

SENATE FILE NO. SF0011

State parks-acquisition and disposition of lands.

Sponsored by: Joint Travel, Recreation, Wildlife and
Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to state parks and cultural resources;
2 providing for de minimus acquisitions, disposals,
3 designations or removal of designations of state outdoor
4 recreational resources by the department without
5 legislative approval; providing for rulemaking; 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. 36-4-104(f) and 36-4-106(e), (f) and
11 by creating a new subsection (g) are amended to read:

12

13 **36-4-104. Powers; interpretive service agreements.**

14

15 (f) The department, in consultation with the
16 commission, may recommend that any outdoor recreation

1 ~~resource designated as a state park, public recreation~~
2 ~~ground, historical park, historical, archaeological,~~
3 ~~geological or ecological site~~ area and facility be no
4 longer designated as such or may recommend that it be
5 disposed of through sale, exchange, lease or assignment of
6 fee ownership. The recommendation for removal of the
7 designation or disposal shall follow application of the
8 criteria and procedures for accessioning areas or
9 facilities under W.S. 36-4-106(e), ~~and~~ (f) and (g).

10
11 **36-4-106. Plan for acquisition and development of**
12 **resources; authority of department; coordination of**
13 **activities; exceptions; agreements with United States;**
14 **state archaeologist.**

15
16 (e) The department of state parks and cultural
17 resources, in consultation with the commission shall
18 develop and maintain a comprehensive plan for the
19 acquisition, disposal and development of outdoor recreation
20 resources of the state. Criteria for evaluating resources
21 for acquisition, disposal and development as an outdoor
22 recreation area or facility under the plan shall be adopted
23 as rules in accordance with the Wyoming Administrative
24 Procedure Act.

1
2 (f) Except as provided in subsection (g) of this
3 section, prior to acquiring or accepting title to any lands
4 for an outdoor recreation area or facility or designating
5 or removing a designation of lands as an outdoor recreation
6 area or facility, or disposing of any property as provided
7 in W.S. 36-4-104(f), the department shall apply the site
8 criteria process developed pursuant to subsection (e) of
9 this section. The department shall consult with the
10 commission regarding the application of the site criteria
11 and may inform the joint travel, recreation, wildlife and
12 cultural resources interim committee regarding the
13 potential acquisition, ~~or~~ designation, disposal or removal
14 of designation. The department shall determine if the site
15 should be acquired or disposed of or the lands so
16 designated or removed from designation. After consultation
17 with the commission, if the department determines the site
18 should be acquired or disposed of or so designated or
19 removed from designation, it shall make the recommendation
20 to the joint travel, recreation, wildlife and cultural
21 resources interim committee. The committee shall prepare
22 legislation for the acquisition, disposal, removal from
23 designation or designation of lands as an outdoor

1 recreation area or facility as it determines appropriate
2 and necessary.

3
4 (g) The department may acquire, dispose of, designate
5 or remove from designation any lands for an outdoor
6 recreation area or facility without complying with the
7 provisions of subsection (e) or (f) of this section if:

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9 (i) The acquisition, disposal, designation or
10 removal of designation is de minimus in nature as provided
11 in department rule and regulation. "De minimus", as used
12 in this paragraph, means the property in question is less
13 than five (5) acres in size;

14
15 (ii) The action conforms to either the
16 department's mission or the current strategic plan of the
17 department;

18
19 (iii) The action conforms to the provisions of
20 the department's current master plan for the park or site
21 where the property is located; and

22
23 (iv) The action is presented to the joint
24 travel, recreation, wildlife and cultural resources interim

1 committee for informational purposes prior to completion of
2 the action.

3

4 **Section 2.** This act is effective July 1, 2010.

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6 (END)