

SENATE FILE NO. SF0102

State lands-management.

Sponsored by: Senator(s) Bebout

A BILL

for

1 AN ACT relating to state lands; providing for the selection
2 for purchase or lease and the disposal of state lands held
3 by state agencies through the board of land commissioners;
4 giving director of office of state lands and investments
5 authority to make recommendations regarding purchase, lease
6 or disposal of lands; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 9-5-102 by creating a new subsection
11 (c), 9-5-105(b), 9-5-106(c), 11-10-107, 19-7-103(b)(x),
12 (xi), (xii) and (xvi), 36-3-102 by creating a new
13 subsection (d) and 36-4-104(a)(i) and (iii) are amended to
14 read:

15

1 **9-5-102. State building commission; authority to buy**
2 **and lease property; acceptance of donations, grants and**
3 **devises.**

4
5 (c) The selection for purchase or lease and the
6 disposal of all state lands, whether held in the name of
7 the state or in the name of a state agency other than the
8 department of transportation or the game and fish
9 commission, shall be vested in the state board of land
10 commissioners. Any amount received from the sale of any
11 state lands shall be credited to the general fund unless
12 otherwise directed by state or federal law.

13
14 **9-5-105. Purchase or lease of state lands and**
15 **buildings; state building commission authority.**

16
17 (b) Any state agency, assigned the operation,
18 management or use of a state leased or owned building by
19 statute shall follow rules of the state building commission
20 regarding ~~to~~the operation, management and use of the
21 building unless the agency adopts rules different than
22 those of the commission in accordance with the provisions
23 of W.S. 9-5-106. However, the selection for purchase or
24 lease or the disposal of state lands, where a state agency

1 other than the department of transportation or the game and
2 fish commission is assigned by statute the authority to
3 hold such lands, shall be vested in the board of land
4 commissioners as provided in W.S. 9-5-102(c).

5
6 **9-5-106. State building commission; powers relative**
7 **to use of state buildings; rules authorized; exceptions.**

8
9 (c) Any state agency, board or commission having
10 authority for the supervision, control or management of
11 state leased or owned buildings located anywhere in the
12 state of Wyoming is authorized to adopt rules and
13 regulations for the operation, management and use of state
14 leased or owned buildings to the same extent as provided by
15 subsections (a) and (b) of this section. However, the
16 selection for purchase or lease or the disposal of state
17 lands, where a state agency other than the department of
18 transportation or the game and fish commission is assigned
19 by statute the authority to hold such lands, shall be
20 vested in the board of land commissioners as provided in
21 W.S. 9-5-102(c).

22

1 11-10-107. Power of board to acquire land; authority
2 to make rules and regulations; renting and use of
3 fairgrounds; gambling and liquor prohibited.

4
5 In accordance with W.S. 9-5-102(c), the board may acquire
6 by donation or lease in the name of the state any lands
7 necessary for conducting the state fair, and may make all
8 rules and regulations necessary for the conduct and
9 government of the exhibitions, the sale of privileges, and
10 the proper control, operation and conduct of the state fair
11 not inconsistent with the constitution and laws of this
12 state. The board may rent out or donate the use of the
13 state fairgrounds for stabling and training stock and
14 holding stock sales. The grounds may be used free of
15 charge for encampment grounds for the state militia under
16 the direction of the adjutant general of the state. The
17 board may permit the grounds and facilities to be used for
18 other purposes and may charge fees as it deems necessary to
19 pay the expenses of maintaining the grounds and facilities.
20 The board shall not permit any gambling device of any
21 nature to be operated on the grounds, or permit any
22 unlawful betting, or permit any intoxicating liquors to be
23 sold thereon except as provided by W.S. 12-4-505.

24

1 19-7-103. Adjutant general; appointment; rank;
2 removal; duties and qualifications.

3

4 (b) The adjutant general of Wyoming shall have powers
5 and duties and be paid a salary as follows:

6

7 (x) In accordance with W.S. 9-5-102(c), he may
8 purchase for cash or upon contract or otherwise acquire
9 lands within Wyoming for use by the national guard or for
10 the use of other elements of the armed forces as an
11 artillery and target range and training and maneuvering
12 area. He may acquire lands for such purposes by eminent
13 domain when the state board of land commissioners gives its
14 written approval or consent;

15

16 (xi) In accordance with W.S. 9-5-102(c), he may
17 accept gifts of land for the purposes provided by paragraph
18 (x) of this subsection and may lease, or accept payment in
19 kind as consideration for any lease, any of the acquired
20 parcels of land or buildings during periods when the lands
21 are not in use for military purposes. He may acquire and
22 install on the land such permanent improvements, including
23 fences, as may be necessary for the full utilization of the
24 land for the military purposes herein declared;

1
2 (xii) In accordance with W.S. 9-5-102(c), he may
3 dispose of lands, buildings or fixtures under the control
4 of the department by sale, exchange or other transfer. He
5 may execute deeds for such transfers in the name of the
6 state. Money from such sale, exchange or transfer may be
7 utilized for the acquisition of additional lands, buildings
8 or fixtures within the same budget biennium. Any such
9 sale, exchange or other transfer shall be conducted in
10 accordance with the provisions of W.S. 36-9-101, 36-9-102
11 and 36-9-104 through 36-9-120, except these provisions of
12 W.S. title 36, chapter 9 shall not apply when both the
13 title to the land and to all buildings thereon is solely in
14 the name of the department or any division of the
15 department and the provisions of W.S. 9-2-1016(b)(viii)
16 also shall not apply when both the title to the land and to
17 all buildings thereon is solely in the name of the
18 department or any division of the department. The sections
19 of title 36 identified in this paragraph and W.S.
20 9-2-1016(b)(viii) also shall not apply when any such sale,
21 exchange or other transfer is to another governmental
22 entity, state agency or local government, as defined in
23 W.S. 1-39-103, even if the title to the land and to all

1 buildings thereon are not solely in the name of the
2 department or a division thereof;

3

4 (xvi) He shall control all armories that are
5 owned, erected, purchased, leased or provided by the state.

6 In accordance with W.S. 9-5-102(c), he may acquire, in the
7 name of the state of Wyoming, by purchase, donation or
8 dedication any property which may be used for military
9 purposes. For the control and management of armories
10 described in this paragraph, he may establish armory boards
11 whose personnel shall serve without pay. Subject to his
12 direction, armory boards shall control, manage and
13 supervise all activities in armories and may rent armories
14 to persons or organizations not connected with the
15 organized militia;

16

17 **36-3-102. Duties generally.**

18

19 (d) The director may make independent recommendations
20 to the board of land commissioners for the purchase, lease
21 or disposal of any land held or to be held in the name of
22 the state or any state agency other than the department of
23 transportation or the game and fish commission.

24

1 **36-4-104. Powers; interpretive service agreements.**

2

3 (a) The department of state parks and cultural
4 resources, in consultation with the commission, may,
5 subject to the provisions of this act:

6

7 (i) In accordance with W.S. 9-5-102(c), acquire
8 and accept title in the name of the state of Wyoming, by
9 grant, dedication, gift, devise, donation, or demise, to
10 any lands suitable as an outdoor recreation area or
11 facility;

12

13 (iii) In accordance with W.S. 9-5-102(c), take
14 options to purchase lands subject to the approval and
15 appropriation therefor of the next succeeding legislature;

16

17 **Section 2.** This act is effective July 1, 2012.

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19

(END)