

SENATE FILE NO. SF0105

State control of certain land.

Sponsored by: Senator(s) Jennings and Representative(s)
Kroeker

A BILL

for

1 AN ACT relating to public lands; requiring a plan from the
2 Wyoming attorney general for the transfer and management of
3 federal lands as specified; requiring the plan to include
4 consideration of an offer to purchase federal lands;
5 amending definitions concerning which federal lands are
6 subject to the act; and providing for an effective date.

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

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10 **Section 1.** W.S. 36-12-102(b)(intro), (iv) and (v) and
11 by creating a new paragraph (vi), 36-12-108(c) and
12 36-12-109(a)(ii) through (iv) are amended to read:

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14 **36-12-102. Management.**

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1 (b) The ~~board of land commissioners~~ Wyoming attorney
2 general shall develop a plan for the transfer and
3 management of lands and minerals subject to this act. The
4 plan shall be developed in phases and the first phase shall
5 explore and report on the legal feasibility of developing
6 the plan and shall identify persons or entities that may
7 have research or other data that can assist in developing
8 the plan. This plan will be submitted to the governor and
9 legislature prior to January 1, ~~1983~~ 2012 and will be
10 subject to their approval. ~~Such a management plan shall~~
11 ~~consider~~ If the first phase is approved by the governor and
12 legislature, the plan shall be further developed to
13 complete an inventory of the lands affected within Wyoming
14 and to propose a timeline for enactment of the plan. This
15 portion of the plan shall be submitted to the governor and
16 the legislature no later than one (1) year after approval
17 of the first phase. If approved by the governor and
18 legislature, the plan shall then be finalized by adding the
19 following considerations which, when complete, shall be
20 submitted to the governor and legislature for final
21 approval:

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23 (iv) Conservation of lands for wildlife habitat
24 or recreational purposes; ~~and~~

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(v) Program regarding use or transfer of lands to municipalities and other governmental entities for public purposes; ~~and~~ and

(vi) Making the federal government an offer to purchase the lands.

36-12-108. Enforcement of provisions; civil actions; penalties; court of jurisdiction.

(c) Any person who attempts to exercise jurisdiction over land secured under this act in a manner not permitted by the laws of the state is guilty of a felony punishable by imprisonment for not less than two (2) years nor more than ten (10) years and a fine of not more than ten thousand dollars (\$10,000.00).

36-12-109. Definition.

(a) As used in this act "land" means all land and water within the exterior boundaries of the state of Wyoming except land and water:

1 (ii) To which title was held by the state or a
2 municipality in the state before March 1, ~~1980~~2012;

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4 (iii) Which is controlled by the United States
5 department of defense on March 1, ~~1980~~2012;

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7 (iv) Which was a congressionally designated
8 national park, national monument, land held in trust for
9 Indians, wildlife refuge or wilderness area established
10 prior to January 1, ~~1980~~2012.

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12 **Section 2.** This act is effective July 1, 2011.

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(END)