

HOUSE BILL NO. HB0090

Baseline scientific assessments.

Sponsored by: Representative(s) Lubnau, Jaggi, Lockhart
and Madden and Senator(s) Bebout and Von
Flatern

A BILL

for

1 AN ACT relating to natural resources; providing for the
2 baseline scientific assessment of agricultural, mineral,
3 geological, historical and environmental resources;
4 providing that the governor shall supervise the collection
5 of baseline scientific data as specified; providing that
6 the governor may assign collection of data to state
7 agencies and political entities of the state as specified;
8 providing that the governor may collaborate with other
9 entities in the collection of data as specified; requiring
10 cost sharing; providing that the governor shall distribute
11 necessary costs of data collection as specified; creating a
12 repository for the data collected within the governor's
13 office; providing that the collected data may be shared as
14 specified; providing rulemaking authority; requiring
15 reports; providing an appropriation; and providing for an
16 effective date.

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

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4 **Section 1.** W.S. 9-1-224 is created to read:

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6 **9-1-224. Collection of data; creation of a**
7 **repository; dissemination of data.**

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9 (a) The governor's office may supervise the
10 collection of baseline scientific assessment data which may
11 impact agricultural, mineral, geological, historical or
12 environmental resources. The data collected shall be of
13 sufficient quality and quantity to provide a scientifically
14 defensible record of the ambient environment in a defined
15 geographic area. The governor's office may supervise
16 collection of all data which may impact agricultural,
17 mineral, geological, historical or environmental resources,
18 including, but not limited to, the following:

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20 (i) Air quality, including ozone and haze
21 levels;

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23 (ii) Surface water and groundwater quality and
24 quantity;

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2 (iii) Economic development infrastructure,
3 roads, reservoirs, corrals, fences and all other man-made
4 structures on public land;

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6 (iv) Historic trails, historic sites or
7 archeological sites;

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9 (v) Livestock grazing;

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11 (vi) Geological analysis;

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13 (vii) Populations of species listed as
14 threatened or endangered under the Endangered Species Act
15 and those species which may be listed as endangered or
16 threatened in the foreseeable future;

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18 (viii) Rights-of-way corridors for electric
19 transmission, fiber optics and pipelines.

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21 (b) The governor shall assign the collection of data
22 under subsection (a) of this section to the appropriate
23 state agency or political entity of the state, including,
24 but not limited to, the following:

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(i) The department of environmental quality;

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(ii) The University of Wyoming;

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(iii) The oil and gas commission;

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(iv) The game and fish department;

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(v) The department of agriculture;

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(vi) The office of state lands and investments;

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(vii) The department of state parks and cultural

resources;

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(viii) The department of administration and

information;

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(ix) The state archeologist;

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(x) The state geologist;

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(xi) The pipeline authority;

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2 (xii) The infrastructure authority;

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4 (xiii) All other state agencies, boards,
5 commissions and departments with knowledge and expertise on
6 issues impacting lands in the state; and

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8 (xiv) All interested local governments.

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10 (c) The governor's office may collaborate with any
11 entity not under the complete control of the state of
12 Wyoming to accomplish the purposes of this section. Before
13 collaborating with an entity not under the complete control
14 of the state of Wyoming, the governor's office and the
15 other entity shall enter into a cost sharing agreement. The
16 governor's office may accept funding from an entity for
17 data collection under this section. Any funding received
18 shall be reported to the joint minerals, business and
19 economic development interim committee in accordance with
20 subsection (h) of this section.

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22 (d) The governor may direct state agencies and
23 political entities to use all available technologies at

1 their disposal to collect data under this section,
2 including geographic information systems (GIS).

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4 (e) The governor's office shall provide for a
5 repository for all data collected under this section. The
6 data shall not be deemed a public record but the governor
7 may share all data collected as he deems appropriate.

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9 (f) State agencies and political entities of the
10 state assigned with collecting data under subsection (a) of
11 this section shall submit an estimate of the necessary
12 costs of collecting their assigned data to the governor's
13 office. To the extent necessary, the governor shall use
14 his authority under W.S. 9-2-1005(b)(i) to transfer
15 sufficient funds to the assigned agency to pay the
16 necessary costs of data collection.

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18 (g) The governor's office shall promulgate rules and
19 regulations necessary to implement this section, including
20 establishing standards for data collection consistent with
21 other standard peer reviewed scientific research.

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23 (h) The governor's office shall report to the joint
24 minerals, business and economic development interim

1 committee by October 1, 2012 and by October 1 annually
2 thereafter concerning the progress of data collection under
3 this section.

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5 **Section 2.**

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7 (a) There is appropriated five hundred thousand
8 dollars (\$500,000.00) from the general fund to the
9 governor's office to develop and administer the program
10 created pursuant to this act. Notwithstanding any other
11 provision of law, this appropriation shall not be
12 transferred or expended for any other purpose and any
13 unexpended, unobligated funds remaining from this
14 appropriation shall revert as provided by law on June 30,
15 2014.

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17 (b) The governor's office shall include within the
18 first report due to the joint minerals, business and
19 economic development interim committee on or before October
20 1, 2012 a recommendation as to whether the governor's
21 office requires additional employees to carry out the
22 provisions of this act.

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1 (c) Funding for the program created by W.S. 9-1-224
2 shall be included in the standard budget request of the
3 governor's office for the 2015-2016 fiscal biennium.

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5 **Section 3.** This act is effective July 1, 2012.

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(END)