

SENATE FILE NO. SF0040

State lands-designation of community-valued land.

Sponsored by: Senator(s) Landen, Anderson, Cooper and Crum
and Representative(s) Campbell, E, Clouston
and Harshman

A BILL

for

1 AN ACT relating to environmental quality; establishing a
2 process by which the environmental quality council may
3 designate lands as lands with significant community value;
4 specifying required considerations for the board of land
5 commissioners when considering lands with significant
6 community value; specifying duties; making conforming
7 amendments; requiring rulemaking; and providing for
8 effective dates.

9

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

11

12 **Section 1.** W.S. 35-11-112(a) by creating a new
13 paragraph (vii) and 36-2-101 are amended to read:

14

1 **35-11-112. Powers and duties of the environmental**
2 **quality council.**

3
4 (a) The council shall act as the hearing examiner for
5 the department and shall hear and determine all cases or
6 issues arising under the laws, rules, regulations,
7 standards or orders issued or administered by the
8 department or its air quality, land quality, solid and
9 hazardous waste management or water quality divisions. At
10 the council's request the office of administrative hearings
11 may provide a hearing officer for any rulemaking or
12 contested case hearing before the council, and the hearing
13 officer may provide recommendations on procedural matters
14 when requested by the council. Notwithstanding any other
15 provision of this act, including this section, the council
16 shall have no authority to promulgate rules or to hear or
17 determine any case or issue arising under the laws, rules,
18 regulations, standards or orders issued or administered by
19 the industrial siting or abandoned mine land divisions of
20 the department. The council shall:

21
22 (vii) Review and approve applications for
23 designations of state lands as defined by W.S.

1 36-1-101(a)(iv) as having significant community value, in
2 accordance with all of the following:

3
4 (A) A board of county commissioners may
5 apply to the council for a designation of any state land
6 parcel located within the county as state land with
7 significant community value;

8
9 (B) For purposes of this subsection, state
10 land parcels shall be deemed to have significant community
11 value if the board of county commissioners applying for the
12 designation demonstrates that the parcel has particular
13 historical, archaeological, wildlife, surface geological or
14 botanical features that may be inconsistent with a proposed
15 use for the state land parcel;

16
17 (C) The council shall hold a hearing and
18 accept public comment on any application received under
19 this paragraph;

20
21 (D) If, after the hearing, the council
22 finds that the proposed state land parcel has significant
23 community value to where the board of land commissioners

1 should consider that community value when evaluating the
2 parcel for any change in use of the parcel as specified in
3 W.S. 36-2-101(b), the council may approve the application;
4

5 (E) If the application is approved, the
6 council shall send a copy of its findings and the order to
7 the board of land commissioners and the director of the
8 office of state lands and investments not later than five
9 (5) days after entry of the order.
10

11 **36-2-101. Composition; powers generally.**
12

13 (a) The governor, secretary of state, state
14 treasurer, state auditor, and superintendent of public
15 instruction, being constituted a "board of land
16 commissioners" by the provisions of section 3, article 18,
17 of the constitution of the state of Wyoming, shall as such
18 board, have the direction, control, leasing, care and
19 disposal of all lands heretofore or hereafter granted or
20 acquired by the state for the benefit and support of public
21 schools or for any other purpose whatsoever, subject to the
22 limitations contained in the constitution of the state, and
23 the laws enacted by the legislature. The board shall have

1 the power and authority to take such official action as may
2 be necessary in securing title to land grants, or any other
3 lands acquired by the state. The board shall oversee the
4 compensatory mitigation credit system established under
5 W.S. 9-19-201 through 9-19-204 and shall promulgate rules
6 and regulations in accordance with W.S. 9-19-201 through
7 9-19-204.

8
9 (b) For any state land parcel that the environmental
10 quality council has designated as a parcel with significant
11 community value under W.S. 35-11-112(a)(vii), the board
12 shall not consider any proposed change in use for that
13 designated parcel under a consent agenda. The board shall
14 consider any proposal for that parcel individually and
15 shall give consideration to the designation and the
16 environmental quality council's findings on the state land
17 parcel before approving any change in use for the parcel.
18 As used in this subsection, "change in use" includes any
19 change of use for the parcel, new lease, lease renewal or
20 disposition of the parcel.

21
22 **Section 2.**
23

1 (a) The board of land commissioners shall promulgate
2 all rules necessary to implement this act.

3

4 (b) The environmental quality council, upon
5 recommendation from the department of environmental
6 quality, shall promulgate all rules necessary to implement
7 this act.

8

9 Section 3.

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

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16 (b) Section 1 of this act is effective July 1, 2026.

17

18 (END)