



HB0022

State land lease deficiencies-cure process.

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

AN ACT relating to state lands; providing for notification of noncompliance in a state land lease renewal; providing opportunities for compliance; conforming time frames for lessee compliance; and providing for an effective date.

12/7/2022 Bill Number Assigned
1/6/2023 H Received for Introduction
1/12/2023 H Introduced and Referred to H05 - Agriculture
1/24/2023 H05 - Agriculture:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Banks, Conrad, Crago, Davis, Eklund, Slagle, Winter

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/24/2023 H Placed on General File

HB0022HS001/ADOPTED

Page 1-line 14 After "(a)" insert "Upon notice via certified mail from the office of state lands and investments,".

Page 2-line 11 After "shall" delete balance of line.

Page 2-line 12 Delete entirely.

Page 2-line 13 Delete "section,".

Page 2-line 19 After "writing" insert "via certified mail".

Page 3-line 21 After "lessee" delete balance of line.

Page 3-line 22 Delete line through "section," and insert "via certified mail".

Page 4-line 2 Delete "complete".

Page 4-line 5 After "36-5-105(c)." insert "Within ten (10) days of receipt of the lease renewal application, the office of state lands and investments shall notify the current lessee via certified mail if the renewal application is incomplete, deficient or otherwise causes the office of state lands and investments concern regarding possible lease renewal. The current lessee shall have not less than twenty (20) days from the receipt of the notice to file a corrected renewal application.".

Page 4-line 14 Reinsert stricken "on"; delete "not less than".

Page 4-line 15 Delete line through "before". EKLUND, CHAIRMAN

1/26/2023 H COW:Passed
1/27/2023 H 2nd Reading:Passed

1/30/2023 H 3rd Reading:Passed 61-0-1-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Stith, Storer, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Excused: Representative Wylie

Ayes 61 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

1/30/2023 S Received for Introduction

1/31/2023 S Introduced and Referred to S05 - Agriculture

2/15/2023 S05 - Agriculture:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) French, Hicks, Ide, Kolb, Steinmetz

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

2/15/2023 S Placed on General File

HB0022SS001/ADOPTED (TO ENGROSSED COPY)

That Substitute No. 1 for HB0022 Engrossed DO PASS. STEINMETZ, CHAIRMAN

2/15/2023 S COW:Passed

HB0022S2001/ADOPTED

(TO SUBSTITUTE BILL No. 1)

Page 3-line 5 Delete "certified".

Page 3-line 15 Delete "certified". HICKS

2/16/2023 S 2nd Reading:Passed

2/17/2023 S 3rd Reading:Passed 27-1-1-0-2

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Boner, Bouchard, Brennan, Case, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, Rothfuss, Salazar, Schuler

Nays: Senator Biteman

Excused: Senator Steinmetz

Conflicts: Senator(s) President Driskill, Scott

Ayes 27 **Nays** 1 **Excused** 1 **Absent** 0 **Conflicts** 2

2/21/2023 H Received for Concurrence

2/21/2023 H Concur:Failed 2-59-1-0-0

ROLL CALL

Ayes: Representative(s) Singh, Styvar

Nays: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Jennings, Knapp,

Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Slagle, Smith, Speaker Sommers, Stith, Storer, Strock, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Excused: Representative Brown

Ayes 2 Nays 59 Excused 1 Absent 0 Conflicts 0

2/21/2023 H Appointed JCC01 Members
Representative(s) Eklund, Crago, Davis
2/22/2023 S Appointed JCC01 Members
Senator(s) Steinmetz, Boner, Hicks
2/28/2023 H Adopted HB0022JC001: 61-0-1-0-0

HB0022JC001/HADOPTEDSADOPTED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0022SS001/A

HB0022S2001/A

Further amend the ENGROSSED COPY as follows:

Page 1-lines 14 and 15 Delete all new language.

Page 2-line 5 Delete all new language.

Page 2-lines 6 through 22 Delete entirely.

Page 3-lines 1 through 12 Delete entirely and insert "For the renewal of outstanding leases for grazing and agricultural lands under this subsection, the office of state lands and investments shall have the following duties:

(i) The office shall provide notice by certified mail to all existing lessees of the expiration of their leases not earlier than one hundred twenty (120) days prior to the expiration of the lease;

(ii) The office shall provide notice of a missing or deficient application for lease renewal to the lessee not later than forty (40) days before the expiration of the existing lease. The notice required by this paragraph shall:

(A) Be made by certified mail unless an equally effective, alternative form of delivery is approved by the office for the particular lessee to whom notice will be delivered;

(B) Identify the deficiencies in the application for lease renewal or provide notice that no application for renewal has been filed;

(C) Provide the lessee not less than thirty (30) days from receipt of the notice to file a lease renewal application or to remedy all deficiencies in the lessee's renewal application;

(D) Provide notice that the lessee's failure to submit a renewal application or to remedy all deficiencies in the lessee's renewal application before expiration of the lease may result in the leased lands becoming vacant."

Page 4-lines 2 through 12 Delete entirely and insert "together with payment of the first year's rental that meets the highest bid offered by another qualified applicant as provided in W.S. 36-5-105(c). For renewal of outstanding leases for grazing and agricultural lands under this subsection, the office of state lands and investments shall have the following duties:

(i) The office shall provide notice of a deficient application for lease renewal to the lessee not later than ten (10) days after the filing of a lease renewal application by an existing lessee. The notice required by this paragraph shall:

(A) Be made by certified mail unless an equally effective, alternative form of delivery is approved by the office for the particular lessee to whom notice will be delivered;

(B) Identify the deficiencies in the application for lease renewal;

(C) Provide the lessee not less than twenty (20) days from receipt of the notice to remedy all deficiencies in the lessee's renewal application;

(D) Provide notice that the lessee's failure to remedy all deficiencies in the lessee's renewal application may result in the rejection of the application."

Page 4-line 21 Strike "the director" and insert "state lands and investments".

Page 4-line 23 Strike "director" and insert "office".

Page 5-line 6 Strike "director" and insert "office". EKLUND, CRAGO, DAVIS, STEINMETZ, BONER, HICKS

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Stith, Storer, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Excused: Representative Henderson

Ayes 61 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/28/2023 S Adopted HB0022JC001: 25-4-0-0-2

HB0022JC001/HADOPTEDSADOPTED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0022SS001/A

HB0022S2001/A

Further amend the ENGROSSED COPY as follows:

Page 1-lines 14 and 15 Delete all new language.

Page 2-line 5 Delete all new language.

Page 2-lines 6 through 22 Delete entirely.

Page 3-lines 1 through 12 Delete entirely and insert "For the renewal of outstanding leases for grazing and agricultural lands under this subsection, the office of state lands and investments shall have the following duties:

(i) The office shall provide notice by certified mail to all existing lessees of the expiration of their leases not earlier than one hundred twenty (120) days prior to the expiration of the lease;

(ii) The office shall provide notice of a missing or deficient application for lease renewal to the lessee not later than forty (40) days before the expiration of the existing lease. The notice required by this paragraph shall:

(A) Be made by certified mail unless an equally effective, alternative form of delivery is approved by the office for the particular lessee to whom notice will be delivered;

(B) Identify the deficiencies in the application for lease renewal or provide notice that no application for renewal has been filed;

(C) Provide the lessee not less than thirty (30) days from receipt of the notice to file a lease renewal application or to remedy all deficiencies in the lessee's renewal application;

(D) Provide notice that the lessee's failure to submit a renewal application or to remedy all deficiencies in the lessee's renewal application before expiration of the lease may result in the leased lands becoming vacant."

Page 4-lines 2 through 12 Delete entirely and insert "together with payment of the first year's rental that meets the highest bid offered by another qualified applicant as provided in W.S. 36-5-105(c). For renewal of outstanding leases for grazing and agricultural lands under this subsection, the office of state lands and investments shall have the following duties:

(i) The office shall provide notice of a deficient application for lease renewal to the lessee not later than ten (10) days after the filing of a lease renewal application by an existing lessee. The notice required by this paragraph shall:

(A) Be made by certified mail unless an equally effective, alternative form of delivery is approved by the office for the particular lessee to whom notice will be delivered;

(B) Identify the deficiencies in the application for lease renewal;

(C) Provide the lessee not less than twenty (20) days from receipt of the notice to remedy all deficiencies in the lessee's renewal application;

(D) Provide notice that the lessee's failure to remedy all deficiencies in the lessee's renewal application may result in the rejection of the application."

Page 4-line 21 Strike "the director" and insert "state lands and investments".

Page 4-line 23 Strike "director" and insert "office".

Page 5-line 6 Strike "director" and insert "office". EKLUND, CRAGO, DAVIS, STEINMETZ, BONER, HICKS

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Boner, Brennan, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Pappas, Rothfuss, Salazar, Schuler, Steinmetz

Nays: Senator(s) Biteman, Bouchard, Case, Nethercott

Conflicts: Senator(s) President Driskill, Scott

Ayes 25 **Nays** 4 **Excused** 0 **Absent** 0 **Conflicts** 2

3/1/2023 Assigned Number HEA No. 0083

3/2/2023 H Speaker Signed HEA No. 0083

3/2/2023 S President Signed HEA No. 0083

3/9/2023 Governor Signed HEA No. 0083

3/9/2023 Assigned Chapter Number 159

Chapter No. 159 Session Laws of Wyoming 2023