

HOUSE BILL NO. HB0139

Protecting Wyoming's land and water resources.

Sponsored by: Representative(s) Ottman, Bear, Blackburn, Duncan, Fortner, Haroldson, Heiner, Laursen, Neiman, Romero-Martinez, Washut and Williams and Senator(s) Driskill and Hutchings

A BILL

for

1 AN ACT relating to the administration of government;
2 providing legislative findings; specifying duties and
3 restrictions for state agencies and governmental entities
4 in response to a federal executive order that requires
5 conservation efforts by 2030; prohibiting the use of
6 funding and resources as specified; and providing for an
7 effective date.

8

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

10

11 **Section 1.**

12

13 (a) The legislature finds that:

14

1 (i) Wyoming has a long tradition of conserving
2 its land and natural resources while responsibly promoting
3 multiple uses of land, maintaining wildlife habitat and
4 preserving resources;

5

6 (ii) Wyoming's farmers and ranchers have
7 consistently and dutifully cared and continue to care for
8 the land and water in Wyoming, and are the original
9 conservationists and good stewards of Wyoming's abundant
10 resources;

11

12 (iii) Wyoming has always held private property
13 rights in the highest regard, including enshrining certain
14 rights and protections for private property owners in
15 article 1, sections 32, 33 and 39 of the Wyoming
16 Constitution;

17

18 (iv) The principles of private property
19 ownership have been critical to the success of Wyoming's
20 top industries, including agriculture and mining;

21

1 (v) On January 27, 2021, President Joseph R.
2 Biden, Jr. enacted Executive Order 14,008, entitled
3 "Tackling the Climate Crisis at Home and Abroad";

4

5 (vi) Section 216 of the executive order
6 establishes a goal of "conserving at least 30 percent of
7 our lands and waters by 2030";

8

9 (vii) Achieving the goal of conserving thirty
10 percent (30%) of the nation's land and water by 2030 would
11 require conserving a land area several times larger than
12 the size of Wyoming;

13

14 (viii) The federal government's thirty percent
15 (30%) conservation goal would interfere with the states'
16 constitutional and traditional power over land and water
17 uses;

18

19 (ix) A federal conservation mandate of this
20 magnitude has great potential to devastate Wyoming's
21 economy and industries; and

22

1 (x) The people of the state of Wyoming oppose
2 federal overreach and believe that the state has the
3 authority and duty to manage and maintain Wyoming's land
4 and water resources and to ensure their productivity for
5 years to come.

6

7 **Section 2.** W.S. 9-14-104 is created to read:

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9 **9-14-104. Limitations on efforts and the expenditure**
10 **of public funds for federal conservation efforts.**

11

12 (a) As used in this section, "governmental entity"
13 means the state of Wyoming, any state agency and any local
14 governmental entity.

15

16 (b) Each governmental entity in Wyoming shall take
17 all reasonable steps necessary to resist and prevent the
18 federal government's attempt to usurp the state of
19 Wyoming's authority as the federal government attempts to
20 implement section 216 of Executive Order 14,008.

21

22 (c) The department of revenue shall:

23

1 (i) Host not less than three (3) workshops to
2 help county commissioners, assessors and treasurers
3 understand the tax consequences of conservation easements
4 and preservation easements;

5

6 (ii) In consultation with each county assessor
7 and the Wyoming wildlife and natural resource trust, work
8 to identify existing conservation easements in Wyoming and
9 maintain an inventory of conservation easements to assist
10 county assessors in accurately determining land values for
11 purposes of assessment and taxation.

12

13 (d) The department of agriculture shall:

14

15 (i) Develop and maintain on its website a list
16 of local governmental entities that have passed resolutions
17 opposing the goal expressed in section 216 of federal
18 executive order 14,008 of conserving thirty percent (30%)
19 of the nation's land and water resources;

20

21 (ii) Develop and maintain on its website a list
22 of local governmental entities that have passed resolutions
23 supporting or otherwise voting to endorse the goal of

1 conserving thirty percent (30%) of the nation's land and
2 water resources;

3

4 (iii) Coordinate with the United States
5 department of agriculture to ensure that the United States
6 department of agriculture is seeking the required local and
7 state approvals for conservation easements related to the
8 federal agriculture conservation easement program, the
9 federal working lands for wildlife program, the federal
10 wetlands reserve program and other federal programs that
11 provide for or authorize conservation or preservation
12 easements.

13

14 (e) The director of the department of agriculture is
15 hereby designated as Wyoming's state coordinator for the
16 climate task force established in section 4 of the federal
17 department of the interior secretarial order 3399,
18 promulgated on April 16, 2021.

19

20 (f) Except as otherwise provided in this section, no
21 governmental entity shall use public funds or staff
22 resources for projects that involve perpetual conservation
23 easements. Nothing in this subsection shall:

1

2 (i) Preclude any holder defined in W.S.
3 34-1-201(b)(ii)(B) from seeking or creating a conservation
4 easement under the Uniform Conservation Easement Act;

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6 (ii) Preclude or prohibit the Wyoming wildlife
7 and natural resource trust account board from entering into
8 agreements for the creation of conservation easements in
9 accordance with the Wyoming Wildlife and Natural Resource
10 Funding Act.

11

12 (g) Any state governmental entity shall seek the
13 approval of the governor before using public funds or staff
14 resources for projects involving a conservation easement
15 with a specified term of years.

16

17 **Section 3.** This act is effective immediately upon
18 completion of all acts necessary for a bill to become law
19 as provided by Article 4, Section 8 of the Wyoming
20 Constitution.

21

22

(END)