

SENATE FILE NO. SF0066

State funded conservation easements-restrictions.

Sponsored by: Select Natural Resource Funding Committee

A BILL

for

1 AN ACT relating to state funded conservation easements;  
2 imposing requirements on recipients of state funds;  
3 specifying terms of the agreement between the state and  
4 fund recipients; prohibiting specified conditions for the  
5 receipt of funds; specifying applicability of the act; and  
6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 9-15-103 by creating new subsections  
11 (n) through (q) is amended to read:

12

13 **9-15-103. Wyoming wildlife and natural resource trust**  
14 **account created; income account created; expenditures;**  
15 **purposes.**

16

1       (n) Every conservation easement funded in whole or in  
2 part with monies made available by this act shall bind the  
3 parties thereto to an agreement which provides that the  
4 state of Wyoming is a third party beneficiary to the  
5 easement solely with the contingent right to enforce the  
6 terms of the easement if the grantee fails to enforce any  
7 of the terms of the easement. The agreement shall provide  
8 that if the easement is transferred for value, sold or  
9 extinguished without the consent of the board, the state of  
10 Wyoming shall have the right to either take legal action to  
11 enforce the terms of the easement or to recover from the  
12 proceeds of the transfer for value, sale or extinguishment,  
13 the state's pro rata share of the proceeds based on the  
14 funds the state provided for the creation of the easement.

15

16       (o) No funds shall be disbursed under this act for  
17 the purchase of easements which mandate specific livestock  
18 or crop management practices.

19

20       (p) No funds shall be disbursed under this act for  
21 the purchase of easements which prohibit the use of land  
22 for ranching or farming if the ranching or farming could be  
23 conducted, using current or future technologies and

1 techniques, without infringing on the underlying purpose of  
2 the easement.

3

4 (g) No funds shall be disbursed under this act for  
5 the purchase of easements which prohibit hunting, fishing  
6 or trapping.

7

8 **Section 2.** This act shall not expand or diminish the  
9 rights and obligations imposed on any party who received  
10 funds under W.S. 9-15-101 through 9-15-107 prior to  
11 December 31, 2013.

12

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

17

18

(END)