

Sponsored By: Senator(s) Bebout, Christensen, Nicholas, P.
and Perkins and Representative(s) Berger,
Brown, Miller and Stubson

AN ACT relating to state lands; authorizing that the interest in certain state lands be sold to the United States Department of the Interior; authorizing an exchange of state lands for federal lands; authorizing a lease of state lands; providing terms for the sale or exchange; specifying termination of the authorization; continuing the state land exchange advisory panel; repealing previous authorizations; and providing for an effective date.

2/10/2016 Bill Number Assigned
2/11/2016 S Received for Introduction
2/12/2016 S Introduced and Referred to S12 - Rules 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Bebout, Boner, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas, P., Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2016 S12 - Rules:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Bebout, Craft, Nicholas, P., Perkins, Rothfuss

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2016 S Placed on General File

SF0088SS001/ADOPTED

Page 2-line 21 After "2010" insert ", and subject to the provisions of this act".

Page 3-line 20 After "." insert "The board shall sell both parcels in a single transaction unless the board determines that titles to both parcels are free from any and all easements or other encumbrances held by the United States department of the interior and that all necessary releases of any previously existing easement or encumbrance have been properly recorded. In exercising its authority to sell the parcels or to extend the time period for any sale under subsection (e) of this section, the board shall determine that the action is consistent with state trust land management objectives. The board shall include in its consideration the status of any pending environmental impact statement affecting the value of the parcels or any other state school trust lands and the impact of any federal moratorium on coal lease bonus payments which

otherwise would be distributed under W.S. 9-4-601(b) to the school capital construction account.".

Page 4-line 2 Delete "ten million".

Page 4-line 3 Delete through "(\$10,000,000.00)" insert "five hundred thousand dollars (\$500,000.00)".

Page 4-line 4 After "property." delete "The".

Page 4-lines 5 and 6 Delete.

Page 7-after line 20 Insert:

"(g) The limitations regarding the sale of parcels in section 1 of this act shall apply to any exchange under section 2 of this act.".

NICHOLAS, P., CHAIRMAN

SF0088SW001/FAILED

Page 1-line 5 After "authorization;" insert "authorizing the acceptance of other bids upon termination of the authorization for the sale or exchange of lands with the Department of Interior;".

Page 4-after line 8 Insert:

"(f) If the parcels of lands specified in this section are not sold or exchanged by December 31, 2018, the board of land commissioners may accept sealed bids from private parties for the sale of either or both parcels of land in accordance with conditions to be specified by the legislature.".

HICKS

2/18/2016 S COW:Passed

2/19/2016 S 2nd Reading:Passed

2/22/2016 S 3rd Reading:Laid Back

SF0088S3001/ADOPTED

Page 3-line 20 Delete the First Senate Standing Committee Amendment to this line (SF0088SS001/A); after "." insert:

"The board shall sell both parcels in a single transaction unless, if the Antelope Flats parcel is conveyed first, as part of the conveyance the department of the interior:

(i) Releases any scenic right of way easement on the Kelly parcel and any other encumbrance on the parcel held by the United States department of the interior at the time of the conveyance;

(ii) Releases any easement on the Kelly parcel providing a right of way for a public road on that parcel, held by the United States department of the interior, beyond the minimum width required for a public road under Wyoming law; and

(iii) Conveys to the state of Wyoming a right of way for a public road on the Kelly parcel of the minimum width required for a public road under Wyoming law, and agrees to maintain a public road on the Kelly parcel.".

Page 4-after line 8 Insert:

"(f) In exercising its authority to sell the parcels or to extend the time period for any sale under subsection (e) of this section, the board shall determine that the action is consistent with state trust land management objectives. The board shall include in its consideration the status of any pending environmental impact statement affecting the value of the parcels or any other state school trust lands and the impact of any federal moratorium on coal lease bonus payments which otherwise would be distributed under W.S. 9-4-601(b) to the school capital construction account.".

Renumber as necessary. BEBOUT, NICHOLAS, P.

2/23/2016 S 3rd Reading:Passed 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Bebout, Boner, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas, P., Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/24/2016 H Received for Introduction

2/25/2016 H Introduced and Referred to H06 - Travel

2/26/2016 H06 - Travel:Recommend Amend and Do Pass 6-2-1-0-0

ROLL CALL

Ayes: Representative(s) Baldwin, Barlow, Freeman, Kirkbride, Petroff, Schwartz

Nays: Representative(s) Laursen, Steinmetz

Excused: Representative Clem

Ayes 6 **Nays** 2 **Excused** 1 **Absent** 0 **Conflicts** 0

2/26/2016 H Placed on General File

SF0088HS001/ADOPTED (TO ENGROSSED COPY)

Page 3-line 22 Delete "if the".

Page 4-lines 1 through 18 Delete entirely and insert:

"as part of any sale of one (1) of the parcels the following conditions are met:

(i) The board shall retain the deed for the first purchased parcel and the department of the interior shall pay not less than one-half (1/2) of the agreed purchase price for that parcel not later than December 31, 2016. Any funds received by the state under this paragraph shall be held by the state treasurer in an account subject to the provisions of this paragraph. The deed for the parcel shall not be conveyed to the department of the interior until an agreement is reached to sell both parcels to the department of the interior, with the conveyances to be completed before the termination period specified in this act, including any extension period granted under subsection (e) of this section. If the conveyances are not completed by that termination period, as extended, all monies paid by the department of the interior to the state under this paragraph shall be refunded to the department and are appropriated from the account for that purpose. Any earnings on the funds paid to the state under this paragraph shall be credited to the common school account within the permanent land income fund;

(ii) In addition to the requirements of paragraph (i) of this subsection, a deposit for purchase of the Kelly parcel of two million five hundred thousand dollars (\$2,500,000.00) is paid to the state of Wyoming prior to December 31, 2016. Any funds received by the state under this paragraph shall be held by the state treasurer in an account subject to the provisions of this paragraph. The deposit shall be credited to any subsequent conveyance of the Kelly parcel under this act. If the Kelly parcel conveyance is not completed before the termination period specified in this act, including any extension termination period, all monies paid to the state under this paragraph shall be refunded and are appropriated from the account for that purpose. Any earnings on the funds paid to the state under this

paragraph shall be credited to the common school account within the permanent land income fund;

(iii) The department of the interior conveys to the state of Wyoming a right of way easement on the Kelly parcel for a public road at least thirty (30) feet wide, and agrees to maintain a public road of that width on the Kelly parcel."

Page 5-line 10 Delete "shall" insert "may".

Page 5-line 11 Delete "impact statement" insert "review".
PETROFF, CHAIRMAN

2/29/2016 H COW:Passed

SF0088H2001/ADOPTED (TO ENGROSSED COPY)
(CORRECTED CORRECTED COPY)

Page 4-lines 1 through 18 In the standing committee amendment (SF0088HS001/AE) to these lines, delete paragraph (d)(iii) created by that amendment and insert:

"(iii) The state of Wyoming shall reserve a right of way easement on or across the Kelly parcel for the maintenance of a public road of up to one hundred (100) feet in width which the department of the interior shall agree to maintain as a condition of the sale.". BARLOW, PETROFF

3/1/2016 H 2nd Reading:Passed

SF0088H3001/ADOPTED (TO ENGROSSED COPY)

Delete the Barlow et al. second reading amendment (SF0088H2001/ACCE) entirely and further amend as follows:

Page 4-lines 1 through 18 In the standing committee amendment (SF0088HS001/AE) to these lines, delete paragraph (d)(iii) created by that amendment and insert:

"(iii) The state of Wyoming shall reserve a right of way easement on or across the Kelly parcel of up to one hundred (100) feet in width. As a condition of the sale, the department of the interior shall agree to maintain any public roads currently existing within the easement.". LARSEN

SF0088H3002/FAILED (TO ENGROSSED COPY)

Page 1-line 1 After "lands;" delete balance of the line.

Page 1-line 2 Delete entirely.

Page 1-line 3 Delete the line through "Interior;".

Page 1-line 4 Delete "sale or".

Page 2-lines 16 through 23 Delete entirely.

Page 3-lines 1 through 22 Delete entirely.

Page 4-lines 1 through 23 Delete entirely including the standing committee amendment (SF0088HS001/AE) and the Barlow et al. second reading amendment (SF0088H2001/AE) to these lines.

Page 5-lines 1 through 20 Delete entirely including the standing committee amendment (SF0088HS001/AE) to these lines.

Page 5-line 21 Delete "this act," insert "(b)".

Page 6-line 1 After "state" insert ", on a dollar for dollar basis of equivalent federal land and mineral rights".

Page 6-line 6 After "appraiser." Delete balance of the line.
 Page 6-lines 7 through 10 Delete entirely.
 Page 6-line 12 Delete "(b)" insert "(c)".
 Page 6-line 21 Delete "(c)" insert "(d)".
 Page 7-line 6 Delete "(d)" insert "(e)".
 Page 7-line 17 Delete "(e)" insert "(f)".
 Page 8-line 13 Delete "(f)" insert "(g)".
 Page 9-lines 6 through 23 Delete entirely.
 Page 10-lines 1 through 3 Delete entirely.
 Page 10-line 5 Delete "Section 4." insert "Section 2."
 Page 10-line 8 Delete "Section 5." insert "Section 3." EDWARDS

SF0088H3003/ADOPTED (TO ENGROSSED COPY)

Delete the Edwards third reading amendment (SF0088H3002/AE) entirely and further amend as follows:

Page 4-line 22 Delete "two (2)" insert "three (3)"; delete
 "2018" insert "2019".
 Page 5-line 1 Delete "two (2)" insert "three (3)". BARLOW

SF0088H3004/ADOPTED (TO ENGROSSED COPY)
(CORRECTED COPY)

Page 10-After line 3 Insert:

"Section 4. In addition to the authority granted under sections 1 through 3 of this act, the board of land commissioners is authorized to enter into a lease with the United States Department of the Interior for the state parcels. The terms of a lease entered into under this section shall not exceed ninety-nine (99) years. In exercising the authorization under this section, the board shall consult with the state land exchange advisory panel and receive the panel's written advice before agreeing to the terms of the lease. The board shall consider the state trust land management objectives, the estimated value of the lease and the projected future benefits or detriments of entering into a lease in lieu of cash or an exchange of property. Any funds received as a result of a lease entered into under this section shall be deposited in the common school account within the permanent land fund."

Page 10-line 5 Delete "4" insert "5".
 Page 10-line 8 Delete "5" insert "6". HARSHMAN

3/2/2016 H 3rd Reading:Passed 42-15-3-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baldwin, Barlow, Berger, Blackburn, Blake, Brown, Burkhart, Byrd, Campbell, Cannady, Connolly, Dayton, Eklund, Esquibel, K., Freeman, Greear, Halverson, Harshman, Harvey, Hunt, Kasperik, Kinner, Kirkbride, Krone, Larsen, Lockhart, Madden, Miller, Moniz, Nicholas, B., Northrup, Paxton, Pelkey, Petroff, Pownall, Schwartz, Sommers, Stubson, Walters, Wilson, Winters

Nays: Representative(s) Baker, Clem, Edmonds, Edwards, Jaggi, Jennings, Kroeker, Laursen, Lindholm, Loucks, McKim, Piiparinen, Reeder, Steinmetz, Zwonitzer, Dn.

Excused: Representative(s) Gay, Throne, Zwonitzer, Dv.

Ayes 42 **Nays** 15 **Excused** 3 **Absent** 0 **Conflicts** 0

3/3/2016 S Received for Concurrence

3/3/2016 S Concur:Failed 0-29-1-0-0

ROLL CALL

Nays: Senator(s) Anderson, Barnard, Bebout, Boner, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas, P., Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Excused: Senator Hastert

Ayes 0 **Nays** 29 **Excused** 1 **Absent** 0 **Conflicts** 0

3/3/2016 S Appointed JCC01 Members
 Senator(s) Bebout, Coe, Wasserburger
3/3/2016 H Appointed JCC01 Members
 Representative(s) Petroff, Barlow, Zwonitzer, Dn.
3/4/2016 S Adopt JCC #1
3/4/2016 S postponed indefinitely