

91 LSO - 0803

SENATE FILE

2262

SENATE FILE 2262

T

SF0262FT03

AN ACT to amend W.S. 35-11-103(e) by creating new paragraphs (xxvi) and (xxvii) and 35-11-402 by creating a new subsection (b) relating to approved land use after completion of surface coal mining operations; providing definitions; specifying that the game and fish department shall utilize those definitions in performing certain duties required under federal law; and providing for an effective date.

Introduced by:

John J. Jones
James McMillan
Michael B. ...
Ben White
Thomas ...
Martha ...
David ...

| DATE | ACTION | DATE | ACTION |
|-------------|--|--------------|---|
| JAN 23 1901 | INTRODUCED | FEB 1 9 1901 | READ THIRD TIME |
| | READ FIRST TIME | | PASSED |
| | REFERRED TO COM. NO. <u>9</u> | | Ayes <u>51</u> Noes <u>13</u> Absent <u>0</u> |
| | DELIVERED TO COM. NO. <u>9</u> | | Sent to Senate |
| JAN 23 1901 | STANDING COMM. REPORT | FEB 1 9 1901 | Received Amended |
| | RECOMMENDED DO PASS | | Senate did Concur on House Amendments |
| JAN 23 1901 | CONSIDERED IN COM. OF WHOLE | | Ayes <u>51</u> Noes <u>0</u> Excused <u>0</u> Absent <u>2</u> |
| | DO PASS | | Delivered to Enrolling Section |
| FEB 1 1901 | READ SECOND TIME | | SEN. NO. <u>57</u> |
| | DO PASS | | SIGNED BY PRESIDENT FEB 2 4 1901 |
| FEB 4 1901 | READ THIRD TIME | | SIGNED BY SPEAKER |
| | CONSENT LIST | | APPROVED BY GOVERNOR 02-25-91 |
| | PASSED | | <i>Chapter No. 0136, Session</i> |
| | AYES <u>22</u> NOES <u>7</u> EXCLUDED <u>1</u> ABSENT <u>6</u> | | <i>Laws of Wyoming</i> |
| | SENT TO HOUSE | | |
| FEB 6 1901 | READ FIRST TIME | | |
| | REFERRED TO COM. NO. <u>9</u> | | |
| | DELIVERED TO COM. NO. <u>9</u> | | |
| FEB 12 1901 | RETURNED | | |
| | Recommended do <u>pass</u> <u>6</u> AYES <u>4</u> NOES <u>1</u> EXC. | | |
| FEB 15 1901 | CONSIDERED IN COM. OF WHOLE | | |
| | Com. of Whole Amendment SF 262 HW 1/A | | |
| | Adopted | | |
| | Recommended do <u>pass</u> | | |
| FEB 18 1901 | READ SECOND TIME | | |

CONTINUED ON BACK

Consent 2:15

SF 262 3rd Date 2-4-91

SENATE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

| | Ayes | Noes | Excused | Absent |
|------------------|------|------|---------|--------|
| APPLEGATE | ✓ | | | |
| BURKE | ✓ | | | |
| BYRD | | ✓ | | |
| CAMERON | ✓ | | | |
| COE | ✓ | | | |
| DIXON | ✓ | | | |
| EDDINS | ✓ | | | |
| FANOS | | ✓ | | |
| GERINGER | ✓ | | | |
| GRIEVE | ✓ | | | |
| GUICE | ✓ | | | |
| HEALY ✕ | ✓ | | ✓ | |
| HERBST | | ✓ | | |
| HOWARD | ✓ | | | |
| KINNEY | | ✓ | | |
| KINNISON | ✓ | | | |
| LALONDE | ✓ | | | |
| MADER | ✓ | | | |
| MALDONADO | ✓ | | | |
| PECK | ✓ | | | |
| PERRY | ✓ | | | |
| PREVEDEL | | ✓ | | |
| REESE | | ✓ | | |
| SCOTT | ✓ | | | |
| TRICE | | | | |
| TWIFORD | ✓ | | | |
| VINICH | ✓ | | | |
| YORDY | | ✓ | | |
| ZIMMER | ✓ | | | |
| ZIMMERMAN | ✓ | | | |
| MR. PRESIDENT | ✓ | | | |

| | | |
|---------|---------|----|
| PRESENT | AYES | 22 |
| | NOES | 7 |
| | EXCUSED | 1 |
| | ABSENT | |
| | TOTAL | 30 |

SF 262 Committee Date 2-19-91

SENATE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

| | Ayes | Noes | Excused | Absent |
|------------------|------|------|---------|--------|
| APPLEGATE | - | | | ✓ |
| BURKE | ✓ | | | |
| BYRD | ✓ | | | |
| CAMERON | ✓ | | | |
| COE | ✓ | | | |
| DIXON | ✓ | | | |
| EDDINS | ✓ | | | |
| FANOS | ✓ | | | |
| GERINGER | ✓ | | | |
| GRIEVE | ✓ | | | |
| GUICE | ✓ | | | |
| HEALY | ✓ | | | |
| HERBST | ✓ | | | |
| HOWARD | ✓ | | | |
| KINNEY | ✓ | | | |
| KINNISON | ✓ | | | |
| LALONDE | ✓ | | | |
| MADER | ✓ | | | |
| MALDONADO | ✓ | | | |
| PECK | ✓ | | | |
| PERRY | ✓ | | | |
| PREVEDEL | ✓ | | | |
| REESE | ✓ | | | |
| SCOTT | ✓ | | | |
| TRICE | | | | |
| TWIFORD | - | | | ✓ |
| VINICH | ✓ | | | |
| YORDY | ✓ | | | |
| ZIMMER | ✓ | | | |
| ZIMMERMAN | ✓ | | | |
| MR. PRESIDENT | ✓ | | | |

PRESENT _____ AYES 28
NOES _____
EXCUSED _____
ABSENT 2
TOTAL 30

* 1963. Fred [unclear] Date

2/19/63

HOUSE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

| Ayes | Noes | Excused | Absent | | Ayes | Noes | Excused | Absent | |
|------|------|---------|--------|------------------------|------|------|---------|--------|-------------|
| ✓ | | | | ALDEN | ✓ | | | | MICHELI |
| ✓ | | | | ANDERSON | ✓ | | | | MILLER |
| ✓ | | | | ARNOLD | ✓ | | | | O'TOOLE |
| ✓ | | | | BEBOUT | ✓ | | | | PERKINS, D. |
| | ✓ | | | BENSEL | | ✓ | | | PERKINS, J. |
| | ✓ | | | BLACKWELL | | ✓ | | | PHELAN |
| ✓ | | | | BODINE | | ✓ | | | PLANT |
| ✓ | | | | BOWRON | ✓ | | | | RANDOME |
| ✓ | | | | BUDD | ✓ | | | | RATLIFF |
| ✓ | | | | CALL | ✓ | | | | ROHRBACH |
| ✓ | | | | CHAMBERLAIN | | ✓ | | | RYCKMAN |
| | | | | CHAMBERLAIN | ✓ | | | | SCHWOPPE |
| ✓ | | | | CUBIN | ✓ | | | | SHREVE |
| ✓ | | | | DEWITT | ✓ | | | | SIMON |
| ✓ | | | | DUNNUCK | | ✓ | | | SULLIVAN |
| ✓ | | | | ENZI | ✓ | | | | TEMPER |
| ✓ | | | | GAMS | ✓ | | | | TIBBS |
| ✓ | | | | GARCIA | ✓ | | | | TIPPETS |
| | ✓ | | | GOODENOUGH | ✓ | | | | TIPTON |
| ✓ | | | | GRANT | ✓ | | | | TYSDAL |
| | ✓ | | | HACKER | ✓ | | | | VASEY |
| ✓ | | | | HAGEMAN | ✓ | | | | VLASTOS |
| | ✓ | | | HANSEN | ✓ | | | | WALLIS |
| | ✓ | | | HARRIS | | ✓ | | | WATSON |
| ✓ | | | | HARRISON, F. | ✓ | | | | WOLD |
| ✓ | | | | HARRISON, R. | ✓ | | | | WOLFLEY |
| ✓ | | | | HINCHEY | ✓ | | | | WRIGHT |
| ✓ | | | | HINES | ✓ | | | | ZUMBRUNNEN |
| | ✓ | | | HONAKER | ✓ | | | | MR. SPEAKER |
| ✓ | | | | HUMPHREY | | | | | |
| ✓ | | | | KUNZ | | | | | |
| ✓ | | | | LAW | | | | | |
| ✓ | | | | LUMMIS | | | | | |
| ✓ | | | | MACMILLAN, P. | | | | | |
| ✓ | | | | MARTON | | | | | |
| ✓ | | | | MCMILLAN, B. | | | | | |

AYES 51
 NOES 13
 EXCUSED _____
 ABSENT _____
 TOTAL 64
 LESS _____

PRESENT _____

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, January 29, 1991

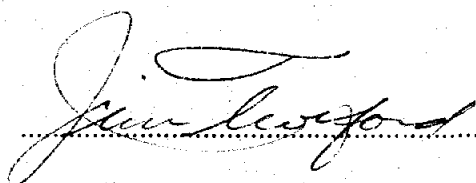
Mr. President:

Your Committee No. 9 on MINERALS, BUSINESS AND ECONOMIC DEVELOPMENT
to whom was referred SF No. 0262

respectfully reports same back to the Senate with the recommendation that

it DO PASS

Ayes: Senators Twiford, Cameron, Eddins, Fanos, Guice



Chairman

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne,February 11....., 1991...

Mr. Speaker:

Your Committee No.9..... on MINERALS, BUSINESS AND ECONOMIC DEVELOPMENT...

to whom was referredSF..... No. 0262.....

respectfully reports same back to the House with the recommendation that it

DO PASS.

AYESArnold
Cubin
Enzi
Hinchey
Law
TippetsNOESBensel
Dunnuck
Hansen
PlantEXCUSED

ZumBrunnen


 MELVIN ZUMBRUNNEN

Chairman

1 SF0262H32/ F

2 Page 1-line 7 After ";" insert "providing an appropria-
3 tion;".

4 Page 2-After line 18 Insert:

5 "Section 2. There is appropriated from the general
6 fund one hundred fifty thousand dollars (\$150,000.00) or as
7 much thereof as is necessary to the Attorney General's
8 office to defend the standards provided in W.S. 35-11-402 in
9 any action concerning those standards brought by the federal
10 Office of Surface Mining."

11 Page 3-line 1 Delete "2" insert "3". BENSEL



| | | | | | | | | | |
|----------------|-----------------|-------|-------|--------------|-----------------|-----------|-------|-------|-----|
| House of Intro | | | | Second House | | | | | |
| _____ | To Com. No. | _____ | _____ | _____ | To Com No. | _____ | _____ | | |
| _____ | Stand Report Do | Amd | Not | _____ | Stand Report Do | Amd | Not | | |
| _____ | Com Whole | Do | Amd | Not | _____ | Com Whole | Do | Amd | Not |
| _____ | 2nd Reading Amd | _____ | _____ | _____ | 2nd Reading Amd | _____ | _____ | _____ | |
| _____ | 3rd Reading Amd | Pass | Fail | _____ | 3rd Reading Amd | Pass | Fail | _____ | |

INTRODUCED

1991

STATE OF WYOMING

91LSO-0803.01

SENATE FILE NO. 0262

Coal land use after reclamation.

Michael B. Egi *Laurie L. Rydall*

Sponsored by: Senator(s) MADER and Representative(s) BUDD, GRANT, HINCHEY, HINES, B. MCMILLAN, O'TOOLE, SIMONS, TYSDAL and WALLIS

John J. Hines *Butt* *Scott* *Bruce M. Miller* *John J. Hines* *Butt* *Scott* *Bruce M. Miller*

A BILL

for

1 AN ACT to amend W.S. 35-11-103(e) by creating new para-
 2 graphs (xxvi) and (xxvii) and 35-11-402 by creating a new
 3 subsection (b) relating to approved land use after comple-
 4 tion of surface coal mining operations; providing defini-
 5 tions; specifying that the game and fish commission shall
 6 utilize those definitions in performing certain duties
 7 required under federal law; and providing for an effective
 8 date.

9 Be It Enacted by the Legislature of the State of Wyoming:

10 Section 1. W.S. 35-11-103(e) by creating new para-
 11 graphs (xxvi) and (xxvii) and 35-11-402 by creating a new

- 1 -

**NO SIGNIFICANT FISCAL OR
 PERSONNEL IMPACT AT STATE LEVEL**

SF 262

1 subsection (b) are amended to read:

2 35-11-103. Definitions.

3 (e) Specific definitions for land quality:

4 (xxvi) "FISH AND WILDLIFE HABITAT" MEANS LAND
5 DEDICATED WHOLLY OR PARTIALLY TO THE PRODUCTION, PROTEC-
6 TION OR MANAGEMENT OF SPECIES OF FISH OR WILDLIFE;

7 (xxvii) "GRAZINGLAND" INCLUDES RANGELANDS AND
8 FORESTLANDS WHERE THE INDIGENOUS NATIVE VEGETATION IS
9 ACTIVELY MANAGED FOR GRAZING, BROWSING, OCCASIONAL HAY
10 PRODUCTION, AND OCCASIONAL USE BY WILDLIFE.

11 35-11-402. Establishment of standards.

12 (b) TO THE EXTENT FEDERAL LAW OR REGULATIONS REQUIRE
13 CONSULTATION AND APPROVAL BY STATE WILDLIFE AGENCIES
14 REGARDING SURFACE MINING LANDS TO BE RECLAIMED FOR FISH
15 AND WILDLIFE HABITAT, THE WYOMING GAME AND FISH COMMISSION
16 SHALL CONSIDER FISH AND WILDLIFE HABITAT TO MEAN AS
17 DEFINED IN W.S. 35-11-103(e)(xxvi) AND DOES NOT INCLUDE
18 GRAZINGLAND AS DEFINED IN W.S. 35-11-103(e)(xxvii).

1 Section 2. This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming Consti-
4 tution.

5 (END)

SF 262

- 1 SF0262HW1/A
- 2 Page 1-line 5 ✓ Delete "commission" insert "department".
- 3 Page 2-line 15 ✓ Delete "COMMISSION" insert "DEPARTMENT".
- 4 HINCHEY

Adopted