

ENROLLED ACT NO. 101, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2013 GENERAL SESSION

AN ACT relating to public lands; creating the task force on the transfer of federal lands; requiring a report from the attorney general on possible legal recourses available to compel the federal government to relinquish ownership and management of specified federal lands in Wyoming; requiring a study and report by the task force to the joint agriculture, state and public lands and water resources interim committee as specified; providing appropriations; and providing for an effective date.

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

Section 1.

(a) There is created a task force on the transfer of public lands consisting of the following members:

(i) Two (2) members of the Wyoming senate, appointed by the president of the senate. One (1) of the members shall be designated as cochairman;

(ii) Two (2) members of the Wyoming house of representatives, appointed by the speaker of the house. One (1) of the members shall be designated as cochairman;

(iii) Five (5) members appointed by the governor. One (1) of the members shall have a background in oil and gas production, one (1) shall have a background in mining, one (1) shall be a county commissioner, one (1) shall have a background in travel and recreation and one (1) shall have a background in agriculture.

(b) The task force shall be staffed by the legislative service office. The department of administration and information and the University of

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Wyoming school of energy resources shall serve in an advisory capacity to the task force and shall provide technical and other relevant information as requested. State agencies shall provide information and assistance to the task force as provided in this act and as requested by the task force.

(c) The task force shall study the following, as they relate to loss of revenues to the state of Wyoming due to federally owned and managed lands:

(i) Loss of property tax revenues to the state of Wyoming from federal land ownership;

(ii) Permitting delays associated with, or caused by, analysis of proposed actions on federal lands under the National Environmental Protection Act or other federal law or regulation;

(iii) Management of lands as wilderness;

(iv) Management of public lands under the National Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq.;

(v) Other relevant federal actions or policies the task force determines impacts revenues to the state of Wyoming.

(d) The attorney general shall report to the task force on the possible legal recourses available to the state of Wyoming to compel the federal government to transfer ownership and control of federally owned and managed lands to the state of Wyoming or to private individuals on or before September 1, 2013. The attorney general shall provide an opinion to the task force on the

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likelihood of success of each possible legal recourse available to require the United States to transfer title to federally owned and managed lands, considering constitutional provisions and applicable decisions of the United States Supreme Court and other courts of competent jurisdiction.

(e) The task force shall consider whether the state should offer to purchase land and mineral rights from the federal government subject to the following:

(i) The offer shall include all or part of the surface estate and mineral estate managed by the bureau of land management;

(ii) The offer shall include granting the federal government continuing mineral royalties at the current percentages without any requirement for federal management or right of oversight of those minerals other than the right to audit to ensure the federal government receives its share of the royalties;

(iii) The offer shall be structured to be financially attractive to both the state and federal government;

(iv) The offer shall pledge to maintain public access to the lands for hunting, fishing and recreation subject to closure for special circumstances including public safety and environmental sensitivity.

(f) The task force shall submit its recommendations, including proposed legislation with respect to the issues specified in subsection (c) and (d) of this section, to the joint agriculture, state and public lands and water resources interim committee no later than November 1, 2013.

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The joint agriculture, state and public lands and water resources interim committee shall consider the recommendations and develop legislation it deems appropriate for consideration by the legislature.

(g) The task force shall exist until December 31, 2013. Members of the task force who are not state employees or legislators shall not receive a salary but shall receive reimbursement for mileage and per diem expenses at the rate provided for legislators under W.S. 28-5-101. Members of the task force who are legislators shall be paid salary, per diem and mileage as provided in W.S. 28-5-101 for their official duties as members of the task force.

Section 2.

(a) There is appropriated from the general fund:

(i) Eighteen thousand dollars (\$18,000.00) to the legislative service office for payment of salary, per diem and mileage for legislative task force members;

(ii) Twelve thousand dollars (\$12,000.00) to the governor's office for payment of authorized per diem and mileage for nonlegislative task force members;

(iii) Three thousand dollars (\$3,000.00) to the office of the attorney general for accomplishing the purposes of this act including out of state travel to council of state governments-west meetings.

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk