



HB0003

State land leases.

Sponsored By: Joint Agriculture, State and Public Lands & Water
Resources Interim Committee

AN ACT relating to state lands; specifying the preference for leases of state lands; conforming a related provision; and providing for an effective date.

12/9/2021 Bill Number Assigned
2/11/2022 H Received for Introduction
2/14/2022 H Introduced and Referred to H05 - Agriculture 59-0-1-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Bear, Blackburn, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Fortner, Gray, Greear, Hallinan, Haroldson, Heiner, Henderson, Jennings, Kinner, Knapp, Larsen, L, Laursen, D, Lebeau, Macguire, Neiman, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Styvar, Sweeney, Walters, Washut, Western, Wharff, Williams, Wilson, Winter, Yin, Zwonitzer

Excused: Representative Harshman

Ayes 59 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/18/2022 H05 - Agriculture:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Clausen, Eklund, Fortner, Laursen, Western, Wharff, Winter

Nays: Representative Heiner

Ayes 8 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/18/2022 H Placed on General File

HB0003HS001/ADOPTED (CORRECTED COPY)

Page 1-line 2 After "lands;" delete balance of line.

Page 1-line 3 Delete line through "preference;".

Page 2-lines 1 through 13 Delete entirely and insert:

"(b) ~~In leasing vacant lands, preference shall in all cases be given to applicants who are bona fide resident citizens of the state~~ No applicant shall be qualified to lease vacant lands unless that applicant is qualified under the provisions of W.S. 36-5-101, ~~and to persons or legal entities authorized to transact business in the state, having~~ has actual and necessary use for the land and ~~who are the owners, lessees or lawful occupants of adjoining lands, who offer offers~~ to pay an annual rental at not less than fair market value, as determined by the economic analysis pursuant to W.S. 36-5-101(b), for the ~~use of the forage or other commodity available annually on same or similar use of~~ the land for a period of ten (10) years ~~and who have not been found to have significantly violated any laws or regulations related to state lands. Also in leasing vacant lands:~~".

Page 2-line 18 Delete line through "board".

Page 3-line 12 Delete "at a live auction".

Page 4-line 3 Delete "by mail" and insert "directly".

Page 4-line 4 Delete "of record" and insert "as recorded within the county assessor's office". EKLUND, CHAIRMAN

2/22/2022 H COW:Passed
2/23/2022 H 2nd Reading:Laid Back

HB0003H2001/ADOPTED

Page 2-lines 1 through 13 In the House standing committee amendment (HB0003HS001/AC) to these lines, in subsection (b) created by that amendment, after "necessary use for the land" insert ", has or can gain access to the land"; after "(10) years and who" delete "have" and insert "has".

Page 2-line 15 After "(i)" delete balance of line.

Page 2-line 16 Delete "subsection, preference" and insert "Preference".

Page 2-line 17 After "lands" insert "."

Page 2-line 18 Delete entirely including the House standing committee amendment (HB0003HS001/AC) to this line.

Page 2-lines 20 and 21 Delete entirely.

Page 2-line 22 Delete "beneficiaries, the" and insert "The".

Page 4-line 1 Delete "(iii)" and insert "(ii)".

Page 4-line 7 Delete "(iv)" and insert "(iii)".

Page 5-line 20 After "provided." insert "As used in this section, preferred right means as defined in W.S. 36-5-105(h)." EKLUND, CRAGO

2/24/2022 H 2nd Reading:Passed
2/25/2022 H 3rd Reading:Passed 57-0-3-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Banks, Barlow, Bear, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Fortner, Gray, Greear, Hallinan, Haroldson, Harshman, Heiner, Henderson, Jennings, Kinner, Knapp, Larsen, L, Laursen, D, Lebeau, Macguire, Neiman, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Styvar, Sweeney, Walters, Washut, Western, Wharff, Williams, Wilson, Winter, Yin, Zwonitzer

Excused: Representative(s) Baker, Blackburn, Stith

Ayes 57 **Nays** 0 **Excused** 3 **Absent** 0 **Conflicts** 0

2/25/2022 S Received for Introduction
3/1/2022 S Introduced and Referred to S05 - Agriculture
3/2/2022 S05 - Agriculture:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Bouchard, French, Kost, Wasserburger
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

3/2/2022 S Placed on General File

HB0003SS001/FAILED (TO ENGROSSED COPY)

Page 2-lines 16 through 19 Delete entirely, renumber as necessary and insert:

"(i) Subject to paragraph (ii) of this subsection, preference shall be given to applicants who are the owners, lessees or lawful occupants of adjoining lands and who are in good standing with the board;

"(ii) When the board determines a preference is in the best interest of trust beneficiaries, the preference shall be administered as set forth in this paragraph:".

Page 3-line 20 Delete "(ii)" and insert "(iii)".

Page 4-line 4 Delete "(iii)" and insert "(iv)".
BONER, CHAIRMAN

3/3/2022 S COW:Passed

HB0003S2001/ADOPTED (TO ENGROSSED COPY)

Page 2-line 18 After "lands" insert ", unless the board determines that the preference should not be given for good cause".
BONER

3/4/2022 S 2nd Reading:Passed

HB0003S3001/ADOPTED (TO ENGROSSED COPY)

Page 2-line 18 In the Boner second reading amendment (HB0003S2001/AE) to this line, delete "given" and insert "recognized".
BONER

3/7/2022 S 3rd Reading:Passed 24-3-1-0-2

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Cooper, Dockstader, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Salazar, Schuler, Steinmetz, Wasserburger

Nays: Senator(s) Case, Ellis, Rothfuss

Excused: Senator Perkins

Conflicts: Senator(s) Driskill, Scott

Ayes 24 **Nays** 3 **Excused** 1 **Absent** 0 **Conflicts** 2

3/7/2022 H Received for Concurrence

3/8/2022 H Concur:Failed 15-43-2-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Burt, Connolly, Eklund, Eyre, Heiner, Kinner, Nicholas, Obermueller, Romero-Martinez, Sherwood, Simpson, Sweeney, Wharff, Wilson

Nays: Representative(s) Baker, Banks, Barlow, Bear, Blackburn, Brown, Burkhart, Clausen, Crago, Duncan, Flitner, Fortner, Gray, Hallinan, Haroldson, Harshman, Henderson, Jennings, Knapp, Larsen, L, Laursen, D, Lebeau, Macguire, Neiman, Newsome, Oakley, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Roscoe, Schwartz, Sommers, Stith, Styvar, Walters, Washut, Western, Williams, Winter, Yin, Zwonitzer

Excused: Representative(s) Greear, O'hearn

Ayes 15 **Nays** 43 **Excused** 2 **Absent** 0 **Conflicts** 0

3/8/2022 H Appointed JCC01 Members
Representative(s) Eklund, Crago, Sommers
3/8/2022 S Appointed JCC01 Members
Senator(s) Boner, Case, Kost
3/9/2022 H Adopted HB0003JC001: 56-2-2-0-0

HB0003JC001/HADOPTEDSADOPTED (TO ENGROSSED COPY)

Adopt the following Senate amendments:

HB0003S2001/A

HB0003S3001/A

Further amend the ENGROSSED COPY as follows:

Page 4-after line 2 Insert and renumber as necessary:

"(iii) If the board determines good cause exists not to recognize a preference under paragraph (i) of this subsection, the board shall issue written notice to the applicant who is not being given a preference. The notice shall include the board's statement of good cause not to recognize the preference and the opportunity to request a hearing to appeal the determination in accordance with the Wyoming Administrative Procedure Act. The board shall have the burden to demonstrate the good cause not to recognize the preference."

Page 4-line 4 Delete "(iii)" and insert "(iv)". EKLUND, CRAGO, SOMMERS, BONER, KOST

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Bear, Blackburn, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Gray, Hallinan, Haroldson, Harshman, Heiner, Henderson, Jennings, Kinner, Knapp, Larsen, L, Lebeau, Macguire, Neiman, Newsome, Nicholas, Oakley, Obermueller, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Styvar, Sweeney, Walters, Washut, Western, Wharff, Williams, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Fortner, Laursen, D

Excused: Representative(s) Greear, O'hearn

Ayes 56 **Nays** 2 **Excused** 2 **Absent** 0 **Conflicts** 0

3/10/2022 S Adopted HB0003JC001: 25-2-1-0-2

HB0003JC001/HADOPTEDSADOPTED (TO ENGROSSED COPY)

Adopt the following Senate amendments:

HB0003S2001/A

HB0003S3001/A

Further amend the ENGROSSED COPY as follows:

Page 4-after line 2

Insert and renumber as necessary:

"(iii) If the board determines good cause exists not to recognize a preference under paragraph (i) of this subsection, the board shall issue written notice to the applicant who is not being given a preference. The notice shall include the board's statement of good cause not to recognize the preference and the opportunity to request a hearing to appeal the determination in accordance with the Wyoming Administrative Procedure Act. The board shall have the burden to demonstrate the good cause not to recognize the preference."

Page 4-line 4

SOMMERS, BONER, KOST

Delete "(iii)" and insert "(iv)". EKLUND, CRAGO,

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Perkins, Salazar, Schuler, Steinmetz, Wasserburger

Nays: Senator(s) Case, Rothfuss

Excused: Senator Pappas

Conflicts: Senator(s) Driskill, Scott

Ayes 25 **Nays** 2 **Excused** 1 **Absent** 0 **Conflicts** 2

3/10/2022 Assigned Number HEA No. 0049
3/10/2022 H Speaker Signed HEA No. 0049
3/10/2022 S President Signed HEA No. 0049
3/16/2022 Governor Signed HEA No. 0049
3/16/2022 Assigned Chapter Number 89

Chapter No. 89 Session Laws of Wyoming 2022