

HOUSE BILL 149, 1973

Title: AN ACT to create sections 30-251 through 30-254 of the statutes relating to the management, maintenance, restoration and reclamation of land in Wyoming; establishing a land maintenance fund; imposing a mineral tax; providing additional funding from grazing and other rental income from certain state lands; and providing rulemaking authority for administration of the act.

HOUSE BILL 147, 1973

Introduced by: Vernon C. Stickley
Roderic McDermid

with the will

[illegible]

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1973

STATE OF WYOMING

LSA-281.01

JBM

HOUSE BILL NO. **149**

Land Maintenance Fund.

Introduced by: Representative STICKLEY

Dennis C. Stickley
Rodger McDowell

Wallace

A BILL

for

1 AN ACT to create sections 30-251 through 30-254 of the
2 statutes relating to the management, maintenance,
3 restoration and reclamation of land in Wyoming; establish-
4 ing a land maintenance fund; imposing a mineral tax; pro-
5 viding additional funding from grazing and other rental
6 income from certain state lands; and providing rulemaking
7 authority for administration of the act.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

9 Section 1. Sections 30-251 through 30-254 of the
10 statutes are created to read:

11 30-251. Land maintenance fund; sources.

12 (a) The land maintenance fund is established to
13 receive the following money:

14 (i) Two percent of the current grazing and
15 miscellaneous surface lease rental
16 income from state land held in trust
17 excluding the common school, agricul-

1 tural college, and university lands;

2 (ii) A tax, called the land maintenance tax,
3 hereby created, to be levied upon the
4 strip or surface mining of coal in an
5 amount equal to 2 1/4% of the value of
6 the gross product so extracted, and to
7 be levied on the tunnel or shaft mining
8 of any mineral or material in an amount
9 equal to 1% of value of the gross prod-
10 uct so extracted.

11 30-252. Same; collection of income.

12 (a) The income of the land maintenance fund shall be
13 collected as follows:

14 (i) The board of land commissioners shall
15 cause to be deposited to the credit of
16 the land maintenance fund 2% of all
17 money received and collected from cur-
18 rent grazing and miscellaneous surface
19 rentals;

20 (ii) The land maintenance tax shall be col-
21 lected according to the procedures
22 established in sections 39-227.2 and
23 39-227.5 through 39-227.11 of the stat-
24 utes for the collection of the mineral
25 severance tax, by adding to the amounts

1 due under the mineral severance tax
2 those due under the land maintenance
3 tax, except that upon receipt by the
4 state treasurer, he shall credit the
5 money due under this act to the land
6 maintenance fund. The tax commission is
7 authorized to make such regulations as
8 are reasonably necessary for the collec-
9 tion of this tax.

10 30-253. Same; use of funds.

11 (a) The money in the land maintenance fund shall be
12 used for:

13 (i) Land management, land protection, sur-
14 face restoration, and general improve-
15 ment of state lands;

16 (ii) Restoration and reclamation of all lands
17 strip or surface mines, and for the
18 reclamation and restoration of which
19 funds are not available from any other
20 source;

21 (iii) Abatement of the subsidence of land
22 caused by tunnel or shaft mining, and
23 for the abatement of which subsidence
24 funds are not available from any other
25 source.

1 (b) The lands to which the monies of the land
2 maintenance fund may be applied are not limited to those
3 from which its income is derived.

4 30-254. Same; administration.

5 (a) The board of land commissioners is authorized to
6 make such regulations as are reasonably necessary to carry
7 out this act, unless and until there is established in the
8 state of Wyoming an environmental protection agency,
9 commission, or department, or similar agency, commission,
10 or department, however named.

11 (b) No project authorized under this act shall be
12 undertaken without the prior approval of the legislature
13 except in the event of an emergency due to fire, flood, or
14 like natural disaster in which event money in the land
15 maintenance fund may be expended at the discretion of the
16 board of land commissioners without the prior approval of
17 the legislature.

18 (END)