

SENATE FILE NO. SF0109

State parks leases-legislative approval.

Sponsored by: Senator(s) Driskill, Christensen and Dockstader and Representative(s) Petroff

A BILL

for

1 AN ACT relating to state parks and cultural resources;
2 requiring legislative approval for specified state parks
3 leases; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 36-4-110, 36-8-304, 36-8-405 and
8 36-8-1001(f) are amended to read:

9

10 **36-4-110. Power to lease or rent concessions.**

11

12 (a) Subject to subsection (b) of this section, the
13 department, in consultation with the commission, is
14 empowered to lease, enter into contracts and assess fees
15 for concessions, cabin sites, boat clubs, and other

1 services of all lawful kinds and nature on state outdoor
2 recreation areas or facilities to persons, partnerships,
3 and corporations for a valuable consideration upon such
4 terms and conditions as the department deems fit and
5 proper. Funds received by the department pursuant to this
6 section shall be deposited and expended in accordance with
7 W.S. 36-4-121(h).

8
9 (b) Any proposal by the department to enter into a
10 lease for a term of five (5) years or longer shall be
11 forwarded to the joint travel, recreation, wildlife and
12 cultural resources interim committee for review and
13 recommendation. The committee may prepare and submit
14 recommendations to the legislature, including sponsoring
15 legislation to authorize the lease. The department shall
16 not enter into any lease for a term of five (5) years or
17 longer except upon specific legislative authorization.
18 Following the initial legislative authorization for the
19 department to enter into a lease for a term of five (5)
20 years or longer, the department may extend or renew the
21 lease for a term not longer than five (5) years.
22 Subsequent legislative authorization shall be required for

1 the department to extend or renew any lease for an
2 additional term of five (5) years or longer.

3

4 **36-8-304. Public baths and public campgrounds.**

5

6 The department of state parks and cultural resources shall
7 retain one-fourth (1/4) of the water in the main or largest
8 principal spring on the state land on the eastern bank of
9 the Big Horn River with sufficient quantity of the land
10 adjacent thereto, upon which suitable bathhouses may be
11 constructed, which shall be open, with preference of use
12 given free to persons who are indigent and suffering from
13 ailments for which bathing in the waters of the Big Horn
14 Hot Springs will afford relief. The department may make
15 necessary rules and regulations governing free baths, the
16 manner and time of bathing, and may require medical
17 examination of applicants for baths. The bathhouse shall
18 remain open not less than ten (10) hours a day each weekday
19 and not less than six (6) hours on Sundays and holidays.
20 The rules shall meet the minimum requirements of rules
21 adopted by the department of agriculture governing public
22 pools and spas. The department, in consultation with the
23 commission, may set apart a suitable location and portion

1 of the lands for public camping purposes but may contract
2 for operation of any campgrounds by competitive sealed bid.
3 Should the department, in consultation with the commission,
4 operate any campground within Hot Springs State Park, the
5 charges per night shall not be less than one-half (1/2) of
6 the average charges imposed by private campground operators
7 within a five (5) mile radius of the Hot Springs State
8 Park. The balance of the water and lands may be leased by
9 the department, in consultation with the commission and
10 subject to W.S. 36-4-110(b), for a term not less than five
11 (5) years nor longer than ninety-nine (99) years. The
12 length of the term of each individual lease shall be
13 determined by the department, in consultation with the
14 commission, in accordance with the value of the
15 improvements proposed and actually placed upon the
16 leasehold. The department may by rule provide for special
17 use permits for limited purposes. The department may make
18 rules and regulations with respect to the erection of
19 buildings and improvements upon the individual leaseholds
20 and may prescribe the plans and specifications of, and the
21 materials to be used in the buildings to be erected. The
22 department, in consultation with the commission, in any
23 lease may provide for such plans and buildings and such use

1 thereof as will best carry out the purposes of this chapter
2 in retaining the lands and waters thereon for the treatment
3 and cure of diseases and the pleasure of the general
4 public. The department, in consultation with the
5 commission, may conduct through pipes or otherwise any
6 portion of the waters of the hot springs reserved for free
7 use under this section and to provide baths and bathhouses
8 for the use of the water at such rental or rates as it
9 prescribes.

10

11 **36-8-405. Lease of lands and improvements.**

12

13 Subject to W.S. 36-4-110(b), the department, in
14 consultation with the commission, may lease the lands and
15 improvements referred to in W.S. 36-8-403 to any person,
16 association, firm or corporation for any lawful purpose,
17 for any term not in excess of ninety-nine (99) years.

18

19 **36-8-1001. Wyoming Territorial Prison state historic**
20 **site.**

21

22 (f) Subject to W.S. 36-4-110(b), the department of
23 state parks and cultural resources is authorized to enter

1 into leasehold or concession agreements in accordance with
2 the plan provided by subsection (d) of this section. Funds
3 received by the department pursuant to this section shall
4 be deposited and expended in accordance with W.S.
5 36-4-121(h).

6

7 **Section 2.** This act is effective July 1, 2015.

8

9

(END)