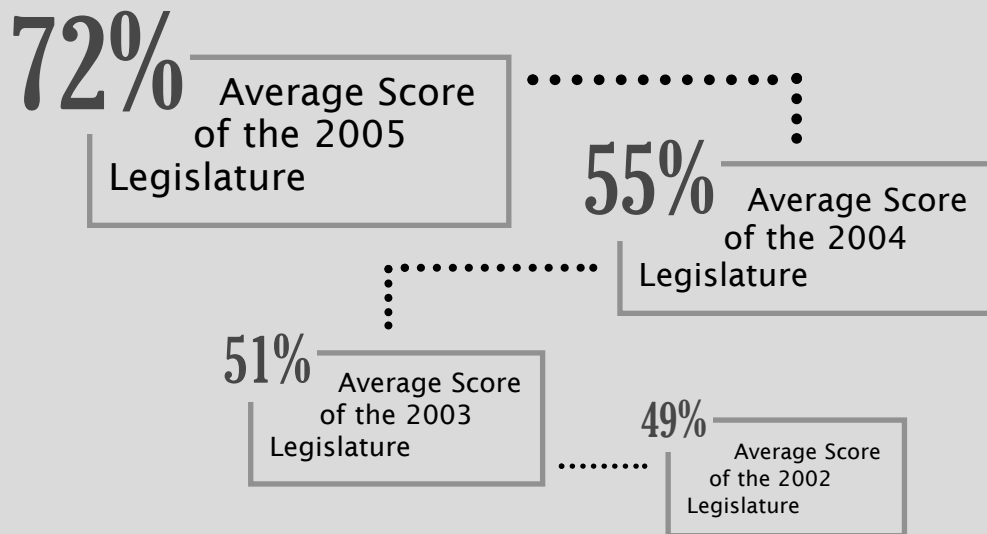
**Rep. Kurt Bucholz (R-Saratoga/HD 47)** brings discipline and intellectual rigor to his legislative work, and often approaches long-running natural resource disputes by formulating an altogether new proposal of his own. He entered the Legislature in 2003 with a veterinary and ranching background and an established interest in water development and water rights law. Rep. Bucholz also was a leader in efforts to limit or slow the Wildlife Trust Fund and to block the stronger Senate bill. His 62 percent score this year shows good-faith support for Wyoming's natural environment, but his actions on the trust fund also demonstrate the importance of sportsmen and conservationists in his Carbon County district keeping in touch.

**Rep. Pat Childers (R-Cody/HD 50)** more than doubled his 2004 score this year. He took over as chairman of the Travel Committee, and was an exacting critic of the early drafts of the Wildlife Trust Fund bill, authoring many of the significant amendments. He championed a new leg-

islative select committee to oversee the trust fund's largest projects. This committee will undoubtedly slow some projects down, though it also helped ease opposition to the bill significantly. Rep. Childers was the leader of efforts to restrain the Wildlife Trust Fund and the authority of its citizen board. The weaker bill ultimately passed by the Legislature was a direct result of his efforts. We anticipate continuing to differ with Rep. Childers on the details of this and other legislation. We also note that he has often demonstrated respect for our efforts even while disagreeing with our advice. We invite sportsmen and conservationists in his Cody-area district to communicate more openly and more frequently with him about their priorities for legislative action.

**Rep. Roy Cohee (R-Casper/HD 35)** deserves our appreciation for his 67 percent score this year, for his fair and skillful management of House debate, and for his initial support of a licensure bill crafted by fishing guides, not to mention his vote for the vitally important Wildlife Trust Fund. We include him here because, as majority floor leader, Rep. Cohee controls the flow of legislation from committees onto the House floor. Furthermore, if long-standing tradition holds, he will be House speaker in 2007. For those reasons, he should be treated as a crucial decision-maker by any citizen or lobbyist on any issue. For example, this year Rep. Cohee did not schedule floor debate on a bill approved by the Senate, and by the House Agriculture Committee, which would have allowed the town of Pinedale to temporarily use its stored water in Fremont Lake to create in-stream flows for fisheries and recreation. This procedural roadblock, unfortunately, stalled the bill just as it began to gather momentum and support from other communities eager to improve their waterways. We include him on this list with the greatest respect; we intend it as a reminder to his Casper-area constituents, and conservation-minded voters around the state, that Rep. Cohee warrants your attention and your positive engagement if you want the Legislature to pass your bill.

## By the numbers...



# House of Representatives 2005

House District	2005 Score	2002-2004 Average	HB 82—G&F Electronic Licensing	HB 88—Boat Angler Anchoring	HB 94—Environmental Health Study	HB 116—Fuel Efficient Vehicle Licensing	HB 240—Establish Roads on Fed'l Land	HB 291—Allow Land Board to Fire Director	HB 327—Use Fishery Pool to Water Crops
3 Alden — R, Wheatland	77	49	+		+		-	-	-
10 Anderson — R, Pine Bluffs	62	29	+		-		-	-	-
15 Bagby — D, Rawlins	100	71	+		+		+	+	+
49 Barnard — R, Evanston	75	n/a	+		+		-	-	-
51 Berger — R, Big Horn	77	64	+		+		-	-	-
38 Brechtel — R, Casper	46	38	+		-		-	-	-
14 Brown — R, Laramie	67	n/a	+	-	-		-	-	-
4 Buchanan — R, Torrington	62	49	+		-		-	-	-
47 Bucholz — R, Saratoga	62	42	+		-		-	-	-
50 Childers — R, Cody	64	26	+	-	-		-	-	-
35 Cohee — R, Casper	67	41	+		-		-	-	-
20 Davison — R, Kemmerer	53	n/a	+	-	-		-	-	-
2 Diercks — D, Lusk	85	59	+		+		-	+	-
6 Edwards — R, Douglas	71	41	+		+	+	-	-	-
44 Esquibel — D, Cheyenne	86	77	+		+	+	-	+	-
36 Gay — R, Casper	86	14	+		+	-	-	+	+
59 Gilmore — D, Casper	86	62	+		+	+	+	+	+
23 Gingery — R, Jackson	86	n/a	+	+	+		-	-	+
33 Goggles — D, Ethete	77	n/a	+		+		-	+	-
5 Hageman — R, Fort Laramie	57	28	+		-		-	-	-
27 Hammons — D, Worland	77	n/a	+		+		-	+	-
37 Harshman — R, Casper	54	56	+		-		-	-	-
26 Harvey — R, Lovell	69	57	+		+		-	-	-
39 Hastert — D, Green River	92	78	+		+		-	+	+
41 Hinckley — R, Cheyenne	69	49	+		+		-	-	-
29 Iekel — R, Sheridan	71	48	+	-	+		-	-	-
42 Illoway — R, Cheyenne	77	41	+		+		-	-	-
52 Jackson — R, Rozet	45	n/a	ex		ex		-	-	-
25 Jones — R, Powell	67	22	+		-		-	ex	-
16 Jorgensen — D, Jackson	100	77	+		+		ex	+	ex

+	Pro-Conservation Vote
-	Anti-Conservation Vote
ex	Excused
c	Conflict of Interest Declared

SF 15—Fund State Land Sustainability	SF 19—Study State Land Sustainability	SF 28—Penalties for Water Misappropriation	SF 41—Wildlife Habitat Trust Fund	SF 56—Allow Instream Flow with Stored Water	SF 60—Split-Estate Surface Owner Rights	SF 72—Limit Oil & Gas on G&F Property	SF 73—Penalties for Oil & Gas Violations	SF 149—Conservation Easements	
+	+	+	+		+	+	+	+	Alden — R, Wheatland
+	+	+	-		+	+	+	+	Anderson — R, Pine Bluffs
+	+	+	+		+	+	+	+	Bagby — D, Rawlins
+	+	+	+		+	+	ex	+	Barnard — R, Evanston
+	+	+	+		+	+	+	+	Berger — R, Big Horn
+	+	-	-		+	+	+	-	Brechtel — R, Casper
+	+	+	+	+	+	+	+	+	Brown — R, Laramie
+	+	+	-		+	+	+	+	Buchanan — R, Torrington
+	+	+	-		+	+	+	+	Bucholz — R, Saratoga
+	+	+	+		+	+	+	+	Childers — R, Cody
+	+	+	+		c	+	+	+	Cohee — R, Casper
+	+	+	-	-	+	+	+	+	Davison — R, Kemmerer
+	ex	+	+	+	+	+	+	+	Diercks — D, Lusk
+	+	+	-		+	+	+	+	Edwards — R, Douglas
+	+	+	+		+	+	+	+	Esquibel — D, Cheyenne
+	+	+	+		+	+	+	+	Gay — R, Casper
-	+	+	+		+	+	+	-	Gilmore — D, Casper
+	+	+	+		+	+	+	+	Gingery — R, Jackson
-	+	+	+		+	+	+	+	Goggles — D, Ethete
-	+	+	-	+	+	+	+	+	Hageman — R, Fort Laramie
-	+	+	+		+	+	+	+	Hammons — D, Worland
-	+	+	+		+	+	+	-	Harshman — R, Casper
+	+	+	-		+	+	+	+	Harvey — R, Lovell
+	+	+	+		+	+	+	+	Hastert — D, Green River
-	+	+	+		+	+	+	+	Hinckley — R, Cheyenne
+	+	+	+		+	+	+	+	Iekel — R, Sheridan
+	+	+	+		+	+	+	+	Illoway — R, Cheyenne
+	+	+	-	-	-	ex	+	+	Jackson — R, Rozet
+	+	+	-		+	+	+	+	Jones — R, Powell
ex	ex	ex	ex		ex	ex	ex	ex	Jorgensen — D, Jackson

# House of Representatives 2005

*Continued*

House District	2005 Score	2002-2004 Average	HB 82—G&F Electronic Licensing	HB 88—Boat Angler Anchoring	HB 94—Environmental Health Study	HB 116—Fuel Efficient Vehicle Licensing	HB 240—Establish Roads on Fed'l Land	HB 291—Allow Land Board to Fire Director	HB 327—Use Fishery Pool to Water Crops
30 <b>Landon</b> — R, Sheridan	77	72	+		+		-	-	-
53 <b>Latta</b> — R, Gillette	58	55	+		-		-	+	+
57 <b>Lockhart</b> — R, Casper	67	56	+		-		-	-	-
31 <b>Lubnau</b> — R, Gillette	54	n/a	+		-		-	-	-
21 <b>Luthi</b> — R, Freedom	77	24	+		+		-	-	-
48 <b>Martin</b> — D, Rock Springs	92	62	+		+		-	+	+
54 <b>McOmie</b> — R, Lander	69	48	+		+		-	-	-
8 <b>Meuli</b> — R, Cheyenne	62	56	+		+		-	-	-
55 <b>Miller</b> — R, Riverton	38	24	+		-		-	-	-
12 <b>Morgan</b> — D, Cheyenne	86	61	+		+		-	+	-
22 <b>Olsen</b> — R, Daniel	62	46	+		-		-	-	-
40 <b>Osborn</b> — R, Buffalo	77	50	+		+		-	-	-
9 <b>Pedersen</b> — R, Cheyenne	71	n/a	+		+	+	-	-	-
19 <b>Petersen</b> — R, Mountain View	69	33	+		-		-	-	-
34 <b>Philp</b> — R, Shoshoni	55	18	+		-		-	-	-
18 <b>Powers</b> — R, Lyman	67	43	+		-	-	-	-	-
28 <b>Quarberg</b> — R, Thermopolis	77	n/a	+		+		-	-	+
11 <b>Reese</b> — D, Cheyenne	86	75	+	+	+		-	+	-
58 <b>Robinson</b> — D, Casper	85	79	+		+		-	+	+
39 <b>Samuelson</b> — R, Cheyenne	71	14	+		-		-	-	-
1 <b>Semlek</b> — R, Moorcroft	57	14	+		-		-	-	-
24 <b>Simpson</b> — R, Cody	69	38	+		-		-	-	-
46 <b>Slater</b> — R, Laramie	67	42	+	-	-	+	-	-	-
60 <b>Thompson</b> — D, Green River	93	74	+	+	+		-	+	+
56 <b>Walsh</b> — R, Casper	64	44	+		-	+	-	-	-
13 <b>Warren</b> — D, Laramie	77	91	+		+		-	+	-
32 <b>Wasserburger</b> — R, Gillette	58	40	+		-		-	-	-
17 <b>Watt</b> — R, Rock Springs	85	43	+		-		-	+	+
45 <b>White</b> — R, Laramie	69	n/a	+		-		-	-	-
43 <b>Zwonitzer</b> — R, Cheyenne	87	n/a	+	+	+	+	-	-	+

+ Pro-Conservation Vote  
 - Anti-Conservation Vote  
 ex Excused  
 c Conflict of Interest Declared

SF 15—Fund State Land Sustainability	SF 19—Study State Land Sustainability	SF 28—Penalties for Water Misappropriation	SF 41—Wildlife Habitat Trust Fund	SF 56—Allow Instream Flow with Stored Water	SF 60—Split-Estate Surface Owner Rights	SF 72—Limit Oil & Gas on G&F Property	SF 73—Penalties for Oil & Gas Violations	SF 149—Conservation Easements	
+	+	+	+		+	+	+	+	Landon — R, Sheridan
-	+	+	ex		-	+	+	-	Latta — R, Gillette
+	+	+	+		+	+	+	ex	Lockhart — R, Casper
-	+	+	+		-	+	+	+	Lubnau — R, Gillette
+	+	+	+		+	+	+	+	Luthi — R, Freedom
+	+	+	+		+	+	+	+	Martin — D, Rock Springs
-	+	+	+		+	+	+	+	McOmie — R, Lander
-	+	+	+		+	+	+	-	Meuli — R, Cheyenne
-	+	+	-		-	+	+	-	Miller — R, Riverton
+	+	+	+	+	+	+	+	+	Morgan — D, Cheyenne
-	+	+	+		+	+	+	+	Olsen — R, Daniel
+	+	+	+		+	+	+	+	Osborn — R, Buffalo
-	+	+	+		+	+	+	+	Pedersen — R, Cheyenne
+	+	+	+		+	+	+	+	Petersen — R, Mountain View
ex	+	+	-		+	+	ex	+	Philp — R, Shoshoni
+	+	+	+	+	+	+	+	+	Powers — R, Lyman
+	+	+	-		+	+	+	+	Quarberg — R, Thermopolis
+	+	+	+		+	+	+	+	Reese — D, Cheyenne
-	+	+	+		+	+	+	+	Robinson — D, Casper
+	+	+	+	+	+	+	+	+	Samuelson — R, Cheyenne
+	+	+	-	-	+	+	+	+	Semlek — R, Moorcroft
+	+	+	+		+	+	+	+	Simpson — R, Cody
+	+	+	+		+	+	+	+	Slater — R, Laramie
+	+	+	+		+	+	+	+	Thompson — D, Green River
+	+	+	+		-	+	+	+	Walsh — R, Casper
-	+	+	+		+	+	+	+	Warren — D, Laramie
ex	+	+	+		-	+	+	+	Wasserburger — R, Gillette
+	+	+	+		+	+	+	+	Watt — R, Rock Springs
+	+	+	+		+	+	+	+	White — R, Laramie
+	+	+	+		+	+	+	+	Zwonitzer — R, Cheyenne

# Senate 2005

Senate District	2005 Score	2002-2004 Average	HB 82—G&F Electronic Licensing	HB 94—Environmental Health Study	HB 240—Establish Roads on Fed'l Land	HB 291—Allow Land Board to Fire Director	SF 15—Fund State Land Sustainability	SF 19—Study State Land Sustainability	SF 28—Penalties for Water Misappropriation
2 <b>Anderson</b> — R, Glenrock	50	53	-	+	-	-	-	-	+
16 <b>Aullman</b> — R, Thayne	67	n/a	-	+	-	-	+	+	+
27 <b>Barrasso</b> — R, Casper	71	42	-	+	-	-	+	-	+
13 <b>Boggs</b> — D, Rock Springs	93	81	-	+	+	+	+	+	+
21 <b>Burns</b> — R, Sheridan	81	67	+	+	+	-	+	-	+
25 <b>Case</b> — R, Lander	88	69	-	+	-	+	+	+	+
18 <b>Coe</b> — R, Cody	53	33	-	+	+	-	-	-	+
14 <b>Cooper</b> — R, Kemmerer	69	47	+	+	-	-	+	+	+
15 <b>Decaria</b> — D, Evanston	93	85	-	+	+	+	+	+	+
20 <b>Geis</b> — R, Worland	50	25	-	+	-	+	+	+	+
5 <b>Hanes</b> — R, Cheyenne	93	73	+	+	+	-	+	+	+
29 <b>Hawks</b> — R, Casper	60	51	-	+	+	-	+	+	+
23 <b>Hines</b> — R, Gillette	44	21	-	+	+	-	-	-	+
28 <b>Jennings</b> — R, Casper	36	n/a	ex	+	-	-	-	-	+
12 <b>Job</b> — D, Rock Springs	100	86	ex	+	+	+	+	+	+
6 <b>Johnson</b> — R, Cheyenne	88	62	-	+	+	-	+	+	+
17 <b>Larson</b> — R, Jackson	67	44	-	+	-	-	-	-	+
9 <b>Massie</b> — D, Laramie	94	93	+	+	+	+	+	-	+
3 <b>Meier</b> — R, LaGrange	56	28	-	+	-	-	+	+	+
8 <b>Mockler</b> — D, Cheyenne	79	82	-	+	+	+	-	-	+
10 <b>Nicholas</b> — R, Laramie	81	63	+	+	-	-	+	+	+
19 <b>Northrop</b> — R, Powell	33	30	-	+	-	-	-	-	+
26 <b>Peck</b> — R, Riverton	47	53	-	+	-	-	-	-	+
4 <b>Ross</b> — R, Cheyenne	94	53	+	+	+	-	+	+	+
22 <b>Schiffer</b> — R, Kaycee	73	55	-	+	-	+	+	-	+
30 <b>Scott</b> — R, Casper	86	61	+	+	-	+	+	-	+
7 <b>Sessions</b> — D, Cheyenne	87	92	-	+	+	+	+	+	+
1 <b>Townsend</b> — R, Osage	43	25	-	+	-	+	-	-	+
11 <b>Vasey</b> — D, Rawlins	88	56	-	+	+	+	+	+	+
24 <b>Von Flatern</b> — R, Gillette	88	n/a	+	+	+	+	+	+	+

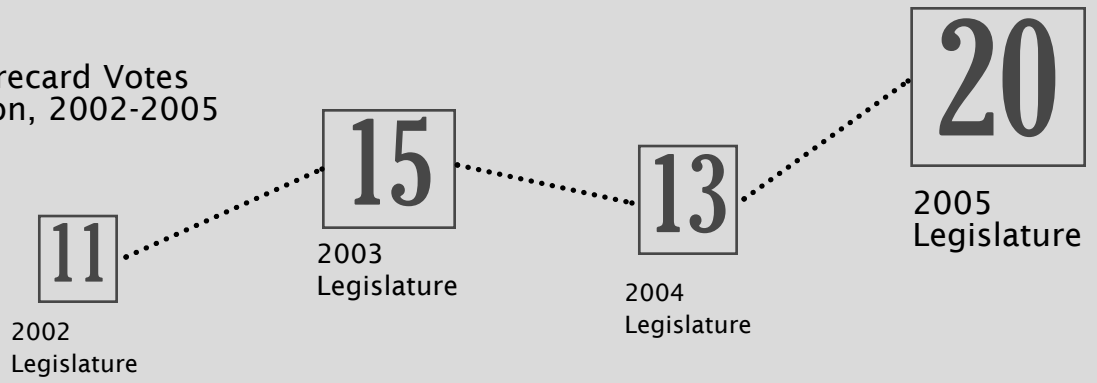


+	Pro-Conservation Vote
-	Anti-Conservation Vote
ex	Excused
c	Conflict of Interest Declared

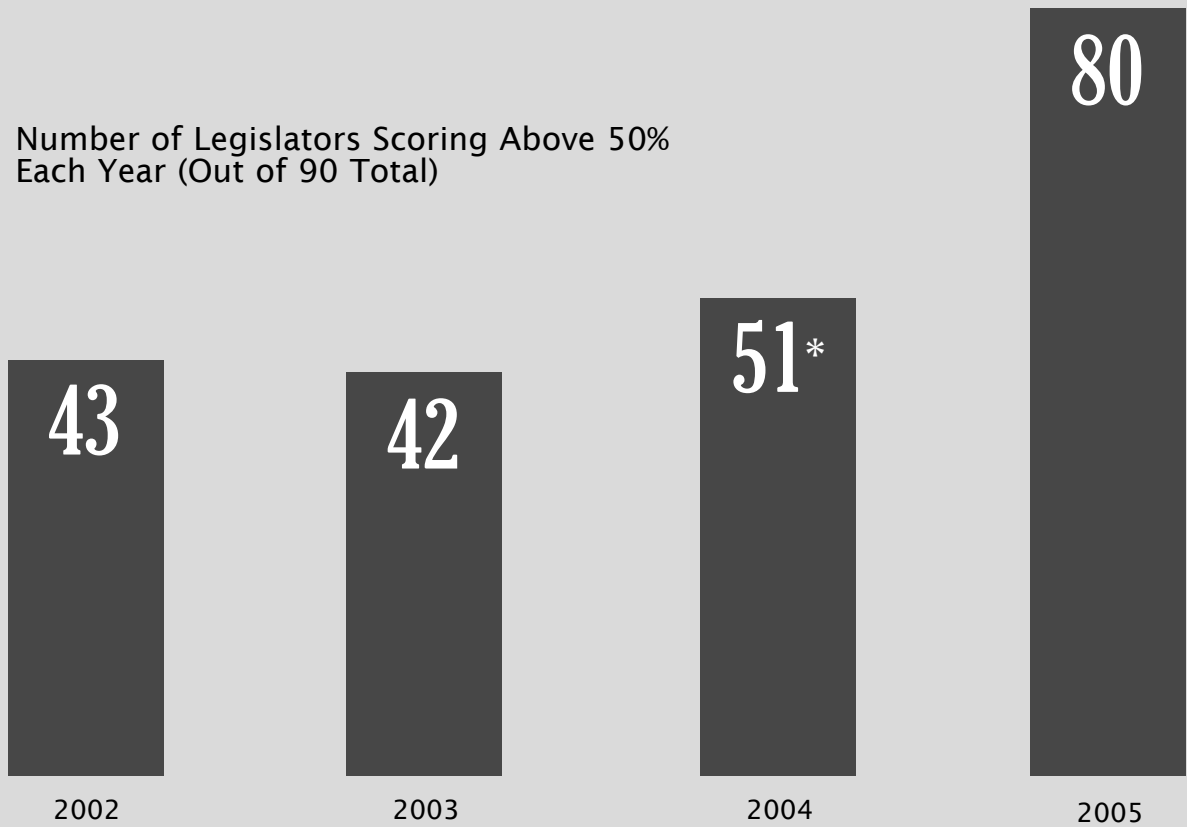
SF 37—G&F Alternative Funding Package	SF 41—Wildlife Habitat Trust Fund	SF 41 2d Rdg Amt 3—No Property Purchase	SF 41 3d Rdg Amt 2—Full Funding of \$30 M	SF 56—Allow Instream Flow with Stored Water	SF 60—Split-Estate Surface Owner Rights	SF 72—Limit Oil & Gas on G&F Property	SF 73—Penalties for Oil & Gas Violations	SF 105—Local Control for Light Pollution	SF 149—Conservation Easements	
+	+	-	-	+	+	+	+		-	Anderson — R, Glenrock
	+	-	-	+	+	+	+		+	Aullman — R, Thayne
	+	+	+	+	+	+	ex		+	Barrasso — R, Casper
	+	+	+	+	+	+	+		+	Boggs — D, Rock Springs
+	+	+	+	-	+	+	+		+	Burns — R, Sheridan
+	+	+	+	+	+	+	+		+	Case — R, Lander
	+	-	+	-	+	+	+		-	Coe — R, Cody
+	+	-	-	-	+	+	+		+	Cooper — R, Kemmerer
	+	+	+	+	+	+	+		+	Decaria — D, Evanston
	-	-	-	+	-	+	+	-	-	Geis — R, Worland
	+	+	+	+	+	+	+		+	Hanes — R, Cheyenne
	-	-	-	+	+	+	+		-	Hawks — R, Casper
+	-	-	-	+	-	+	+		-	Hines — R, Gillette
	-	-	-	+	-	+	+		-	Jennings — R, Casper
+	+	+	+	+	+	+	+		+	Job — D, Rock Springs
	+	+	+	+	+	+	+	+	+	Johnson — R, Cheyenne
	+	+	+	+	+	+	+		+	Larson — R, Jackson
+	+	+	+	+	+	+	+		+	Massie — D, Laramie
	-	-	-	+	+	+	+	+	-	Meier — R, LaGrange
	+	+	+	+	+	+	ex		+	Mockler — D, Cheyenne
+	+	+	-	+	+	+	+		+	Nicholas — R, Laramie
	-	-	-	-	+	+	+	ex	-	Northrop — R, Powell
	-	+	-	+	+	+	+		-	Peck — R, Riverton
+	+	+	+	+	+	+	+		+	Ross — R, Cheyenne
	+	+	+	-	+	+	+		+	Schiffer — R, Kaycee
	+	+	+	+	c	+	+		+	Scott — R, Casper
	+	+	+	+	+	+	+		-	Sessions — D, Cheyenne
	-	-	-	+	c	+	+		-	Townsend — R, Osage
	+	+	+	+	+	+	+	-	+	Vasey — D, Rawlins
+	+	-	+	+	+	+	+		-	Von Flatern — R, Gillette

## By the numbers...

Total Scorecard Votes  
Per Session, 2002-2005

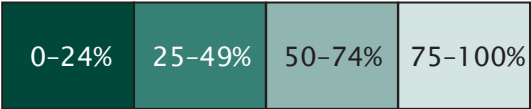
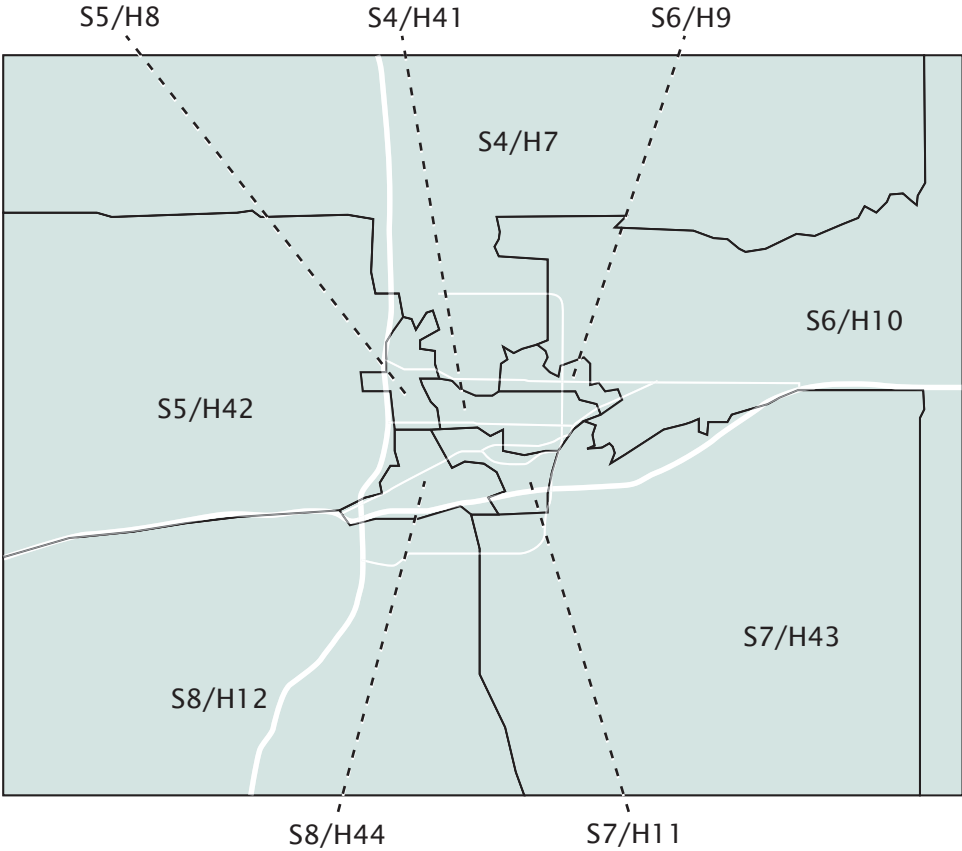


Number of Legislators Scoring Above 50%  
Each Year (Out of 90 Total)



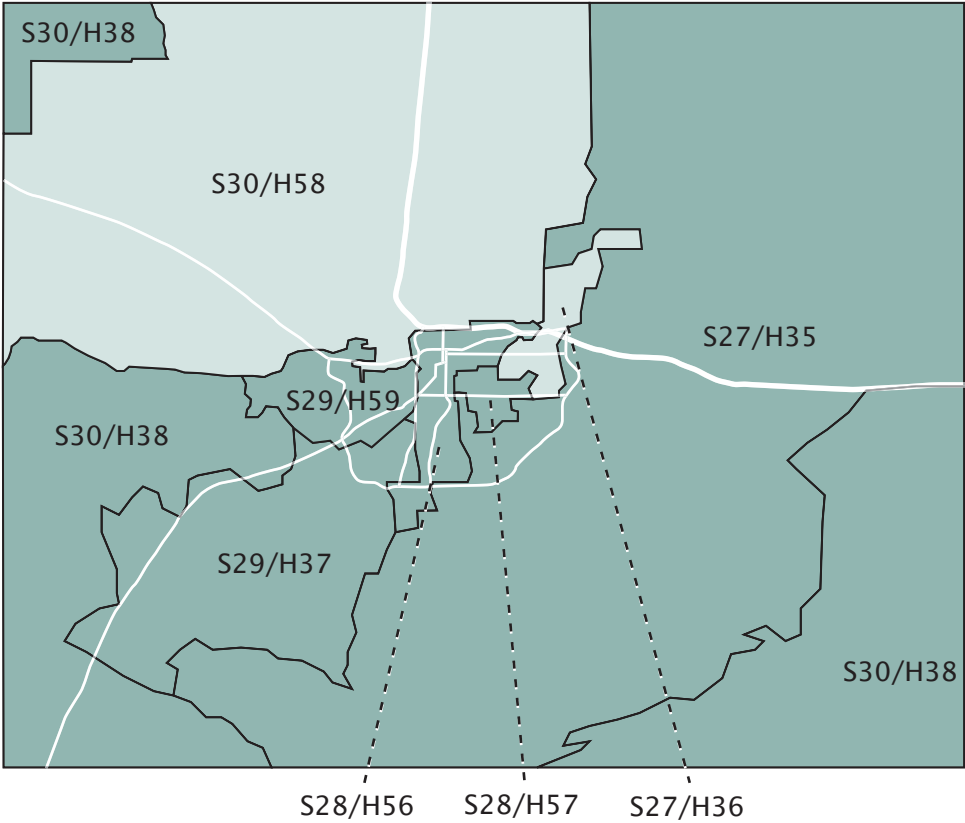
\*Out of 89

**Cheyenne Area  
Average District  
Scores**



**Average Scores**

**Casper Area  
Average District  
Scores**



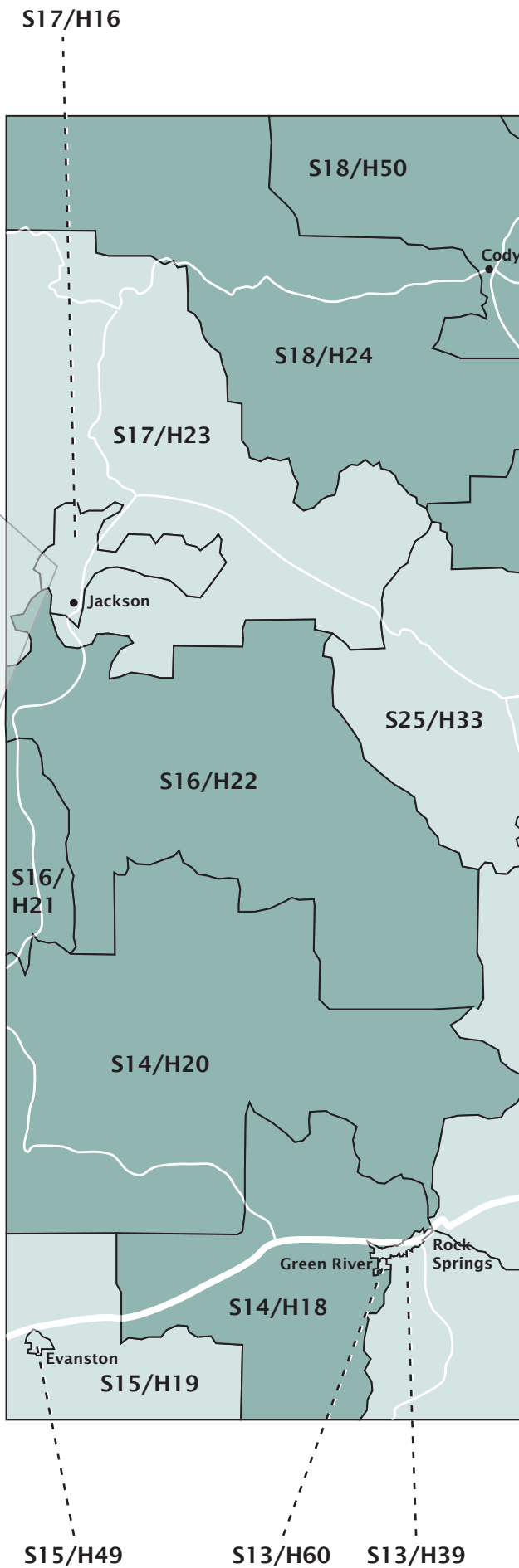
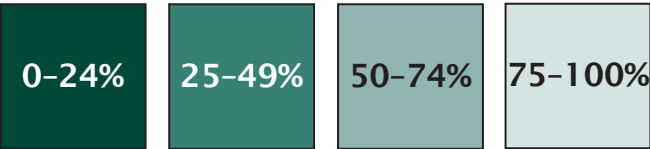
# Wyoming Average District Scores

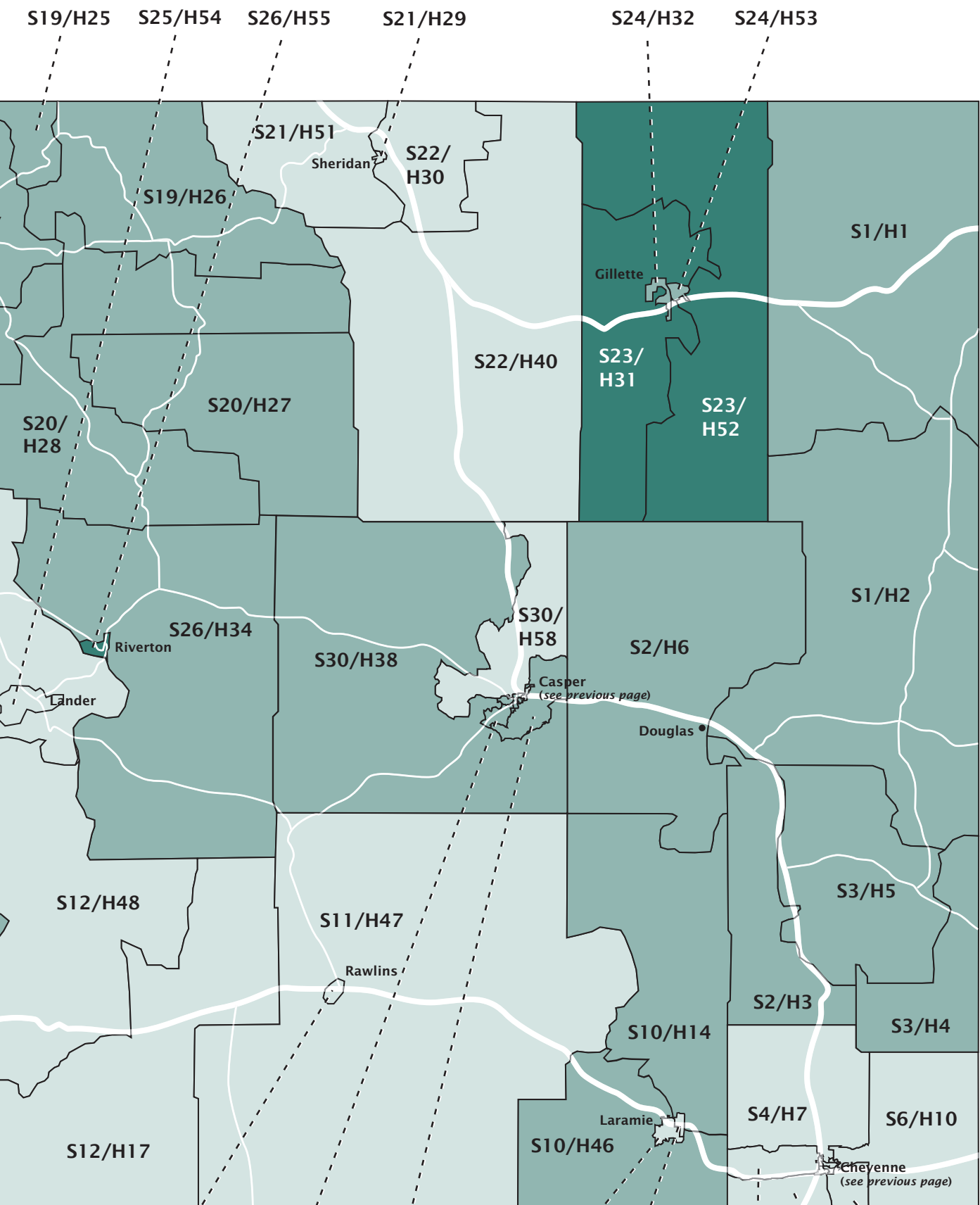
## Sample District

Legislator	District	Score
Rep. Pete Jorgensen	H16	100%
Sen. Grant Larson	S17	67%
		<b>District Average: 84%</b>

Not sure what district you live in?  
Go to [www.wyovoters.org](http://www.wyovoters.org) to find out.

## Average Scores





## 2005 Legislative Session in Summary

BILL	WHAT IT WOULD DO	WHAT HAPPENED
HB 82	Allow Game & Fish electronic licensing	Failed Senate, 8 to 20
HB 88	Protect anglers from trespass citations	Failed House committee, 4 to 5
HB 94	Study environmental health threats	Passed & signed into law
HB 116	Reduce fees for efficient vehicles	Blocked by House leader
HB 240	Designate roads on federal land	Failed Senate, 15 to 15
HB 291	Allow Land Board to fire Lands Director	Vetoed by Gov. Freudenthal
HB 327	Convert fisheries pool for irrigation	Amended, passed & signed into law
SF 15	Fund state-land sustainability ventures	Passed & signed into law
SF 19	Study state-land sustainability policy	Passed & signed into law
SF 28	Stiffen penalties for water misuse	Passed & signed into law
SF 37	Increase funding for Game & Fish	Blocked by Senate leader
SF 41	Establish trust fund for wildlife habitat	Passed & signed into law
SF 41 Amdt†	Not allow habitat trust fund to buy land	Failed Senate, 12 to 18
SF 41 Amdt‡	Increase habitat trust fund to \$30 million	Passed Senate/Failed House
SF 56	Allow city stored water for in-stream flow	Passed Senate/Blocked by House leader
SF 60	Protect surface owners during drilling	Passed & signed into law
SF 72	Limit oil and gas on Game & Fish property	Passed & signed into law
SF 73	Strengthen penalties for oilfield violations	Passed & signed into law
SF 105	Allow counties to control light pollution	Failed Senate committee, 2 to 2
SF 149	Enable conservation easements	Passed & signed into law

† On adoption of Senate second reading amendment No. 3

‡ On adoption of Senate third reading amendment No. 2

# Votes that Counted for Conservation

## HB 82—ELECTRONIC LICENSING FOR HUNTERS & ANGLERS

### WHAT WAS IT FOR?

HB 82 would have let the Game and Fish Commission better serve hunters and anglers via electronic licensing. Sportsmen could have applied for and/or bought licenses and conservation stamps over the Internet; private license vendors would have faced less paperwork. The bill would have improved the agency's funding by more than \$30,000 a year.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

This bill aimed to keep Wyoming current with other states. Colorado, Utah and Montana all have electronic systems for buying fishing licenses and applying for game tags. The bill would have strengthened the preference-point purchase system for nonresident big-game licenses. HB 82 offered a customer-service improvement for sportsmen, an aid to private license-selling agents, and a way to reduce costs for Game & Fish. Any cost savings help the agency protect our wildlife.

### WHAT HAPPENED?

HB 82 was drafted in the 2004 legislative interim by the Joint Travel Committee. In the 2005 session, the House Travel Committee, the full House of Representatives and the Senate Travel Committee all passed it unanimously. But the Senate became worried over how private selling agents would feel about the changes, even though a group of such vendors was heavily involved in developing the bill and had ironed out concerns in advance. The bill's floor manager, Sen. Stan Cooper (*R-Kemmerer*), was unable to clear up confusion, while a few senators unsupportive of the Game & Fish Department used the opportunity to deal the agency a setback. Department officials, who had a large number of bills to address this session, were clearly caught by surprise by the depth of opposition.

**House** Yes 59; No 0; Excused 1.

**Senate** Yes 8; No 20; Excused 2.

The bill passed the House but failed in the Senate.

*We recommended a 'yes' vote, to make licensing easier for sportsmen and less costly for the Game & Fish and private selling agents.*

## HB 88—ALLOWING BOATERS TO ANCHOR AND FISH (*House only*)

### WHAT WAS IT FOR?

HB 88 would have clarified that anglers in boats may drop an anchor or drag tackle on the river bottom while floating on navigable waterways crossing privately owned river-bottom. Trespassing law, and a 1960s Wyoming Supreme Court decision, are now interpreted to mean that anglers who do so could be charged with trespassing, since an anchor or fishing tackle are "extensions" of the angler. The bill did not seek to enact major changes to Wyoming's private property laws, like public stream-bank access provisions that have been passed in other Western states.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

This bill would have removed the threat of criminal trespassing prosecution from law-abiding people engaged in legal recreational activity. Wyoming boater trespassing laws allow legal passage upon the state's navigable waters, but restrict anglers and boaters from dropping an anchor to land a fish, work a run, or perform basic safety functions while floating legally over privately owned river-bottom. This discourages lawful wildlife-related recreation, and puts game wardens in the difficult position of having to ticket people for this technical offense rather than focusing on more serious crimes against our resources.

### WHAT HAPPENED?

HB 88 was introduced by Rep. Mary Meyer Gilmore (*D-Casper*) and seven other lawmakers. The House Travel Committee took testimony in support of the bill from Wyoming Conservation Voters, the Wyoming Wildlife Federation and the Wyoming Game Wardens Association. Opposition came from a few landowners and outfitters controlling access to public waters. The committee narrowly defeated the bill.

**House Travel Committee** Yes 4; No 5.

The bill failed to pass the standing committee and died at the end of the session.

*We recommended a 'yes' vote to accommodate responsible boater angling while respecting Wyoming's long-standing trespassing statutes.*

## HB 94—ENVIRONMENTAL HEALTH SURVEY

### WHAT WAS IT FOR?

HB 94 directs the state Health Department and other agencies to find out how environmental health and safety threats confronting our citizens are being managed by various local, state and federal agencies, and whether any arm of the state government is taking responsibility for them. By November, the state will produce a comprehensive plan for coordinating and clarifying responsibility for these threats. The study will closely examine overlapping or conflicting jurisdictions. A \$50,000 appropriation will pay for the work; a published draft is required before final report issuance; and at least one public meeting will allow for comments.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

Wyoming's natural resource economy helps fund our state government, provides high-paying jobs and satisfies national demand for energy and raw materials. Unfortunately, common industry practices can also lead to health- or life-threatening risks for our citizens, or aggravate natural disease transmission risks, often without a coordinated response, clear leadership, or even common goals among relevant state agencies. One notable example is the rise of West Nile virus in Wyoming. This disease is transmitted by mosquitoes and threatens both human and livestock health. The state Health Department and Agriculture Department have both worked to educate citizens about the risks, and to reduce the number of breeding sites for mosquitoes, and the Game & Fish Department has investigated its deadly effect on fragile sage grouse populations. Yet at the same time, agencies like the Wyoming Oil and Gas Conservation Commission, the Wyoming Department of Environmental Quality or the federal Bureau of Land Management often approve coalbed methane drilling plans which create new ponds that increase mosquito breeding and disease risks. These agencies' uncoordinated approach affects our environment, our wildlife and our fellow citizens, and is only one example of a wider problem.

### WHAT HAPPENED?

The Joint Labor Committee developed this bill during the 2004 legislative interim. In the 2005 session, it passed the House Labor Committee unanimously. But the full House of Representatives, expressing concern that the bill would create a large and potentially far-reaching study of risks to health and the environment, initially killed the bill by one vote. Supporters fought to resurrect the bill, with special effort from Labor

Chairman Doug Osborn (*R-Buffer*) and Reps. Larry Meuli (*R-Cheyenne*) and Lorraine Quarberg (*R-Thermopolis*) and lobbying by Wyoming Conservation Voters. The House agreed to reconsider the bill, passing it on a second-chance vote. It later prevailed unanimously in the Senate Labor Committee and the full Senate. Gov. Dave Freudenthal signed the bill into law.

**House** (*on reconsideration*) Yes 32; No 27; Excused 1.  
**Senate** Yes 30; No 0.

The bill passed both houses of the Legislature and was signed into law by Gov. Freudenthal.

*We recommended a 'yes' vote, to beef up the state's response to environmental health threats.*

## HB 116—PROMOTING FUEL EFFICIENT VEHICLE USE (*House only*)

### WHAT WAS IT FOR?

HB 116 would have reduced registration fees for vehicles with federally rated fuel efficiency of 50 miles per gallon or more. Owners of these vehicles would have paid only 25% of the normal state and county vehicle registration fees.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

Vehicle emissions, including carbon monoxide, particulate matter, nitrogen oxides and volatile organic compounds, are leading contributors to air pollution in our country, and significantly worsen the impending crisis of global warming which will damage wildlife habitat throughout the world if not arrested soon. Traditional internal combustion vehicles also drive the world's increasing appetite for fossil fuels, which requires escalating development of energy resources in places like Wyoming, with huge disruptions of habitat and landscapes. The growing popularity of alternative-energy cars helps to limit those trends and the environmental damage associated with them. These cars are expensive. The state should promote energy conservation whenever possible, and this bill offered a small but important cost reduction to individuals who purchase fuel efficient vehicles. This kind of promotion can also help persuade auto manufacturers to invest in fuel-efficient vehicle research, production and marketing, thus further reducing environmental harm.

### WHAT HAPPENED?

HB 116 was introduced by Rep. Rosie Berger (*R-Big Horn*) and four other representatives. It passed the House Transportation Committee 7-2, but House Majority Floor Leader Roy Cohee (*R-Casper*) did not



schedule it for debate, causing it to die when the deadline passed for bills to clear first reading in their house of origin.

**House Transportation Committee** Yes 7; No 2.

House leaders did not schedule the bill for first reading debate in the House and it died when the deadline for such action passed.

*We recommended a 'yes' vote to promote energy conservation, and reduce pollution and the impacts of energy development.*

## HB 240—DESIGNATING PUBLIC ROADS ON FEDERAL LAND

### WHAT WAS IT FOR?

HB 240 sought to reopen an 85-year-old state law to designate, as public roads, any routes located on federal public lands prior to 1976. The bill would have "grandfathered" the routes into official status under a federal law that expired that same year, without the kind of environmental analysis required today. The bill's sponsor was responding to a Sublette County road on BLM land which was never properly designated as public until a rancher who depended upon it took federal land managers to court, and county commissioners negotiated a deal with the U.S. agency. Supporters of the bill said county commissioners would be able to decide whether or not to pursue such status for an unofficial road on federal land in their jurisdictions, but the bill's exact language granted official public road status for all such routes without action by counties. No exceptions were made in the bill for routes located in wilderness, roadless areas, wildlife refuges or other federal public lands under special resource protections.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

No inventory exists of such roads in Wyoming, or of what resources would be affected by granting county-road status. Several states with laws allowing such old federal road claims to move forward, including Utah, California, Idaho and Alaska, have been overwhelmed by claims, or embroiled in shaky and protracted litigation, over thousands of miles of disused routes within national forest or BLM roadless areas and wilderness areas. These claims have typically been advanced by off-road vehicle activists and opponents of federal-land environmental protections who have identified road designation as a way of thwarting land managers' efforts to protect landscapes. These lands provide valuable wildlife habitat and non-motorized recreation opportunities worthy of public protection. Higher road densities disrupt habitat and increase wildlife mortality, and can keep threatened

and endangered species under restrictive protections longer than they might otherwise need to be.

### WHAT HAPPENED?

HB 240 was sponsored by Rep. Monte Olsen (*R-Daniel*) and two other lawmakers. It passed the House Agriculture Committee unanimously despite concerns aired by Wyoming Conservation Voters and the Wyoming Chapter of the Sierra Club. The full House of Representatives overwhelmingly passed the bill as well, sending it on to the Senate Transportation Committee. That panel, hearing cautions from conservation groups as well as support from the Wyoming Stock Growers Association, debated the bill and possible changes at length, but passed it 3-2 without amendments. On the Senate floor, amendments failed which sought to limit the bill to roads on federal land providing access for private residences or agricultural operations, or to let the bill expire in two years. Several senators noted that counties could be forced to maintain roads they do not want in their systems, though floor manager Sen. Stan Cooper (*R-Kemmerer*) insisted the bill would require roads be left in their pre-1976 condition and that commissioners could opt out of the designations. However, doubts were widespread and the bill failed on a 15-15 tie.

**House** Yes 57; No 2; Excused 1.

**Senate** Yes 15; No 15.

The bill passed the House but failed in the Senate.

*We recommended a 'no' vote to prevent a broad new designation of public roads under a long-expired law without analysis of the impacts.*

## By the Numbers...

70%

of 2005 Scorecard Votes Turned Out Positively for the Environment

36%

of 2002-2004 Scorecard Votes Turned Out Positively for the Environment

## HB 291—ALLOW STATE LAND BOARD TO FIRE DIRECTOR

### WHAT WAS IT FOR?

HB 291 sought to take away the governor's sole power to hire the director of the Office of State Lands and Investments, and give that authority instead to the five-member State Land and Investment Board, made up of the governor, secretary of state, state treasurer, state auditor and superintendent of public instruction. The board would have also been able to fire the director, with votes from four of the five members, and the governor could also still have fired the director. The changes would have taken effect upon the next gubernatorial term beginning in 2007.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

This bill continued a long-running debate about separation of powers between the governor and the other four statewide elected officials, when they sit collectively as a number of state boards. Since Gov. Jim Geringer's administration these officials have quarreled occasionally over their shared jurisdiction. Placing the state lands director under the competing oversight of these five highly political and often divided office-holders would polarize or even paralyze management of our 3.6 million acres of state lands. Future state lands directors, faced with disputes over grazing fees, surface damages, mineral development, state-land sales or swaps, or a host of other controversial issues, would hesitate before taking decisive action to safeguard these resources, which support ample wildlife habitat, recreation opportunities, public education and commercial and industrial ventures. Potentially talented directors would be less likely to take the job if they are able to be fired by politicians answering to various combinations of those interests. It would also increase the likelihood of firings at an agency that had six directors in the eight years ending in 2003. Since no lawmakers took issue with the current director or her prominent work to promote sustainable management concepts within the agency, the need for the bill was questionable and its potential for partisan mischief significant.

### WHAT HAPPENED?

HB 291 was developed by the Legislature's Management Council during the 2004 legislative interim. In the 2005 session, the House Rules Committee voted 7-5 to approve the bill despite opposition from Wyoming Conservation Voters, the Wyoming Parent-Teacher Association, the current lands director and the governor's office. It passed the House of Representatives with more than a two-thirds majority

and cleared the Senate Minerals Committee 3-2. The Senate then passed the bill without amendment. Governor Freudenthal vetoed it, calling it "at best a solution in search of a problem" and noting the Legislature's failure to act during conflicts in the previous administration. The House overrode the veto but the Senate fell far short of the required two-thirds majority to do so, leaving the bill dead.

**House (passage)** Yes 42; No 17; Excused 1.

**Senate (passage)** Yes 17; No 13.

**House (veto override)** Yes 44; No 14; Excused 2.

**Senate (veto override)** Yes 11; No 19.

The bill passed both houses of the Legislature but was vetoed by Gov. Freudenthal. The House overrode the veto but the Senate did not.

*We recommended a 'no' vote on the bill and the veto override, to prevent excessive partisanship in state land management.*

## HB 327—TAKING GAME & FISH WATER FOR IRRIGATION (House only)

### WHAT WAS IT FOR?

HB 327 as introduced sought to drain, for one year, half of the minimum pool reserved under law for Game & Fish purposes in Hawk Springs Reservoir in Goshen County, and turn it over to local irrigators to pursue an additional hay crop. The bill would have altered the 1980s agreement that rehabilitated and expanded the reservoir with mixed public-private financing in exchange for permanent protection of fisheries and recreation values at the site. After passing the House in that form, the bill was heavily rewritten in the Senate with the water transfer eliminated and replaced with a formal study.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

Hawk Springs Reservoir was rehabilitated and expanded with publicly subsidized lending which required perpetual access for the reservoir and associated recreation, and a guaranteed minimum water level protected from irrigation use. But the Horse Creek Irrigation District, after years of complaints and threats of legal action over the arrangement, and spurred on by the current drought, wanted half that water given to them for a year to pursue an extra crop, worth about \$80,000 if successful. Doing so would have severely damaged the area's considerable recreation economy, and cost the Game & Fish Department significant sums and time to repair damage to the trophy walleye and bass fishery. The drawdown would have been especially damaging since silt accumulation in the reservoir since

the 1980s has already reduced the minimum pool capacity by hundreds of acre feet from the amount initially intended. The bill also threatened to set a worrying precedent that water uses in Wyoming can be reassigned directly by the Legislature rather than through our traditional, legally mandated water management processes. Finally, the original bill put in question the state's system of paying for water developments, which demands public benefits to offset the private ones. This system stood a chance of being deemed untrustworthy, setting back future efforts to develop Wyoming's water for any use, be it agricultural or environmental in nature.

#### WHAT HAPPENED?

The bill was sponsored by Rep. Ed Buchanan (*R-Torrington*) and two other Goshen County lawmakers. It passed the House Agriculture Committee 8-0 before conservationists and sportsmen became fully aware of its impacts and potential precedents. Despite heavy lobbying by Wyoming Conservation Voters and the Wyoming Wildlife Federation, and a short floor debate, the House of Representatives passed the bill by more than three-to-one, though an amendment was added to require the reservoir be at least at its minimum level before any drawdown could begin. In the Senate, the Agriculture Committee changed course, responding to a growing outcry from recreational users of the reservoir, as well as deep concerns about the propriety of legislatively changing a specific water right. The committee rewrote the bill to instead waive the irrigators' payments on the state low-interest water development loan for the duration of the drought emergency, and called for a study of the district's needs for continued state assistance, such as possible changes to the property ownership arrangement under which the district owns the state recreation area but grants public use in perpetuity. The amendment did not survive scrutiny on the Senate floor, however; Attorney General Pat Crank determined the debt-abatement proposal strayed too far from the bill's assigned topic, and senators responded by paring the bill down to just a study by the Water Development Commission on the ongoing disputes over water availability, land ownership and recreational use on the public-private project site. Senators then passed the bill narrowly and returned it to the House, which agreed to the Senate amendments. Gov. Dave Freudenthal signed the measure into law March 3. Because the version voted on in the Senate did not include the elements harmful to conservation and sportsman interests, Wyoming Conservation Voters has not scored senators' votes on the bill.

**House** Yes 47; No 12; Excused 1.

**Senate** Yes 16; No 14.

The bill initially passed by the House was scrapped in the Senate. As rewritten by the Senate, it eventually passed both houses and was signed into law by Gov. Freudenthal.

*We recommended a 'no' vote on the House version of the bill, to protect a valuable fishery and the integrity of the water development process, but we did not oppose the Senate version.*

## SF 15—STATE LAND PRESERVATION ACCOUNT

#### WHAT WAS IT FOR?

SF 15 kicked off a new drive to preserve the long-term productive and natural values of Wyoming's 3.6 million acres of state trust lands. The Wyoming Constitution requires the State Board of Land Commissioners, made up of the five state elected officials, to manage these lands over the long term for maximum return to the public schools. The board also allows significant sportsman and recreation access to the lands, and provides valuable leasing opportunities for agriculture and the minerals industry. But over the years, upkeep of these lands has suffered from limited budgets at the Office of State Lands and Investments, the agency which implements board policy. This bill set up a new agency trust account with an initial \$750,000 in it to pay for a series of demonstration projects, which will show what kind of preservation and sustainability efforts land managers could undertake if they had a continuing source of funds.

#### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

State lands provide some of the most important hunting and angling access available to Wyoming sportsmen, and the lands are often the site of valuable winter range and other wildlife habitat, as well as forest cover and forage. Unfortunately, some key parcels of state land being used for recreation have been damaged by irresponsible use. Sites near major cities have been particularly hard hit by problems ranging from off-road vehicle abuse to illegal trash dumping. Other state parcels have suffered long-term decline of sagebrush communities or grass productivity due to natural causes or overuse. State land managers don't have the money needed to even begin to address these problems, leading the State Land Board to consider restrictions or closures that affect responsible state land users. Beginning to clean up or rehabilitate these sites will benefit recreation and wildlife and improve our environment, while helping the land managers fulfill their responsibility to keep the lands in good enough condition to maintain

their contributions to our schools and to our outdoor heritage.

#### WHAT HAPPENED?

HB 15 was developed by the Joint Agriculture Committee during the 2004 legislative interim and had the backing of the conservation community and a broad spectrum of state land users. In the 2005 session, the bill passed the Senate Appropriations Committee 4-1 and cleared the full Senate with more than a two-thirds majority. The House Agriculture Committee unanimously recommended the bill, and it sailed through its final House reading with a solid bipartisan majority. The Senate then consented to minor changes made in the House, sending the bill to Gov. Freudenthal for his signature.

**Senate** Yes 21; No 9.

**House** Yes 42; No 15; Excused 3.

The bill passed both houses of the Legislature and was signed into law by Gov. Dave Freudenthal.

*We recommended a 'yes' vote to begin the work of cleaning up and preserving our state lands.*

### SF 19—STATE LANDS TRUST RESPONSIBILITIES REVIEW

#### WHAT WAS IT FOR?

SF 19 was a companion to the state lands preservation funding bill SF 15 (*see above*). It created a broad-based task force to review the state's trust responsibilities for maintaining our millions of acres of state lands in good condition for the long term. The 15-member group will evaluate what resources our land managers need to keep these lands healthy and able to generate funding for our public schools as required by the Wyoming Constitution, and recommend to the Legislature what work must be done and how to pay for it. The task force includes the members of the State Land Board; representatives of three different industries which lease the land; a recreational user; four legislators split equally between the political parties; a school board member; and a parent of a public school student. A \$30,000 appropriation will pay for the group's efforts, and a report will be delivered to the Legislature before the 2006 session.

#### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

As with SF 15, this bill will help shift the management of state land away from short-term, day-to-day responsibilities and toward a long-term goal of sustainable management that will benefit both the schools

which receive funding from leasing, the industries which pay to use the resources, and the recreation enthusiasts who enjoy the landscapes and wildlife. Better implementation of the constitutional mandate to keep the lands profitable and productive for schools over the long haul will directly lead to cleanups, rehabilitation of soils and grasses, and quicker responses to future damage that may occur. If done right, the study and resulting management changes should allow thousands of citizens who access these lands for hunting to see real improvements in the resource in future years. Formal recommendations on satisfying the trust obligations will also help the elected members of the Land Board to base their management policy choices on the needs of the land rather than political pressures that may arise.

#### WHAT HAPPENED?

SF 19 was developed by the Joint Agriculture Committee during the 2004 legislative interim. In the 2005 session, the Senate Agriculture Committee voted unanimously to approve the bill. The Senate Appropriations Committee voted 3-2 to remove the \$30,000 in funding for the task force, with the idea of reshaping the task force to include members of the Legislature and to consider funding the study from the Legislature's own pocket. The full Senate did add lawmakers to the task force but did not replace the funding, and the bill passed the Senate with only one vote to spare. The House Agriculture Committee restored the \$30,000 in funding while removing the five statewide elected officials from the task force, arguing that the busy dignitaries would likely only send staff members to take notes and that those seats should go to other interest groups with a stake in state land management, such as a timber industry representative and a parent of a Wyoming public school student. The House Appropriations Committee supported keeping the funds in the bill, and the full House passed the bill without opposition. Senators, however, solidly rejected the House changes, sending the bill to a conference committee. Conferees decided to keep the five elected officials and four lawmakers on the board along with the various representatives of interest groups, and to keep the funding. The compromise version passed both houses unanimously. Gov. Freudenthal signed the act into law a few days after the session ended.

**Senate** Yes 16; No 14.

**House** Yes 58; No 0.

The bill passed both houses of the Legislature and was signed into law by Gov. Dave Freudenthal.

*We recommended a 'yes' vote, to increase the focus of long-term sustainability in the management of state lands.*

## SF 28—STRONGER PENALTIES FOR WATER MISAPPROPRIATION

### WHAT WAS IT FOR?

SF 28 was a long-overdue revision to the criminal statutes and penalties for unauthorized use of the surface waters of Wyoming, which are owned by the state and permitted for use under a “first-in-time, first-in-right” system common across the American West. The state engineer, an independent constitutional officer appointed by the governor, administers water rights based on priority of application dates, so long as the permitted use of the water is maintained. SF 28 primarily addressed two common types of water crime in the state. One occurs when a persistent handful of irrigators take more water than they are allowed, or use it at times or in ways that are not permitted. The other occurs when energy companies build unauthorized dams to hold effluent water pumped to the surface during the production of coalbed methane. With drought conditions continuing or even worsening across most of Wyoming, unauthorized water use by irrigators is especially damaging both to fellow users who obey the rules, and to the fisheries which depend upon the minimal flows of left-over water. And with energy development booming again around Wyoming, particularly coalbed methane drilling, an enormous number of new in-channel dams for containing effluent have been constructed without approval, in areas such as the Powder River Basin, disrupting the natural flow of water which downstream ranchers and irrigators depend upon. SF 28 significantly increases the penalties for these and other kinds of water misappropriation. The bill adds specific penalties for water theft, which had been illegal but not expressly penalized; and increases penalties for unauthorized dams and water diversions to \$1,250 with each new day of noncompliance constituting a separate offense. State water regulators say the pre-existing assortment of fines and penalties, some set almost 50 years ago and others left out of the law entirely, were no longer a financial deterrent to handful of unethical individuals and companies willing to seek the benefit of unauthorized water use.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

Wyoming is an arid state with limited amounts of available water and plenty of competition for its use. Agriculture, industry, municipal utilities, fisheries, boaters, and downstream states holding court orders, all have a stake in how our water is used, and depend greatly on the lawful water-permitting system working properly. Taking water or damming rivers without permission disrupts this system and hurts natural resource man-

agement efforts and our wildlife. A stronger set of criminal penalties to deter these actions will, on the other hand, improve the chances that all water uses can be reasonably accommodated, even in times of shortage.

### WHAT HAPPENED?

SF 28 was introduced by Sen. Gerald Geis (*R-Worland*), chairman of the Senate Agriculture Committee. In the 2005 session, Sen. Geis delayed initial consideration of the bill for more than a week and called on agriculture and minerals lobbyists to meet with State Engineer Pat Tyrrell to try to hash out several industry-backed amendments before committee debate or testimony began. Wyoming Conservation Voters, the Wyoming Chapter of the Sierra Club and the Powder River Basin Resource Council joined that meeting, at which a few minor amendments were accepted. But overall the state engineer remained firm on making penalties a true financial and legal deterrent to water misuse. Senate Agriculture Committee members later passed the amended bill unanimously, and the entire membership of the Senate gave its approval. The House Agriculture Committee also gave its blessing and the full House of Representatives, with only one exception, followed suit. Gov. Freudenthal signed it into law late in the session.

**Senate** Yes 30; No 0.

**House** Yes 58; No 1; Excused 1.

The bill passed both houses of the Legislature and was signed into law by Gov. Dave Freudenthal.

*We recommended a ‘yes’ vote to protect the integrity of our water permitting system.*

## SF 37—ALTERNATIVE FUNDING FOR GAME & FISH

### WHAT WAS IT FOR?

SF 37 initially would have provided an additional \$6.1 million to help the financially struggling Wyoming Game & Fish Department carry out its legal responsibility to manage all the state’s wildlife. Those funds would have paid for a mix of under-funded programs, including management of non-game species; education and outreach; wildlife disease prevention; and aquatic nuisance species abatement. All these programs are currently funded mostly out of hunter- and angler-license dollars, in competition with programs that directly serve the sportsmen paying the bills.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

About four out of every five dollars spent by Wyoming wildlife managers comes from hunting and fishing licenses sold to sportsmen for the privilege of

harvesting our abundant wildlife. But a growing share of the department's budget pays for programs that are important and legally mandated, but which do not directly serve these license buyers—everything from wildlife-borne diseases that affect livestock, to management of sensitive species granted or contemplated for federal protections under the Endangered Species Act. With just the programs to manage wolves and grizzly bears each surmounting a million dollars in annual costs, the Game & Fish has begun to seek the Legislature's help in carrying out its duty to manage all wildlife in Wyoming, regardless of game or non-game status. Shifting the burden for research, non-game wildlife management and other such programs off of the license buyers is a measure of financial fairness to sportsmen who have faced sizable license-fee increases in recent years. It will hold back future rate hikes, while still managing the "watchable" species enjoyed by the increasing number of non-consumptive wildlife enthusiasts. Keeping these species healthy is good for the natural order of things in our state, and it keeps federal regulations from disrupting traditional Wyoming ways of life and business. Fewer such disruptions will also help keep environmental and wildlife interests out of the political line of fire in the future.

It is also worth noting that sportsmen and the Game & Fish Commission are well aware that this bill would have broken new ground by injecting political decision-making into the mix of agency funding sources. However, the Legislature in the 1930s mandated that the agency take care of all wildlife in the state, a requirement that has become an unfunded mandate on sportsmen. This carefully crafted bill would have brought in outside funding to pay for programs that serve the broader public and do not relate to hunting, so that the decades-long independence of the Game & Fish Department could remain in place for species which have seasons to be set, herd objectives to be established, and other decisions that the agency's founders believed should be kept separate from political decision-making processes in the Legislature.

#### WHAT HAPPENED?

SF 37 was developed by the Joint Travel, Recreation and Wildlife Committee during the 2004 legislative interim. In the 2005 session, the total funding in the bill was whittled away at every stage of the legislative process before the bill died in the Senate. It passed the Senate Travel Committee unanimously after being amended to a far more modest total under \$2.8 million. The Senate Appropriations Committee further amended it down to \$1.8 million before passing it 5-0. However, Senate Majority Floor Leader John Schiffer (*R-Kaycee*), who voiced concern over direct legislative funding for the

Game & Fish Department, did not bring the bill up for first reading before the deadline to do so, consigning it to a procedural defeat.

**Senate Travel Committee** Yes 5; No 0.

**Senate Appropriations Committee** Yes 5; No 0.

Senate leaders did not schedule the bill for first reading debate in the Senate and it died when the deadline for such action passed.

*We recommended a 'yes' vote to support management of all Wyoming wildlife without undue cost burdens on hunters and anglers.*

## SF 41—A TRUST FUND FOR WILDLIFE HABITAT

#### WHAT WAS IT FOR?

SF 41 was quite simply the single most important wildlife conservation bill of the 2005 session, and for that matter, in the last several sessions. It was backed strongly by Gov. Dave Freudenthal, more than a dozen wildlife, sportsmen and conservation groups, an unprecedented number of rank-and-file citizens, and a significant number of energy companies.

The bill established a permanent trust fund to earn interest to pay for wildlife-habitat preservation, restoration and enhancement by nonprofit and government agencies across Wyoming. It created a new nine-member citizen board to administer the fund and recommend projects, and a select legislative committee to review projects costing more than \$200,000. And it included \$300,000 in start-up cash to hire staff and begin work. Legislators put an initial \$15 million deposit into the interest-earning trust account, though this amount will likely grow with private donations and may also be supplemented by future legislative action. At its current level, the trust fund will generate about \$750,000 of income each year to pay for projects like preserving open spaces via acquisition of easements; maintaining and improving terrestrial and aquatic habitat; developing sources of water for wildlife; addressing problems between wildlife-borne diseases and the livestock industry; and otherwise conserving natural resources.

The bill does not allow for land purchases but does permit the State Land Board to accept donations of land and land interests. Water rights may not be conveyed independently of land, and grants may not be tied to requirements of public access to private land.

SF 41 took effect this summer and the new board must adopt rules and regulations this fall governing how grants will be presented to and considered by the board. The rules will include criteria for evaluating proposed projects and determining priorities for the expenditure of the board's limited funds.

## WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

Legislators have for 25 years debated the idea of special funding to preserve wildlife habitat, wading through disputes over funding sources, who would administer spending, how much money should be set aside, and what kind of projects would be allowed. The 2005 act does not encompass all of the good ideas that have been put forward during that time, but begins a new era of state government taking direct action to combat the loss of habitat due to industrial and residential development and changing natural conditions like species declines, drought or aging plant communities. Opportunities to bring in new partners and funding sources for wildlife habitat preservation are few and far between and deserve the active support of every Wyoming citizen, company and politician who cares about maintaining a hunting and angling heritage, healthy landscapes and open spaces. The bill's framework leaves room for improvements in future years as the public's understanding of the needs grows and lawmakers buy into the inevitable success stories the new fund will generate. The alternative is to wait as accelerating natural gas drilling, residential sprawl and natural phenomena continue to wear away the resources we treasure. Taking that course would likely lead to more species being declared threatened or endangered, which imposes huge management costs on the Game & Fish Department, diverting funds from game management, and also disrupts our economy and creates political backlash against conservation interests. Given those alternatives, passage of SF 41 was truly crucial to Wyoming's efforts to control its own destiny on wildlife issues.

## WHAT HAPPENED?

SF 41 was developed by the Joint Travel, Recreation and Wildlife Committee during the 2004 legislative interim based in part on bills that were seriously considered in 1982, 2003 and 2004. During the 2005 session, SF 41 started with a \$75 million trust account. It went first to the Senate Travel Committee, which amended the bill to allow the state to use the interest proceeds to buy real estate, and tripled the initial \$100,000 outlay for first-year projects and board setup costs. The committee voted 5-0 to recommend the bill to the full Senate. However, the Senate Appropriations Committee then pared the trust fund down to \$15 million, plus \$100,000 to cover initial board startup and staff hiring expenses.

The full Senate amended SF 41 to delay grants from being issued until the board's rules and regulations are adopted. Other amendments failed which would have barred the state from purchasing land with the trust proceeds, or increased the range of projects

that would have to win specific legislative approval. A later amendment stated that the bill did not alter mineral owners' or companies' abilities to extract minerals from lands protected under grants from the new board. Senators also increased the trust fund to \$30 million, but rejected two final efforts to prohibit the state from purchasing property through the fund. The bill then passed the Senate overwhelmingly.

The House Travel Committee, taking a far more critical approach to the bill under the leadership of Rep. Pat Childers (*R-Cody*), heavily amended it to place a \$200,000 total grant cap on the board's spending per year, after which all other grants of any size would be subject to legislative control. The committee also barred the fund from being used to pay for property purchases, and set up a new select committee of the Legislature to oversee all spending.

The amended bill passed the House committee unanimously but was still to be continually rewritten at each step of the process. The House Appropriations Committee removed the entire \$30 million interest-bearing account before sending the bill to the full House of Representatives. On the House floor, members cast dozens of unrecorded voice votes on amendments during three formal readings. Representatives on first reading delayed the fund's startup well into 2006 while requiring new analysis provisions; restricted the fund's ability to conserve water in-stream for fisheries; allowed projects on private land with no public access benefits; and allowed land managers to approve uses of the land that do not advance the habitat-related goals of the act. Second reading brought another slew of amendments, including one restoring \$15 million to the trust fund, and another unsuccessfully seeking to raise the \$200,000 annual spending cap, in a sprawling debate that required a rules waiver to stretch into a second day. Despite dogged efforts on the floor to further amend the bill and generally limit its powers, led by Childers and Reps. Kermit Brown (*R-Laramie*) and Kurt Bucholz (*R-Saratoga*), the House finally passed it by a three-to-one margin.

The Senate voted 7 to 23 to reject the sweeping House changes, sending the bill to a conference committee. However, House conferees Childers, Brown and Bucholz refused to compromise on the bill as it left their chamber, forcing the Senate reluctantly to accept the House version 24 to 6 on the final day of the session. Several senators including members of the leadership criticized the House conferees publicly for their refusal to work out differences on the bill.

Gov. Freudenthal had the last word on the bill after the session adjourned. In a signing ceremony in Casper, the governor used his line-item veto power to remove the \$200,000 per-year spending cap. Addressing a huge

crowd at the National Historic Trails Interpretive Center in Casper, and flanked by present and past Senate supporters of the bill, Freudenthal said the annual cap would have left the new board unable to do its work, and crossed out those portions of the bill with handwritten notes.

**Senate** Yes 22; No 8.

**House** Yes 44; No 14; Excused 2.

The bill passed both houses of the Legislature and was signed into law by Gov. Dave Freudenthal, subject to a line-item veto.

*We recommended a 'yes' vote to preserve and protect Wyoming wildlife habitat.*

### **SF 41 SENATE 2ND READING AMDT #3—NO LAND PURCHASES** (Senate only)

#### **WHAT WAS IT FOR?**

This amendment, officially titled SF0041S2003/F, sought to prohibit use of the proceeds from the wildlife habitat trust fund to purchase outright ownership of real estate. Prior to the 2005 session, Gov. Freudenthal made a number of concessions to the agriculture lobby regarding the bill and agreed not to seek the ability to purchase new state lands in order to secure support for the bill. Freudenthal noted that this concern about state purchases of ranches had helped sink the initial trust fund bill in the 1982 Budget Session. The agriculture lobbying organizations, as they did back then, feared the state would put itself in competition with private interests in the land purchase market, though gaining this concession from the governor did not stop those groups from withholding support and continuing to try to further amend the bill throughout the session. However, the Senate did not have a role in the governor's negotiations and took a different course during its debate, leaving the land purchase concept in the bill and noting the small amounts of trust fund proceeds would prevent any large-scale purchases, while still allowing the new board to consider small acquisitions, perhaps as modest as an office building that might save on rent expenditures.

#### **WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?**

Most sporting and conservation interests were flexible and realistic about supporting the bill with or without the ability to purchase lands, solely because of the overall importance of overcoming agricultural opposition and getting a bill passed. However, some ability to purchase land in certain situations was worth consideration and debate for a number of reasons. Outright land ownership would have allowed better control over what

kinds of protection and what kind of public access could be provided on important habitat. Willing sellers in certain situations might have found the state to be the most reasonable buyer or the only one interested in caring for the land in the way the seller intended. And small land purchases could be key for opening up access to other public lands, or protecting migration corridors on and off of important winter range. Senators agreed to take a recorded vote on this amendment in order to hold themselves accountable to both sides of this issue, and Wyoming Conservation Voters believes the vote demonstrates whether a given senator trusted the new wildlife habitat board to make reasonable decisions that reflect the best possible way to protect wildlife in a given situation. For that reason, we have included it on the scorecard.

**NOTE** Regrettably, the House passed a similar amendment (and several others on the bill) without a recorded vote, leaving WCV unable to similarly score representatives on this point or to give SF 41 as much weight in the final House scores as it carries in the Senate.

#### **WHAT HAPPENED?**

SF 41 Senate Second Reading Amendment #3 was submitted by Sen. Kit Jennings (*R-Casper*) on Feb. 7, 2005. It fell four votes short of a majority.

**Senate** Yes 12; No 18.

The amendment failed.

*We recommended a 'no' vote, to preserve the flexibility of the new board in protecting wildlife habitat.*

### **SF 41 SENATE 3RD READING AMDT #2—FULL FUNDING OF THE TRUST ACCOUNT** (Senate only)

#### **WHAT WAS IT FOR?**

This amendment, officially titled SF0041S3002/A, provided for the full recommended funding for the wildlife trust fund of \$30 million. The bill was initially proposed before the session at \$75 million, but it quickly became apparent that the nearly \$1 billion budget surplus relied upon for that recommendation would have to be spent mostly on additional agency costs and savings plans not accounted for in that figure. Gov. Freudenthal scaled back the trust fund plan to a more modest \$30 million at the beginning of the session, though the Senate and its committees continued to debate amounts ranging from \$10 million to \$75 million. By third reading in the Senate, it became clear that \$30 million was probably the largest amount possible while still balancing other spending and savings priori-



ties in the budget. In the end, the House forced the Senate to accept only half as much, though the door is open for future legislative contributions as well as private donations to bolster the fund over time.

#### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

The amount of money in the trust fund is a permanent savings account which will generate interest to pay for habitat preservation work. If more money is set aside, more interest will be available to pay for habitat projects. A \$30 million trust fund would have raised about \$1.5 million a year, while the \$15 million ultimately appropriated will generate about \$750,000 annually. Wyoming Conservation Voters and nearly all sportsman and conservation groups in the state wanted to get the board started as quickly as possible on work, considering that the other programs available from private or federal sources for similar projects must turn down millions of dollars worth of proposals each year.

**NOTE** Regrettably, the House defeated several similar amendments without a recorded vote, leaving WCV unable to similarly score representatives on this point or to give SF 41 as much weight in the final House scores as it carries in the Senate.

#### WHAT HAPPENED?

SF 41 Senate Third Reading Amendment #3 was submitted by Sens. Mike Massie (*D-Laramie*) and Bruce Burns (*R-Sheridan*) on Feb. 8, 2005. It passed with two votes to spare.

**Senate** Yes 18; No 12.

The amendment passed.

*We recommended a 'yes' vote, to maximize the amount of habitat protection possible under the bill without unbalancing the state budget.*

### SF 56—LETTING CITIES USE STORED WATER FOR LOCAL FISHERIES

#### WHAT WAS IT FOR?

SF 56 would have allowed cities and towns with extra stored water to temporarily run that water down their local streams to improve recreation, aquatic habitat or water quality. Wyoming has a law to allow a water right to be issued for "in-stream flow," in which water is left in the stream to preserve fish habitat and is still considered a beneficial use which merits protection by state water regulators. But those rights must be held by the state, meaning a local government or private individual who wants to temporarily convert a water right to keep fish alive in a stream dried up by irrigation diversion,

must surrender that water right to the state forever. Since water rights are valuable property, this is far from a realistic approach. The bill would have allowed municipalities to do so for up to two years at a time, with approval from state regulators and a finding that no other water user would be harmed, and only so long as the water came from storage. The Town of Pinedale has been attempting to do so for several years, only to run into roadblocks due to cumbersome elements of the in-stream flow law.

#### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

Wyoming water law is built on a variety of political compromises and the overriding concept that those who first applied for water uses have the strongest right to them when shortages occur. And generally, only those uses which divert the water out of the stream for irrigation, construction, industrial, or utility uses are considered "beneficial" and deserving of state protection. A change like Pinedale was seeking would have allowed the town to capitalize on a huge tourism and quality-of-life asset on a temporary basis without taking away any user's water flows. Instead, under the current law, the town has water it could put to use protecting fish and enhancing recreation within its boundaries, but cannot use it because upstream users are able to take whatever excess water is in the stream. Currently, the town does not have legal protections that would ensure the water makes it downstream from their reservoir, past other users' headgates and into the stream segment targeted for improvement. As a result, a fishery running through the heart of town is dried up, and a public entity which owns the water must forego using it as it wishes, or else see it taken by other users who paid nothing for the storage capacity that made it possible to collect the water in the first place. Helping towns use their water for their own fisheries would also encourage better management of our water and build support for storage that benefits the public and our fish, and not just irrigators.

#### WHAT HAPPENED?

SF 56 was developed by the Select Water Committee during the 2004 legislative interim. In the 2005 session, the Senate Agriculture Committee debated the bill twice and heard support from the town, the Wyoming Association of Municipalities, State Engineer Pat Tyrrell and Wyoming Water Development Commission Director Mike Besson, as well as strong opposition from the Wyoming Stock Growers Association, the Wyoming Farm Bureau Federation and the ranching-oriented Wyoming Association of Conservation Districts. The committee passed the bill 5-0. The Senate approved the bill by a five-to-one margin.

Arriving at the House Agriculture Committee, the bill ran into a number of probing questions from members and continued opposition by the Farm Bureau as well as one local Pinedale resident at odds with the town's instream flow plans, although the town, the state engineer, the water development director, and the municipal government lobby all offered support again. The committee heavily amended SF 56 to confine it only to the Town of Pinedale on a trial basis, and gave only three years before a "sunset" provision would take the new law off the books. Committee members voted 7-1 to accept the restrictive amendments, then passed the bill 6-3. But it hit a final roadblock as it headed to the House floor, when House Majority Leader Roy Cohee (*R-Casper*) did not bring it up for debate before the deadline for consideration, consigning it to a procedural defeat.

**Senate** Yes 25; No 5.

**House Agriculture Committee** Yes 6; No 3.

The bill passed the Senate and the House standing committee, but House leaders did not schedule it for floor debate and it died when the deadline passed for such action.

*We recommended a 'yes' vote, to help local governments protect fisheries within their jurisdictions.*

## SF 60—PROTECTING LANDOWNERS FROM MINERAL DEVELOPMENT IMPACTS

### WHAT WAS IT FOR?

SF 60 reduces the number and scope of disputes between landowners and the third parties who often own and develop the mineral estates beneath those lands, by requiring negotiations and surface use agreements, or failing that, bonds to cover damages, when a subsurface owner tries to develop minerals beneath someone else's surface lands. SF 60 expands what landowners can negotiate and be compensated for in such cases. The bill's essence is to guarantee the surface owner the right to jointly plan for oil and gas activities on their lands, going beyond compensation for mere use by including payments for actual loss of land value. The bill does not affect existing negotiated agreements, and allows all parties to opt out of the new process if they agree, and stick to the pre-existing laws.

### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

Before this bill's passage, subsurface rights tended to trump surface rights under Wyoming law. Landowners statewide, but particularly in the Powder River Basin and in southwestern Wyoming, have pushed for a surface

owners' accommodation bill for several years, spurred on by cases in which certain mineral developers forced legal access to lands for development purposes, then left the surface damaged, with little to no financial compensation to the owner for the disruptions. Legal action to redress the balance tended to run into difficulty in the absence of a statute setting out how conflicts were to be addressed, and landowners were sometimes left with no recourse to recover their losses or otherwise protect their land investments. Without legal standing to require joint planning, or adequate bonds to cover damages, landowners were unable to be good stewards of their land, being forced to accept diminished capacity which hurts crop and grass production and also forage for wildlife grazing on private lands. Nearly all landowners instinctively will keep their land in good health for their own private interests—as long as they have the legal ability to do so. Surface owners' protection laws will also help those energy companies that do protect private surface lands to remain just as competitive in the marketplace, since they will not face unfair competition from others who cut corners and improve their competitiveness at the cost of someone else's property rights.

### WHAT HAPPENED?

SF 60 was developed during the 2004 legislative interim by a select committee as well as the Joint Judiciary Committee. In the 2005 session, it unanimously passed the Senate Judiciary Committee and cleared its final Senate reading on a lopsided vote despite lengthy debate and attempts at floor amendments. It passed the House Judiciary Committee unanimously, and survived three House readings without succumbing to any of the proposed amendments aimed at weakening the bill's protections for landowners. Gov. Freudenthal signed it before a crowd of grateful landowners in the Capitol Rotunda.

**Senate** Yes 25; No 3; Conflict of Interest 2.

**House** Yes 52; No 6; Excused 1; Conflict of Interest 1. The bill passed both houses of the Legislature and was signed into law by Gov. Dave Freudenthal.

*We recommended a 'yes' vote, to give landowners the power to be good stewards of their own lands.*

## SF 72—SAFEGUARDS FOR DEVELOPMENT ON GAME & FISH LANDS

### WHAT WAS IT FOR?

SF 72 gives the Game & Fish Commission control over whether minerals located beneath their lands can be developed, if those mineral rights are owned by the

state. Previously, the State Land Board held this authority. Game & Fish commissioners and the department wanted the ability to preclude development on sensitive areas that are managed exclusively for the betterment of wildlife. The agency stresses that it does not consider the bill a method for raising funds for wildlife management through mineral leasing. That is not to say that some lands could not be leased for mineral development, but the goal in any such rare cases would be to turn development plans into a showcase of how natural resource extraction and wildlife could co-exist, and how sensitive development could still result in profitability for the companies and the state.

#### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

Wyoming's game managers are also land managers—caring for acreage scattered throughout the state at fish hatcheries and other facilities dedicated to conserving wildlife populations or habitat. So long as the Game & Fish Commission did not control the leasing of subsurface minerals at these sites, the uncomfortable possibility existed of oil and gas wells being drilled in conflict with conservation goals. It is likely that SF 72 will effectively close off the possibility of out-of-place mineral extraction that would hurt wildlife. This has obvious benefits to sportsmen and other people who appreciate wildlife and seek to protect it.

#### WHAT HAPPENED?

SF 72 was sponsored by Sen. Bill Hawks (*R-Casper*), the chairman of the Senate Minerals Committee, and Rep. Tom Lockhart (*R-Casper*), chairman of the House Minerals Committee. In the 2005 session, the bill passed the Senate Travel, Recreation and Wildlife Committee and the full Senate unanimously. It passed the House Minerals Committee and the full House of Representatives unanimously as well. Gov. Dave Freudenthal signed it into law.

**NOTE** Of all the bills on WCV's scorecard this year, this was the only bill to sail through the entire Legislature without a single 'no' vote either in committee or on the floor in either house. We commend the entire Legislature for its unanimous support for this important measure, which, since it restricts mineral development, would likely have met a different fate in the less conservation-friendly sessions of the 1990s.

**Senate** Yes 30; No 0.

**House** Yes 58; No 0; Excused 2.

The bill passed both houses of the legislature and was signed into law by Gov. Dave Freudenthal.

*We recommended a 'yes' vote, to the Game & Fish fulfill its duty to protect wildlife.*

## SF 73—STIFFER PENALTIES FOR OIL & GAS RULE BREAKERS

#### WHAT WAS IT FOR?

SF 73 allows a tenfold increase in penalties, and application on a daily basis for continuing violations, when oil and gas operators choose to defy the rules and orders of the Wyoming Oil and Gas Conservation Commission. The bill raises fines and civil penalties, previously in the \$500 to \$1,000 range, to \$5,000 to \$10,000. Each continuing day of a violation after official notice will now count as a separate offense. The bill also empowers the commission to waive penalties "for good cause."

#### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

The commission's fines have not substantially changed since it was created in 1951. The new penalties would rank just below average among oil-producing states. Several recent instances showed that rogue operators were willing to accept the previous small fines and still profit from electing to break the law. Recently, OGCC fines have been assessed mainly for failing to file reports on time, or more seriously, for unpermitted coalbed methane drilling. Deterring these violations reduces pollution, disruption of landscapes and all the negative effects on our air, land, water and wildlife.

#### WHAT HAPPENED?

SF 73 passed the Senate Minerals Committee 4-1 and cleared its final Senate reading unanimously. The House Corporations Committee approved it 8-1 and the full House agreed unanimously. The governor signed it into law.

**Senate** Yes 28; No 0; Excused 2.

**House** Yes 57; No 0; Excused 3.

The bill passed both houses of the Legislature and was signed into law by Gov. Dave Freudenthal.

*We recommended a 'yes' vote to deter pollution and other impacts of oil and gas drilling violations.*

## SF 105—LOCAL CONTROL FOR LIGHT POLLUTION (*Senate only*)

#### WHAT WAS IT FOR?

SF 105 would have allowed local governments to draw up their own standards and procedures to protect landscapes, wildlife, human quality of life and our astronomical resources from the impacts of excessive artificial lighting. Cities and towns appear to have some limited ability under "home rule" to implement such protec-

tions, but counties lack this authority, and all local governments lack explicit direction from the state Legislature on the extent of their authority in this regard. No local governments would have been required to regulate light pollution if they did not wish to. However, a growing number of communities are interested in enacting some protections against badly designed or inefficiently installed outdoor lighting which wastes energy, confuses birds and other wildlife, and distracts and endangers drivers while providing little additional security or convenience.

#### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

As urban and suburban development reaches farther into the countryside across Wyoming, night-time darkness gives way to partial illumination that in some cases obscures stars in the night sky. Higher light levels also affect the internal clock and sense of direction in birds like sage grouse, disrupting spatial orientation and mating. Better and more modern lighting designs can reduce or eliminate these impacts on the night-time environment and on wildlife, but county commissions which oversee development of outlying rural areas lack the authority to either limit these impacts or require the superior equipment.

#### WHAT HAPPENED?

SF 105 was sponsored by Sen. Cale Case (*R-Lander*). It was heard in the Senate Agriculture Committee and drew testimony from a large number of citizens before it failed on a 2-2 tie vote, with one member absent.

**Senate Ag Committee** Yes 2; No 2; Excused 1.  
The bill failed to pass the standing committee and died at the end of the session.

*We recommended a 'yes' vote allow willing local governments to take steps to prevent light pollution and its negative impacts on wildlife habitat.*

#### SF 149—CONSERVATION EASEMENTS

##### WHAT WAS IT FOR?

SF 149 brings the popular land-protection method of conservation easements under state law and out from under a complex common-law arrangement in the state. Conservation easements are legal agreements that a landowner may use to protect land from being developed in certain ways, and are commonly used to require that a piece of land be kept in an open, natural state into the future. These easements also may shelter property

from the federal estate tax, which can often force survivors of a land owner to sell the land for development to pay the tax bill upon the owner's death. In Wyoming, these agreements have relied upon common law principles because the Legislature had never passed an enabling act. The result was that a small one-acre parcel of the land had to be sold at a token price to a third-party entity to allow them a common-law interest in enforcing restrictions on development. This situation made it harder to enact such an agreement and resulted in needless fragmentation of property ownership for purely technical reasons. SF 149 ended that requirement and generally made the easements easier to get and to enforce.

#### WHY SHOULD SPORTSMEN AND CONSERVATIONISTS CARE?

As land prices skyrocket in scenic areas of the state, ranching families increasingly need the easement tool to avoid massive tax liabilities on inherited lands that would force sale and subdivision of the parcels. Subdivisions, in turn, carve up habitat for wildlife and impede herd migration, while increasing human population density in rural areas where our wildlife live. Keeping these properties intact will slow the loss of habitat and wildlife migration corridors.

#### WHAT HAPPENED?

SF 149 was sponsored by Sen. Phil Nicholas (*R-Laramie*) and five other lawmakers. In the 2005 session, it passed the Senate Travel Committee unanimously and passed the Senate with two votes to spare. The House Agriculture Committee passed the bill 9-0 despite vigorous opposition from the Wyoming Farm Bureau Federation. The full House then passed it overwhelmingly, sending it to the governor for his signature late in the session.

**Senate** Yes 18; No 12.

**House** Yes 52; No 6; Excused 2.

The bill passed both houses of the Legislature and was signed into law by Gov. Dave Freudenthal.

*We recommended a 'yes' vote in order to preserve landscapes which support wildlife.*

## By the Numbers...

**96%** Highest Average District Score:  
SD 12 & HD 48 (Sen. Job/Rep. Martin)

# Committees We Count On

Aside from senior members of the leadership, each legislator serves on one or two standing committees. Each committee's chairman decides which bills to consider from among legislation sent to each committee from the floor. Not every bill gets read into the record and referred by the speaker or the president to a committee. Not every referred bill gets a hearing. Others which do are discussed and even debated only to fail to secure enough votes to be sent back to the floor. And among those returned to the floor, not every bill is scheduled for debate by the majority floor leader. So, committees and leadership play crucial roles in determining the scope of the conservation agenda, and its potential for success.

The following committees are those which most often develop or consider legislation that forms the agenda for your advocates at the Legislature. For each, we briefly evaluate the committee's and chairman's performance in 2005, along with contact information for the members. The scores given are the percentage of scorecard bills that each committee acted on in accordance with the conservation community's goals. Special circumstances are explained for some committees' scores. For more about each bill referenced, consult its heading in the "Votes that Counted for Conservation" chapter of the Scorecard.

## HOUSE AGRICULTURE COMMITTEE

### 2005 SCORE: 83%

**Members** Reps. Jim Hageman (*R-Fort Laramie*); Kermit Brown (*R-Laramie*); Kathy Davison (*R-Kemmerer*); Ross Diercks (*D-Lusk*); Burke Jackson (*R-Rozet*); Layton Morgan (*D-Cheyenne*); Mick Powers (*R-Lyman*); Doug Samuelson (*R-Cheyenne*); and Mark Semlek (*R-Moorcroft*).

Rep. Jim Hageman, a 23-year veteran Republican representative from Fort Laramie, leads the nine-member House Agriculture, Public Lands and Water Resources Committee for his fifth consecutive session. The seven Republicans and two Democrats on the committee predominantly hail from rural districts, and these representatives collectively posted a 65 percent average score on this year's Legislative Scorecard (about 7 percent below the 2005 average House score).

WCV gives the 2005 House Agriculture Committee an 83 percent score, based on its passage of five scorecard bills referred from the floor (SF 15, SF 19, SF 56, SF 28, SF 149) which were supported by WCV and/or other conservation interests at the committee. SF 56 is included as a positive committee vote, although the bill was passed only in a narrower, amended form. A sixth scorecard bill (HB 240) passed the committee despite our cautions, and counts against the committee's score. A seventh scorecard bill which the committee passed but which WCV opposed (HB 327) was not included in the committee score, because WCV's concerns with it emerged only after the committee had already voted.

Committee members and contact information are available online at:

<http://legisweb.state.wy.us/2005/Members/J05MEM.htm>

## SENATE AGRICULTURE COMMITTEE

### 2005 SCORE: 57%

**Members** Sens. Gerald Geis (*R-Worland*); Curt Meier (*R-LaGrange*); Wayne Johnson (*R-Cheyenne*); Laness Northrup (*R-Powell*); and Bill Vasey (*D-Rawlins*).

Sen. Gerald Geis, serving in his 24th legislative session this year, has chaired the Senate Agriculture, Public Lands and Water Resources Committee since 1995. The committee's four Republicans and one Democrat all hail from either southern Wyoming or the Big Horn Basin. Two members have agricultural occupations; one, Sen. Laness Northrup, sadly passed away after the 2005 session. His successor, Sen. Ray Peterson, joins as the committee's newest member. The committee members averaged 63 percent on this year's scorecard (9 percent below the average Senate score).

WCV gives the 2005 Senate Agriculture Committee a 57 percent score, based on its passage of four scorecard bills referred from the floor (SF 15, SF 19, SF 28 and SF 56) which were supported by WCV and/or other conservation interests at the committee. One bill supported by WCV (SF 105) failed the committee on a 2-2 tie and counts against the score. Two other bills on in-stream flow worthy of further legislative consideration (SF 106 and SF 107) were never voted on in the committee this

session and also count against the committee's score.

Committee members and contact information is available online at:

<http://legisweb.state.wy.us/2005/Members/J05MEM.htm>

## HOUSE TRAVEL COMMITTEE

### 2005 SCORE: 75%

**Members** Reps. Pat Childers (*R-Cody*); Kermit Brown (*R-Laramie*); Kathy Davison (*R-Kemmerer*); Keith Gingery (*R-Jackson*); Jerry Ikel (*R-Sheridan*); Wayne Reese (*D-Cheyenne*); Jim Slater (*R-Laramie*); Bill Thompson (*D-Green River*); and Dan Zwonitzer (*R-Cheyenne*).

Rep. Pat Childers, a Cody Republican serving his ninth year in the House, took over in 2005 as chairman of the House Travel, Recreation, Wildlife and Cultural Resources Committee. The panel's seven Republican and two Democratic members come predominantly from western and southeastern Wyoming, and encompass a wide range of ideologies regarding natural resource stewardship. The committee members averaged 75 percent on this year's scorecard, 3 percent above the average House score.

WCV gives the 2005 House Travel Committee a 75 percent score, based on its passage of three scorecard bills referred from the floor (SF 41, SF 72 and HB 82) which were supported by WCV and/or other conservation organizations. The committee's passage of SF 41 counts in favor of its score, although the committee did amend the bill substantially in several ways opposed by most conservation groups, via votes not recorded in the official bill digest due to their amalgamation into a substitute bill. A fourth bill (HB 88) failed to pass the committee on a 4-5 vote and counts negatively toward the committee's score.

Committee contact information is online at:  
<http://legisweb.state.wy.us/2005/Members/J06mem.htm>

## SENATE TRAVEL COMMITTEE

### 2005 SCORE: 100%

**Members** Sens. Bruce Burns (*R-Sheridan*); Stan Cooper (*R-Kemmerer*); Mike Massie (*D-Laramie*); Tony Ross (*R-Cheyenne*); and Michael Von Flatern (*R-Gillette*).

Sen. Bruce Burns, a Sheridan Republican in his 11th year in the Legislature, took over the Senate Travel, Recreation, Wildlife and Cultural Resources Committee this year. Among the committee's four Republicans and one Democrat are residents of four of the five largest cities in the state's eastern half. The average committee member score this year was 93 percent, a full 21 points higher than the average senator's score.

WCV gives the 2005 Senate Travel Committee a 100 percent score, based on its passage of all five scorecard bills referred from the floor (SF 37, SF 41, SF 72, SF 149 and HB 82) and supported by WCV and/or other conservation groups.

Committee contact information is online at:  
<http://legisweb.state.wy.us/2005/Members/J06mem.htm>

## By the Numbers...

### Five Highest Counties by Average Score, 2005

85%	Carbon County
84%	Sweetwater County
82%	Laramie County
78%	Albany County
77%	Sheridan County

### Five Lowest Counties by Average Score, 2005

Goshen County	59%
Big Horn County	58%
Weston County	57%
Park County	55%
Crook County	50%

## ABOUT WYOMING CONSERVATION VOTERS

Wyoming Conservation Voters is the state's only sportsman and conservation organization devoted entirely to full-time lobbying and political action. We work to ensure Wyoming's wildlife and natural resource heritage in three ways:

- We help concerned sportsmen and conservationists communicate to the Legislature that it has a duty to protect Wyoming's environment, promote sound wildlife management, and provide public access to public lands.
- We lobby the Legislature year-round to give lawmakers information and analysis of bills affecting Wyoming's hunters and anglers, conservationists and natural resources.
- We assess and publicize legislators' performance on these issues every year so that voters can find out if they agree with the decisions their public servants are making on their behalf in Cheyenne.

WCV is an independent nonpartisan tax-exempt nonprofit organization under Chapter 501(c)(4) of the Internal Revenue Code. Headquartered in Casper, WCV is headed by a statewide volunteer Board of Directors (*see Page 2*) and managed by full-time staff. We are funded entirely by private donations, which are not tax-deductible. Our tax status exempts WCV from limits on what share of our resources we can use to lobby legislators and to characterize and publicize their voting records.

## FOR MORE INFORMATION

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