

ENROLLED ACT NO. 32, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to state parks and cultural resources; requiring uniform procedures, forms, contract provisions and other requirements between the department of state parks and cultural resources and vendors in state parks; requiring rulemaking; specifying applicability; and providing for effective dates.

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

Section 1. W.S. 36-4-110 is amended to read:

36-4-110. Power to lease or rent concessions.

(a) The department, in consultation with the commission, is empowered to lease, enter into contracts and assess fees for concessions, cabin sites, boat clubs, and other services of all lawful kinds and nature on state outdoor recreation areas or facilities to persons, partnerships, and corporations for a valuable consideration upon ~~such~~ terms and conditions as the department deems fit and proper. Funds received by the department pursuant to this section shall be deposited and expended in accordance with W.S. 36-4-121(h).

(b) The department, with the advice of the commission, shall promulgate rules that shall apply to any for profit business concession with a five (5) year or greater contract or lease term to promote the uniform and effective administration of state outdoor recreation areas and facilities. Rules adopted under this subsection shall specify:

(i) Uniform procedures for bidding, entering into leases or contracts and assessing fees under this section, consistent with W.S. 9-2-1016(b)(iv), and making any forms available in electronic format on the department website;

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(ii) Uniform guidelines for bonding and other obligations of service providers;

(iii) Uniform contract and lease guidelines, including ranges within which to negotiate contract or lease terms including the duration of contracts and leases; and

(iv) Any additional and prudent site-specific conditions and requirements.

Section 2. The department of state parks and cultural resources shall promulgate rules necessary to implement this act on or before December 31, 2019.

Section 3.

(a) This act and the rules required under this act shall apply to all new, renewed or renegotiated contracts or leases with for profit business concessions that have a five (5) year or greater contract or lease term provided that:

(i) Any existing contract or lease shall expire when its current term ends without renewal and any new or replacement contract or lease shall comply with this act and any rules required under this act;

(ii) For any existing contract or lease that expires between the effective date of this section and January 1, 2020, no new or replacement contract or lease shall be executed except that an interim contract or lease may be managed on a month to month basis subject to paragraph (iii) of this subsection;

(iii) Any expired contract or lease that is being managed on a month to month basis shall terminate on or before

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January 1, 2020 and any new or replacement contract or lease shall comply with this act and any rules required under this act.

Section 4.

(a) Except as provided in subsection (b) of this section, this act is effective January 1, 2020.

(b) Sections 2 and 3 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk