

Wyoming Liberty Index

62nd Wyoming Legislature ★ 2014 Budget Session

HB0115, Determination of highway rights-of-way on federal lands.

Sponsors: Representative(s) Teeters, Blake and Kroeker and Senator(s) Cooper and Hicks

Comments

R.S. 2477 rights-of-way legislation. Sets a process for formalizing many perfectly legal but undocumented rights of way over federal lands. A necessary step to protect these rights of way from closure by the Forest Service or BLM.

U: The fiscal or personnel impact is not determinable. This bill is a bit of a mixed bag. On the positive side, it affirms in statute the right of counties to designate highway rights-of-way across lands managed by agencies of the national government. Unfortunately, the language used could be interpreted to imply that the national government has title to such lands which is unConstitutional. Ignoring the provisions of the Constitutions of the USA or of the State of Wyoming almost always promotes the centralization of governmental power and damages Liberty, however, we'll say in this case that the positive outweighs the negative.

Weighted Rating: 1.50. Unweighted Rating: 1.00.

Categories

Federalism, Individual Rights, Limited Government, Separation of Powers, and Spirit and Letter of Founding Documents

For more information on the categories:

<http://wyominglibertyindex.info/2014/methodology.html#thecategories>

Document Status

Final