

Minerals Committee

2022 Interim Planning – Proposed Interim Topics

Representative Bear

Proposed Interim Topic: Review of DEQ's Guideline 12

Contact Person:

Rep John Bear

House Minerals, Business, and Economic Development Committee

John.Bear@wyoleg.gov

307-670-1130

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

I would like to see/determine if we can reduce the gap between Wyoming's standards and those of the Office of Surface Mining.

Expected goal or result:

A bill to place limits and more guidance for rule making on reclamation bond calculations

Estimated Committee time for topic:

one or two meetings with one hour each with background work done by myself and DEQ members.

Resources for Committee review prior to topic consideration:

Actual costs of reclamation at various size mines.

Proposed Interim Topic: Apprenticeship Statute, 16-6-9xx

Contact Person:

Cathy Connolly

WY Legislature

cathy.connolly@wyoleg.gov

3073990482

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

Over the 2021 interim, DWS submitted a letter with its reporting requirement under 16-6-902(g) indicating that there was no use of the incentive program for the use of apprentices under 16-6-9xx. I met with DWS and the contractor's association to review the letter. We determined that the statute is antiquated, does not accurately reflect the use of workers in approved training programs that are not apprentices, and doesn't adequately the differences between work in horizontal versus vertical construction. Thus, the statute needs an overhaul to effectuate our desire to encourage the use of apprentices on public works projects (or if not, to repeal the statute).

Expected goal or result:

Significant update to 16-6-9xx, including new definitions.

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Estimated Committee time for topic:

2 -4 hours for overview of issue, 1 hour for bill overview at subsequent meeting

Resources for Committee review prior to topic consideration:

Review of Dec letter from DWS and correspondence regarding issue from Contractor's association.

Senator Rothfuss

Proposed Interim Topic: Deregulated Power Zones & Incentives for ESG Power Production and Economic Development in WY

Contact Person:

Sean Octavius Murphy
sean@miracleventures.com

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

The Minerals, Business and Economic Development Committee voted against Bill SF0105 in Committee, but discussed this should be an interim topic. It is imperative Wyoming expands its ESG power production capacity, and I have been advocating for this with the "carrot or stick" model for utilities. It is imperative we incentivize utilities correctly to develop more power in the state for large scale industrial use, and export more power, and have a regulatory framework where large scale industrial projects in Wyoming in blockchain and technology can come to the state and flourish.

Expected goal or result:

We need to stop talking about economic development and start acting. Open Wyoming to large scale industrial projects in digital mining, data processing and other advanced industries that require large scale power. The companies needing this power need it to be ESG. I'm sorry, coal is dying. That is the reality. Wyoming -- this Committee -- needs to get moving on economic development. Nuclear fission is not the global answer. It represents symmetric and systemic risk to WY without the upside to justify it being the state's only legislative priority.

Estimated Committee time for topic:

It will depend how much input and voice there is against this from the utilities. They are monopolies and acting like oligarchs in the state to control/limit economic development and competition at their discretion.

Resources for Committee review prior to topic consideration:

Involvement from the utilities (and people like me representing the industry and stakeholders in WY) to understand what the "carrot" is to incentivize utility participation. We know they are participating in the clean power story ---ie the nuclear bill --- but we need to add capacity and pursue this economic development now for digital mining, data processing, and large scale projects powered by ESG "clean" power (wind, solar, battery, nuclear fusion R&D at UW).

Representative Greear, Chairman

Minerals Committee

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Proposed Interim Topic: "Feasibility study for expanding Agreement State status to cover limited source material."

Contact Person:

Todd Parfitt
Dept. of Environmental Quality
todd.parfitt@wyo.gov
307-777-7937

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

Determine feasibility of expanding Agreement State Status by adding source material to the Agreements State Authority under the Nuclear Regulatory Commission and to provide the governor with the authority to proceed with the Agreement State Process.

Expected goal or result:

Consider the feasibility study report results. If supported by the feasibility study, develop statutory provision to provide the governor the authority to proceed with expanding Agreement State authority with the Nuclear Regulatory Commission for source material.

Estimated Committee time for topic:

1.5 hours at the 2nd interim meeting 1.5 hours at the 3rd interim meeting

Resources for Committee review prior to topic consideration:

W.S. 35-11-2001 through 2005

Representative Burkhardt, Jr

Proposed Interim Topic: Hydrogen in Wyoming

Contact Person:

Glen Murrell
Wyoming Energy Authority
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3078232845

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

Hydrogen in Wyoming: status report and exploration of policy and regulatory gaps. We will provide updates on federal funding opportunities (including hydrogen hub collaboration with CO, UT and NM), private industry activity if applicable, and any identified policy and regulatory gaps concerning hydrogen production, transportation, storage, and use.

Expected goal or result:

This would be mostly educational, but there is a reasonable likelihood that discussion and exploration of the topic could identify legislative needs to address policy and regulatory gaps for hydrogen.

Estimated Committee time for topic:

2-3 hrs

Resources for Committee review prior to topic consideration:

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We are working on a Wyoming hydrogen roadmap and recommendations document which may be ready to present to the committee depending on the timing of the committee meeting. Additional background information: 1. “Clean Hydrogen Production,” (1 page), by the Clean Hydrogen Future Coalition (CHFC): <https://cleanh2.org/wp-content/uploads/CHFC-Production.pdf> 2. “Clean Hydrogen Transportation and Delivery,” (2 pages) by CHFC: <https://cleanh2.org/wp-content/uploads/CHFC-Transport-and-Storage.pdf> 3. “Hydrogen Use Potential, (2 pages) by CHFC: <https://cleanh2.org/wp-content/uploads/CHFC-End-Use.pdf> 4. (very good, but technical): Clarke, Z., & Della Vigna, M. (2022) Carbonomics: the Clean Hydrogen Revolution [White paper, 122 pages]. Goldman Sachs Research. <https://www.goldmansachs.com/insights/pages/gs-research/carbonomics-the-clean-hydrogen-revolution/carbonomics-the-clean-hydrogen-revolution.pdf>

Representative Greear, Chairman

Proposed Interim Topic: Repurposing industrial sites, including mines, oil/gas other industrial site

Contact Person:

Rusty Bell

WCCA

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3076607412

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

Finding easy and efficient ways to repurpose or reuse industrial sites, including but not limited to, taking them out of reclamation plan, transferring to new owner, using them as an asset not a liability.

Expected goal or result:

Goal should be to have industrial sites that are more readily available to new industry and that can be marketed as such by current owner or state or county economic development entities. This would include process of taking these sites out of reclamation responsibilities.

Estimated Committee time for topic:

2-4 hours in the first meeting then some follow up time for bill review (hopefully)

Resources for Committee review prior to topic consideration:

DEQ requirements for reclamation options Federal tools for taking sites out of reclamation requirements if necessary. Wyoming Business Council for potential marketing of sites. Examples of sites that have gone through this process (Fort Union, Campbell County and Dave Johnson Site, Converse County)

N/A-Topic requested by legislator

Proposed Interim Topic: Wyoming Workforce Affordable Housing

Contact Person:

Rep Bill Henderson

Wyoming House of Representatives HD41

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bill.henderson@wyoleg.gov

3072019898

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

the urgent need for affordable workforce housing is now relevant to all towns and cities across Wyoming, from Cheyenne to Sheridan, Star Valley to Teton County. While the numbers are different the challenge is the same. We will not be able to continue economic development unless we can attract skilled workers to different parts of the state with a reasonable housing outcome. If management council would agree to discuss this as an interim topic I think it will allow different voices of stakeholders across Wyoming to be heard that can work together on solutions that fit each location. We could consider a trust fund for use by communities to grow funding for affordable housing this of course. Identifying, prioritizing and clarifying the issues would be a big step forward. Wyoming does attract highly skilled workers, however, they and their family must find affordable housing -- this is a key part of economic development.

Expected goal or result:

Provide opportunity for public participation and input to identify the key issues related to affordable workforce housing in communities across our state. How could improvements in transportation infrastructure help make housing affordable?

Estimated Committee time for topic:

4 hours (2 for initial public input), 2 for considering draft legislation for next session).

Resources for Committee review prior to topic consideration:

WCDA options available in current programs for income based housing construction and development.

Proposed Interim Topic: General regulatory sandbox program

Contact Person:

Rep. Ocean Andrew

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

A universal regulatory sandbox program provides a way for innovators to demonstrate safe and reasonable innovative products that are outside of the current regulatory structure. The program could be run by the WBC (or an alternative agency/board). They would receive applications and consult with applicable agencies that regulate the specific offering and preliminarily approve (or deny) the application. The WBC would then submit it to the SLIB board for final approval. If approved, an applicant would have two years to demonstrate the product in a regulated manner within the specific confines of the sandbox.

Expected goal or result:

A committee bill that is well worked with input from all the parties involved establishing a general regulatory sandbox program in Wyoming.

Estimated Committee time for topic:

Resources for Committee review prior to topic consideration:

-Utah's general regulatory sandbox program -HB135 from the 2022 budget session

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Proposed Interim Topic: Max amounts on WBC grants

Contact Person:

Representative Trey Sherwood
Wyoming House of Representatives
Trey.Sherwood@wyoleg.gov
3077602722

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

With inflation and rising construction costs, we need to examine the max grant and loan amounts (caps) allowed per project. Are they adequate to complete economic development projects? Are more funds needed for the BRC program?

Expected goal or result:

Adjustments to the BRC program amounts

Estimated Committee time for topic:

2 - 3 hours

Resources for Committee review prior to topic consideration:

WBC grant and loan rules - <https://wyomingbusiness.org/communities/business-ready-community/>

Senator Biteman

Proposed Interim Topic: Continue work on SF-108 "Prohibit use of Social Credit Scores"

Contact Person:

Senator Biteman
Wyoming Senate
bo.biteman@wyoleg.gov

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

Providing consumer protection in banking and financial services. Prohibiting the use of social credit scoring systems.

Expected goal or result:

It is my goal that the committee sponsor a bill after working with the banking industry and state regulators.

Estimated Committee time for topic:

4-6 hours

Resources for Committee review prior to topic consideration:

Representative Gray

Minerals Committee

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Proposed Interim Topic: Labeling fossil fuels as green energy in statute

Contact Person:

Chuck Gray
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3072511372

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

I would like to review the possibility of labeling fossil fuels as green energy.

Expected goal or result:

A bill

Estimated Committee time for topic:

2 hours

Resources for Committee review prior to topic consideration:

federal statutes and other relevant material

Senator Cooper

Proposed Interim Topic: State Employee Housing

Contact Person:

Dan Dockstader
Wyoming Senate
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307.887.5727

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

Co-chairs: We are no longer paying our employees enough to cover the basic needs of housing in many locations in the state. We desperately need "global" solution.

Expected goal or result:

To take the first steps in developing a statewide plan to address a problem that won't be going away.

Estimated Committee time for topic:

Summer/Fall meetings

Resources for Committee review prior to topic consideration:

State housing programs already underway, such as WYDOT's Jackson project and Lower Valley Energy's housing project in Jackson. (This is not a Jackson issue alone, it's coming to a town near you.)

Representative Gray

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Proposed Interim Topic: Ensuring that Wyoming's natural resources do not get in the wrong hands

Contact Person:

Chuck Gray
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3072511372

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

I think we need to study the sales of Wyoming resources in the past and what we can do to ensure that Wyoming resources remain in the right hands. I also think we should study how this would interact with federal law.

Expected goal or result:

possible legislation

Estimated Committee time for topic:

4 hours

Resources for Committee review prior to topic consideration:

relevant federal statutes and studying the history of sales of Wyoming assets

Senator Anderson, Chairman

Proposed Interim Topic: How does Wyoming handle giga projects?

Contact Person:

Senator Anderson
Legislator

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

What do we need to change in the statutes for huge projects?

Expected goal or result:

Draft relevant legislation.

Estimated Committee time for topic:

Resources for Committee review prior to topic consideration:

Proposed Interim Topic: Wyoming Industrial Sites and the future

Contact Person:

Senator Anderson
Legislator

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

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What can we do to repurpose Wyoming Industrial sites in the future?

Expected goal or result:

Repurpose Wyoming Industrial Sites

Estimated Committee time for topic:

Resources for Committee review prior to topic consideration:

Proposed Interim Topic: Promote hydrogen business in Wyoming

Contact Person:

Senator Anderson

Legislator

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

What can the legislature do to promote the hydrogen business in Wyoming?

Expected goal or result:

Legislation to promote hydrogen business in Wyoming.

Estimated Committee time for topic:

Resources for Committee review prior to topic consideration:

N/A-Topic requested by legislator

Proposed Interim Topic: Wyoming's incentives and competitiveness in economic development (tools)

Contact Person:

Representative Trey Sherwood

Wyoming House of Representatives

Trey.Sherwood@wyoleg.gov

3077602722

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

Examination of our economic development incentives and tax structure. Which are working to diversify our economy and retain or grow our industries? Which are not doing their job and need amended or removed? Work with our economic development partners, WEDA and the WBC, to ensure we are providing the tools and resources in statute that allow us to drive economic development. i.e. do our tax policies and incentives help existing industries innovate, encourage ongoing capital investment and job creation? Do these tools need to be clarified or "right sized" for our smaller communities?

Expected goal or result:

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- Sunset of tax exemptions that aren't working - Look at adopting tax incentives/credits that are used successfully in other Mountain West states (revenue bonds, sales tax amortization, tax credits, development or incentive zones, leveraging opportunity zones, etc.) - Clarification on the use of tax increment financing (TIF) legislation for Urban Renewal and Downtown Development. (The only functioning TIF in the state is in Cheyenne - why is it so hard for other communities to use this tool?)

Estimated Committee time for topic:

6 to 8 hours

Resources for Committee review prior to topic consideration:

Provided by WEDA: - Wyoming Economic Development Tax Funding Options - Tax Foundation's "Location Matters 2021, The State Tax Costs of Doing Business" - Evaluating Wyoming's Business Tax Competitiveness by Jared Walczak of the Tax Foundation - LOCATION MATTERS 2021 THE STATE TAX COSTS OF DOING BUSINESS

Representative Greear, Chairman

Proposed Interim Topic: WOGCC general oversight and drilling and spacing unit education

Contact Person:

Pete Obermueller
Petroleum Association of Wyoming
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307-630-2068

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

The Wyoming Oil and Gas Conservation Commission is the operational regulator of Wyoming's oil and gas sector. Its primary concern is preventing waste of Wyoming's resources and protecting the correlative rights of mineral owners. The committee would benefit from an overview with the new Supervisor on WOGCC authorities, processes, and staffing needs. Further, the committee would benefit from an educational session regarding drilling and spacing units.

Expected goal or result:

The committee could be prepared, if necessary, to assist the oil and gas industry in ensuring that the WOGCC is properly staffed given that the WOGCC is industry funded. Secondly, a full understanding of drilling and spacing units could ensure that the committee has a full base of knowledge when bills attempt to legislatively alter these units, or when technology forces change to avoid waste.

Estimated Committee time for topic:

2 hours total testimony covering both topics. At this time, no further legislation is contemplated, but if legislation was developed, another 1 or 2 hours might be necessary.

Resources for Committee review prior to topic consideration:

Representative Gray

Minerals Committee

2022 Interim Planning – Proposed Interim Topics

Proposed Interim Topic: Soda Ash trade violations from foreign countries

Contact Person:

Chuck Gray

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3072511372

Related to 2022 legislation:

No

Recommended priorities Committee should consider:

Study potential trade violations of foreign countries due to synthetic soda ash processes.

Expected goal or result:

Talking to federal delegation. Possible legislation

Estimated Committee time for topic:

1.5 hours

Resources for Committee review prior to topic consideration:

Talk to people working in trade about this issue.