



SF0107

Acquisition, exchange and sale of trust lands.

Sponsored By: Senator(s) Hicks and Representative(s) Western

AN ACT relating to state lands; providing for the acquisition, exchange or sale of state trust lands as specified; designating criteria for the sale and exchange of state trust lands; allowing for farm loans to purchase specified state trust lands; and providing for an effective date.

1/12/2023 Bill Number Assigned
1/12/2023 S Received for Introduction
1/26/2023 S Introduced and Referred to S05 - Agriculture
2/1/2023 S05 - Agriculture:Recommend Amend and Do Pass 5-0-0-0

ROLL CALL

Ayes: Senator(s) French, Hicks, Ide, Kolb, Steinmetz
Ayes 5 Nays 0 Excused 0 Absent 0 Conflicts 0

2/1/2023 :Rerefer to S02 - Appropriations
2/2/2023 S02 - Appropriations:Recommend Do Pass 3-0-2-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Gierau, Kinskey
Excused: Senator(s) Nethercott, Salazar
Ayes 3 Nays 0 Excused 2 Absent 0 Conflicts 0

2/2/2023 S Placed on General File

SF0107SS001/ADOPTED

Page 2-line 15 Delete "twenty-four (24)" and insert "thirty-six (36)".

Page 2-lines 20 through 23 Delete entirely.

Page 3-lines 1 and 2 Delete entirely.

Page 4-line 2 After "without" insert "public". STEINMETZ, CHAIRMAN

SF0107SW001/ADOPTED

Page 6-after line 20 Insert:

"Section 3. Not later than June 30, 2024, the office of state lands and investments shall provide notice to each grazing and agricultural lessee that the lessee may nominate any isolated parcel of state trust land that consists of not greater than eighty (80) acres for sale or exchange and that any purchase of identified parcels may be financed under W.S. 11-34-109(a)(i) or 36-9-107."

Page 7-line 1 Delete "**Section 3.**" and insert "**Section 4.**". HICKS

2/6/2023 S COW:Passed
2/7/2023 S 2nd Reading:Passed
2/8/2023 S 3rd Reading:Passed 30-1-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Case, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide,

sale of state trust lands by matching any bona fide offer made by a third party.". EKLUND

2/23/2023 H 2nd Reading:Passed
2/24/2023 H 3rd Reading:Laid Back
2/27/2023 H 3rd Reading:Laid Back
2/28/2023 H 3rd Reading:Laid Back

SF0107H3001/FAILED

(TO ENGROSSED COPY)

Page 3-line 9 Delete "eighty (80)" and insert "forty (40)".
Page 5-line 9 Delete "eighty (80)" and insert "forty (40)".
Page 6-line 13 Delete "eighty (80)" and insert "forty (40)".
Page 6-line 19 Delete "eighty (80)" and insert "forty (40)". HENDERSON

SF0107H3002.01/ADOPTED

(TO ENGROSSED COPY)
(CORRECTED COPY)
[DIVIDED AMENDMENT]

Page 1-line 2 Delete "acquisition, "; delete "or sale".
Page 1-line 12 Delete "**Acquisition,** "; delete "**and sale**".
Page 2-line 3 Delete "acquire,".
Page 2-line 4 Delete "or sell".
Page 2-line 5 Delete "acquisition or".
Page 2-line 22 Delete "36-1-111(a)(i)" and insert "36-1-111(a)(intro) and (i)".
Page 3-line 18 After "surrounded by" delete balance of line.
Page 3-line 19 Delete entirely and insert "private land;".
Page 4-line 23 Strike "twenty-five".
Page 5-line 1 Strike "percent (25%)" and insert "twelve and one-half percent (12.5%)". STORER

SF0107H3002.02/FAILED

(TO ENGROSSED COPY)
(CORRECTED COPY)
[DIVIDED AMENDMENT]

Delete the Eklund second reading amendment (SF0107H2002/AE) entirely and further amend as follows: STORER

SF0107H3003/FAILED

(TO ENGROSSED COPY)

Page 1-above line 1 In the catch title after "exchange" insert ", lease".

Page 1-line 4 After "lands;" insert "revising provisions related to improvements made by a lessee of state lands; extending the maximum length of certain leases of state lands; authorizing leases for residential purposes; clarifying leases for recreational purposes;".

Page 1-line 5 After "lands;" insert "specifying applicability;".

Page 2-line 22 After "36-1-111(a)(i)" delete "and" and insert ", 36-5-114(a), 36-5-115,".

Page 2-line 23 After "36-9-101(a)(i)" insert "36-9-103 and 36-9-105".

Page 5-after line 9 Insert:

"36-5-114. Leasing for industrial, commercial and recreational purposes; authority; rental fees; rules and regulations.

(a) The board of land commissioners may lease for a term of not more than ~~seventy-five (75)~~ ninety-nine (99) years state lands for industrial, commercial, residential and recreational purposes.

36-5-115. Leasing for industrial, commercial, residential and recreational purposes; "recreational purposes" defined.

As used in W.S. 36-5-114 through 36-5-117 the term "recreational purposes" means land used for cabin sites, public camp sites, public parks and recreation areas, golf courses and any associated residential development, youth groups, ~~and~~ ski or winter sports areas and any other recreational purpose determined by the board of land commissioners.".

Page 6-after line 13 Insert:

"36-9-103. Appraisers for improvements.

~~All improvements upon~~ If any state ~~lands, when such~~ lands are to be sold as provided by W.S. 36-9-102, the purchaser and the owner of any improvements on the state lands shall negotiate for a period of ninety (90) days to determine the depreciated market value of the improvements. If the purchaser and the owner do not reach an agreement on the value of the improvements within the time period specified by this section, the depreciated market value of the improvements shall be appraised by three (3) disinterested persons who shall appraise the improvements separately from the lands, though they may be attached thereto. The ~~said~~ appraisers shall, upon application of the ~~state land~~ board of land commissioners, be appointed by a judge of the district court of the judicial district wherein the lands are ~~situate~~ situated.

36-9-105. Purchaser to pay owner depreciated market value of improvements; receipt.

(a) If any state lands are sold upon which surface improvements, including irrigation works of any kind, have been made by a lessee, or for which water rights or proportionate interests in irrigation, reservoirs, canals, or systems, have been acquired, the improvements, irrigation works and water rights shall be appraised under the direction of the board. The purchaser of the lands, upon which improvements and irrigation works have been made, or for which water rights have been acquired as herein provided for, shall pay the owner of such

improvements, irrigation works or water rights, as the case may be, the contributory value thereof, and take a receipt therefor, and shall deliver the receipt to the director before he shall receive a patent or certificate of purchase. All such receipts shall be filed and preserved in the office of state lands and investments. For purposes of this section, "contributory value" means the increased value of the property after the lessee's improvements are considered.

(b) For improvements to state lands made under a commercial or residential lease where the purpose of the lease is to develop and sell the improvement, the purchaser of the lands shall pay market value for the improvement. As used in this subsection, "market value" means the most probable amount the improvement contributes to the value of the property in a competitive and open market under all conditions requisite to a fair sale with the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus."

Page 6-after line 21 Insert and renumber as necessary:

"Section 4.

(a) Nothing in this act shall be deemed to limit the requirement of the board of land commissioners to manage state trust lands under a total asset management policy. This act shall not be deemed to mandate the board of land commissioners to sell or exchange any trust asset.

(b) This act shall not be deemed to apply to the exchange or sale of any parcels within the boundaries of the Grand Teton National Park."

Page 7-line 1 Delete "**Section 4.**" and insert "**Section 5.**". HARSHMAN

SF0107H3004/WITHDRAWN

SF0107H3005/FAILED **(TO ENGROSSED COPY)**

Page 1-line 5 Delete the Harshman third reading amendment (HB0107H3003/AE) to this line; after "lands;" insert "specifying applicability;"

Page 6-after line 21 Delete the Harshman third reading amendment (HB0107H3003/AE) to this line and insert and renumber as necessary:

"Section 4.

(a) Nothing in this act shall be deemed to limit the requirement of the board of land commissioners to manage state trust lands under a total asset management policy. This act shall not be deemed to mandate the board of land commissioners to sell or exchange any trust asset.

(b) This act shall not be deemed to apply to the exchange or sale of any parcels within the boundaries of the Grand Teton National Park."

Page 7-line 1 Delete the Harshman third reading amendment (HB0107H3003/AE) to this line; delete "**Section 4.**" and insert "**Section 5.**". HARSHMAN

ROLL CALL

Ayes: Representative(s) Nicholas, Western

Nays: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhart, Jr, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, 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, Winter, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Excused: Representative Byron

Ayes 2 **Nays** 59 **Excused** 1 **Absent** 0 **Conflicts** 0