

SENATE FILE NO. SF0068

Property rights ombudsman.

Sponsored by: Senator(s) Hicks, Anderson, J.D. (SD02),
Driskill and Emerich and Representative(s)
Brown, Hunt, McKim, Sommers and Winters

A BILL

for

1 AN ACT relating to the office of state lands and
2 investments; creating the office of private lands and
3 energy ombudsman; providing duties for the office;
4 providing rulemaking authority; authorizing a position;
5 providing an appropriation; and providing for an effective
6 date.

7

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

9

10 **Section 1.** W.S. 36-3-112 is created to read:

11

12 **36-3-112. Office of private lands and energy**
13 **ombudsman.**

14

1 (a) There is created within the office of state lands
2 and investments the office of private lands and energy
3 ombudsman. The position of the ombudsman shall be employed
4 by the director as a deputy director within the office of
5 state lands and investments in the same manner as provided
6 in W.S. 36-3-111 and shall report directly to the director.

7

8 (b) The office of private lands and energy ombudsman
9 shall:

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11 (i) Provide information to assist private land
12 owners and mineral or energy companies in their efforts to
13 comply with Wyoming laws and regulations as they relate to
14 mineral or energy access, development or transmission on
15 private lands. The information provided under this
16 paragraph may include, without limitation, the following:

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18 (A) Split estates;

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20 (B) Seismic activity;

21

22 (C) Use of eminent domain;

23

1 (D) Pipelines;

2

3 (E) Energy transmission through utilities
4 including pipelines and transmission lines;

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6 (F) Wind energy and transmission of wind
7 energy;

8

9 (G) Surface use agreements;

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11 (H) Rights of way;

12

13 (J) Mineral exploration and development;

14

15 (K) Reclamation;

16

17 (M) Petroleum spills and remediation.

18

19 (ii) Maintain an up to date list of contacts
20 within each state agency that has legal or regulatory
21 authority over activities related to energy or mineral
22 exploration, development or transmission on private lands;

23

1 (iii) Develop written and electronic materials
2 describing the legal responsibilities of land owners and
3 mineral or energy companies under the laws of this state;
4

5 (iv) Maintain records of each request for
6 assistance received by the office of private lands and
7 energy ombudsman under this section including the nature of
8 the request, the assistance provided and the outcome of the
9 issue if applicable;
10

11 (v) Direct parties to dispute resolution
12 processes including mediation, arbitration or the informal
13 procedures for resolving disputes established pursuant to
14 W.S. 11-41-101 et seq. upon request to the Wyoming
15 agriculture and natural resource mediation board when
16 necessary;
17

18 (vi) Investigate areas in dispute or where one
19 (1) party is alleged to have not complied with state law
20 and provide written findings of fact to both parties;
21

22 (vii) If federal rules and regulations apply,
23 provide the landowners and mineral or energy companies with

1 the appropriate contact information for the agency having
2 jurisdiction.

3

4 (c) The board of land commissioners may adopt rules
5 necessary to implement this section.

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7 **Section 2.** W.S. 9-2-2015(c) is amended to read:

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9 **9-2-2015. Office of state lands and investments;**
10 **director appointed; structure.**

11

12 (c) The office of state lands and investments shall
13 consist of the office of the director and shall administer
14 all programs of the board of land commissioners and state
15 loan and investment board. The office of state lands shall
16 include the office of private lands and energy ombudsman.

17

18 **Section 3.** There is appropriated one hundred fifty
19 thousand dollars (\$150,000.00) from the general fund to the
20 office of state lands for the purposes of this act. Funds
21 appropriated under this section shall only be expended for
22 the office of private lands and energy ombudsman. The
23 office of state lands is authorized one (1) permanent full-

1 time employee for the office of private lands and energy
2 ombudsman. The position shall be included in the office's
3 2017-2018 standard biennial budget request.

4

5 **Section 4.** This act is effective July 1, 2015.

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7

(END)