

SENATE FILE NO. SF0062

State Parks-recreation management authority.

Sponsored by: Management Audit Committee

A BILL

for

1 AN ACT relating to state lands; authorizing the department
2 of state parks and cultural resources to lease state lands
3 for recreational purposes as specified; authorizing the
4 department to sell permits that allow for the recreational
5 use of leased state lands; providing for the disposition of
6 funds generated from permit sales allowing for the
7 recreational use of leased state lands; authorizing the
8 department to lease or rent concessions on leased state
9 lands; making conforming amendments; authorizing
10 rulemaking; and providing for effective dates.

11

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

13

14 **Section 1.** W.S. 36-4-103, 36-4-104(a)(vi) and (d),
15 36-4-107, 36-4-110(a), 36-4-121(a)(intro) and (h) and
16 36-5-115 are amended to read:

1

2 **36-4-103. What constitutes outdoor recreation areas**
3 **and facilities.**

4

5 For the purposes of this act, outdoor recreation areas and
6 facilities shall include state parks, public recreation
7 grounds, historical parks, and historical, archaeological,
8 geological and ecological sites now in existence or
9 hereafter created. As used in this section, W.S. 36-4-105
10 and 36-4-108, "historical parks" includes all land and
11 structures at South Pass City and Fort Fred Steele. This
12 section shall not be construed to limit or otherwise
13 prohibit the department of state parks and cultural
14 resources from entering into leasing agreements for the use
15 of state lands for recreational purposes as authorized by
16 W.S. 36-4-107(a)(ii).

17

18 **36-4-104. Powers; interpretive service agreements.**

19

20 (a) The department of state parks and cultural
21 resources, in consultation with the commission, may,
22 subject to the provisions of this act:

23

1 (vi) Enter into agreements with Wyoming
2 financial institutions, financial institutions or persons
3 operating remote electronic terminals for the collection of
4 donations for the operation and maintenance of state lands
5 leased for recreational purposes as authorized by W.S.
6 36-4-107(a)(ii), Wyoming state parks, historic sites and
7 recreation areas. Donations received by the department
8 pursuant to this paragraph shall be deposited in an
9 operations and maintenance account and upon legislative
10 appropriation shall be expended by the department for the
11 daily operation of outdoor locations and facilities as
12 described in W.S. 36-4-103 and state lands leased for
13 recreational purposes as authorized by W.S.
14 36-4-107(a)(ii).

15
16 (d) As used in subsections (b) and (c) of this
17 section, "recreation areas and facilities" include state
18 lands leased for recreational purposes as authorized by
19 W.S. 36-4-107(a)(ii), both indoor and outdoor facilities at
20 state parks, historic sites, recreation areas and
21 historical, archaeological, geological and ecological sites
22 as enumerated under W.S. 36-4-103.

23

1 **36-4-107. Authority to lease; exchange of lands and**
2 **contracts with United States.**

3
4 (a) The department, in consultation with the
5 commission, shall have the power and is hereby authorized
6 to:

7
8 (i) Lease, grant or operate any outdoor
9 recreation area or facility belonging to the state which is
10 not subject to lease, grant or operation by another agency
11 of the state; ~~and~~ and

12
13 (ii) Enter into leasing agreements with the
14 board of land commissioners to use state lands for
15 recreational purposes. The department shall be authorized
16 to develop and manage leased state lands and to promulgate
17 and enforce site specific rules in accordance with the
18 terms of the lease and the rules promulgated by the board.
19 The department shall compensate the board for the leases on
20 an annual basis and at rates as provided under the terms of
21 the lease and in accordance with the rules of the board.

22

1 **(b)** The department, in consultation with the
2 commission, may exchange state lands which are not
3 appropriated to other use for United States outdoor
4 recreation areas and facilities, and under contract with
5 the United States, may take over the management, leasing
6 and operation of any such area or facility. Where the
7 department deems it to be in the best interest of the
8 state, it may, in consultation with the commission,
9 contract with the United States government or any
10 authorized federal agency for the operation of any outdoor
11 recreation area or facility established by the department.
12

13 **36-4-110. Power to lease or rent concessions.**

14
15 (a) The department, in consultation with the
16 commission, is empowered to lease, enter into contracts and
17 assess fees for concessions, cabin sites, boat clubs, and
18 other services of all lawful kinds and nature on leased
19 state lands, as authorized by W.S. 36-4-107(a)(ii) if
20 permissible under the terms of the lease and the rules
21 promulgated by the board of land commissioners, and state
22 outdoor recreation areas or facilities to persons,
23 partnerships, and corporations for ~~a~~valuable consideration

1 and upon terms and conditions as the department deems fit
2 and proper. Funds received by the department pursuant to
3 this section shall be deposited and expended in accordance
4 with W.S. 36-4-121(h).

5

6 **36-4-121. Permits to use state parks, recreation**
7 **areas and historic sites.**

8

9 (a) The department of state parks and cultural
10 resources shall offer for sale permits that allow use of
11 state lands leased for recreational purposes as authorized
12 by W.S. 36-4-107(a)(ii) and state parks, recreation areas,
13 archeological sites and historic sites as designated by the
14 department with the approval of the Wyoming parks and
15 cultural resources commission. Permits may be subject to
16 per person, per vehicle or time restrictions or any other
17 restriction the director of the department deems
18 appropriate. The director may waive any permit fee imposed
19 pursuant to this section, offer discounts or offer at no
20 charge complimentary permits or gift certificates for
21 permits authorized by this section. Except as provided in
22 subsection (n) of this section, the cost of the permits
23 authorized under this section shall be approved by the

1 commission and set in an amount not to exceed the
2 following:

3

4 (h) The funds received by the department from the
5 sale of the permits shall be deposited into an account
6 within the special revenue fund, hereby created as the
7 state parks account, and, except as otherwise provided by
8 this subsection, may be expended by the department for
9 capital construction projects, major maintenance, and site
10 interpretation such as exhibits, signage and displays as
11 approved by the legislature. Funds received by the
12 department under W.S. 36-4-107(a)(ii) and 36-4-110(a) from
13 state lands leased for recreational purposes as authorized
14 by W.S. 36-4-107(a)(ii) shall be accounted for separately
15 within the account. The department may use the funds
16 received under W.S. 36-4-107(a)(ii) and 36-4-110(a) from
17 state lands leased for recreational purposes to pay for
18 leases under W.S. 36-4-107(a)(ii) and the costs incurred by
19 the department in managing the recreational use on the
20 leased state lands. For the fiscal year ending June 30,
21 2025 and each fiscal year thereafter, the state treasurer
22 shall transfer to the proper accounts within the permanent
23 land fund any funding certified by the department to be in

1 excess of the leasing and management costs incurred by the
2 department under W.S. 36-4-107(a)(ii) and generated from
3 school lands as defined by W.S. 36-1-101(a)(v). Interest on
4 funds in the state parks account shall accrue to the
5 account. Not more than sixty percent (60%) of the funds in
6 the account in any fiscal year may also be expended, with
7 legislative approval, for maintenance and operational costs
8 of outdoor recreation areas and facilities provided that no
9 amount shall be expended for additional full-time employees
10 or increases in salaries or overtime pay for full-time
11 employees.

12

13 **36-5-115. Leasing for industrial, commercial and**
14 **recreational purposes; "recreational purposes" defined.**

15

16 As used in W.S. 36-5-114 through 36-5-117, the term
17 "recreational purposes" means land used for cabin sites,
18 public camp sites, public parks and recreation areas, golf
19 courses and any associated residential development, youth
20 groups, ~~and~~ ski or winter sports areas and any other
21 organized recreational purpose.

22

1 **Section 2.** The board of land commissioners and the
2 department of state parks and cultural resources shall
3 promulgate any rules necessary to implement the provisions
4 of this act.

5

6 **Section 3.**

7

8 (a) Except as provided in subsection (b) of this
9 section, this act is effective July 1, 2024.

10

11 (b) Sections 2 and 3 of this act are effective
12 immediately upon completion of all acts necessary for a
13 bill to become law as provided by Article 4, Section 8 of
14 the Wyoming Constitution.

15

16

(END)