EXHIBIT 10
DATE 3.30.05
SB 142

Amendments to Senate Bill No. 142
2nd Reading Copy

Requested by Representative Dee Brown

For the House Natural Resources Committee

Prepared by Joe Kolman
March 10, 2005 (5:04pm)

1. Title, page 1, line 6.
Strike: "10"
Insert: "25"

2. Page 1, line 21.
Strike: "10"
Insert: "25"

3. Page 3, line 9.
Strike: "9"
Insert: "10"

4. Page 5, line 13.
Strike: "10"
Insert: "25"

5. Page 7, line 21.
"NEW SECTION. **Section 9. Renewal leases -- cancellation.** (1) A lessee of state land classed as state forest who has paid all rentals due the state may have the lease renewed for a period not to exceed the maximum lease period provided in 77-5-201(1)(b) at any time within 30 days prior to its expiration or within 30 days following voluntary termination if no other applications for lease of the land have been received 30 days prior to the expiration of the lease or within 30 days following voluntary termination. The renewal must be at the full market rental rate established by the board for the renewal period and subject to any other conditions at the time of the renewal imposed by law as terms of the lease. If other applications have been received, the holder of the lease has the preference right to lease the land covered by the former lease by meeting the highest bid made by any other applicant. Applications for lease of lands in this section must be given preference in the order of their receipt at the office of the department.

(2) The board shall accept the highest bid. If the lessee exercises the preference right and believes the bid to be excessive, the lessee may request an administrative hearing. The request must contain a statement of reasons why the lessee believes the bid not to be in the state's best interest. The department shall grant the request for a hearing if it determines

that the statement indicates evidence that the bid may not be in the state's best interest. The board may, after the hearing, determine the best lessee and, if appropriate, reduce the rental from the amount bid if the lessee shows that the bid is not in the best interest of the state because it is above community standards for a lease of the land, would cause damage to the tract, or would impair its long-term productivity. If the board reduces the bid, it shall set forth its findings and conclusions in writing and inform the lessee and unsuccessful competitive bidder of the reduction. It is the duty of the board to secure the best lessees possible so that the state may receive the maximum return possible with the least injury occurring to the land.

(3) A renewal lease may be canceled pursuant to 77-5-201 (5)."

6. Page 7, line 23.
Strike: "8"
Insert: "9"

7. Page 7, line 28.
Strike: "11"
Insert: "12"

8. Page 8, line 23.
Strike: "9"
Insert: "10"

9. Page 8, line 25.
Strike: "9"
Insert: "10"

10. Page 8, line 26.
Strike: "10"
Insert: "11"
Strike: "11"
Insert: "12"

11. Page 8, line 27.
Strike: "10"
Insert: "11"
Strike: "11"
Insert: "12"

12. Page 9, line 6.
Strike: "9"
Insert: "10"

- END -