

ENROLLED ACT NO. 36, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2012 BUDGET SESSION

AN ACT relating to natural resources; providing for the baseline scientific assessment of agricultural, mineral, geological, historical and environmental resources on public lands; providing that the governor shall supervise the collection of baseline scientific data as specified; providing that the governor may assign collection of data to state agencies and political entities of the state as specified; providing that the governor may collaborate with other entities in the collection of data as specified; requiring cost sharing; providing that the governor shall distribute necessary costs of data collection as specified; creating a repository for the data collected within the governor's office; providing that the collected data may be shared as specified; providing rulemaking authority; requiring reports; providing an appropriation; and providing for an effective date.

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

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

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

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

ORIGINAL HOUSE  
BILL NO. 0090

ENROLLED ACT NO. 36, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2012 BUDGET SESSION

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

(ii) Surface water and groundwater quality and quantity;

(iii) Economic development infrastructure, roads, reservoirs, corrals, fences, pipelines, transmission lines and all other man-made structures on public land;

(iv) Historic trails, stock driveways, historic sites or archeological sites;

(v) Livestock grazing;

(vi) Geological analysis;

(vii) Populations of species listed as threatened or endangered under the Endangered Species Act and all state and federal agency species lists including, but not limited to, management indicator species, sensitive species, native species status and the Wyoming natural diversity database;

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

(ix) Enhanced oil recovery.

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

(i) The department of environmental quality;

ORIGINAL HOUSE  
BILL NO. 0090

ENROLLED ACT NO. 36, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2012 BUDGET SESSION

- (ii) The University of Wyoming;
- (iii) The oil and gas commission;
- (iv) The game and fish department;
- (v) The department of agriculture;
- (vi) The office of state lands and investments;
- (vii) The department of state parks and cultural resources;
- (viii) The department of administration and information;
- (ix) The state archeologist;
- (x) The state geologist;
- (xi) The pipeline authority;
- (xii) The infrastructure authority;
- (xiii) Conservation districts;
- (xiv) All other state agencies, boards, commissions and departments with knowledge and expertise on issues impacting lands in the state; and
- (xv) All interested local governments.

(c) The governor's office may collaborate with any entity not under the complete control of the state of Wyoming to accomplish the purposes of this section. Before

ORIGINAL HOUSE  
BILL NO. 0090

ENROLLED ACT NO. 36, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2012 BUDGET SESSION

collaborating with an entity not under the complete control of the state of Wyoming, the governor's office and the other entity shall enter into a cost sharing agreement. The governor's office may accept funding from an entity for data collection under this section. Any funding received shall be reported to the joint minerals, business and economic development interim committee in accordance with subsection (h) of this section.

(d) The governor may direct state agencies and political entities to use all available technologies at their disposal to collect data under this section, including geographic information systems (GIS).

(e) The governor's office shall provide for a repository for all data collected under this section. The governor may designate data collected from private sources containing proprietary information or trade secrets as confidential and not subject to inspection as provided by W.S. 16-4-203(d)(v). All other data collected and not designated shall be available to the public.

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

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

ORIGINAL HOUSE  
BILL NO. 0090

ENROLLED ACT NO. 36, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2012 BUDGET SESSION

(h) The governor's office shall report to the joint minerals, business and economic development interim committee by October 1, 2012 and by October 1 annually thereafter concerning the progress of data collection under this section.

**Section 2.**

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

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

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

ORIGINAL HOUSE  
BILL NO. 0090

ENROLLED ACT NO. 36, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2012 BUDGET SESSION

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk