

SENATE FILE NO. SF0092

Make carbon dioxide great again-no net zero.

Sponsored by: Senator(s) Steinmetz and Representative(s)
Bear

A BILL

for

1 AN ACT relating to environmental quality; providing
2 legislative findings; specifying that carbon dioxide is not
3 a pollutant and is a beneficial substance; providing policy
4 statements of the state associated with carbon dioxide;
5 repealing low-carbon energy standard requirements;
6 repealing conflicting provisions; making conforming
7 amendments; specifying applicability; requiring
8 reimbursement to utility customers as specified; requiring
9 rulemaking; and providing for an effective date.

10

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

12

13 **Section 1.** W.S. 35-11-215 is created to read:

14

1 **35-11-215. Carbon dioxide; beneficial treatment;**
2 **state policy.**

3

4 (a) The legislature finds that:

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6 (i) Carbon dioxide is a foundational nutrient
7 necessary for all life on earth. Plants need carbon dioxide
8 along with sunlight, water and nutrients to prosper. The
9 more carbon dioxide available for this, the better life can
10 flourish;

11

12 (ii) The carbon cycle, where carbon dioxide is
13 reused and transferred between the atmosphere and organisms
14 on earth, is a biological necessity for life on earth;

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16 (iii) Agricultural production worldwide is
17 outpacing population growth and breaking production records
18 primarily due to increasing atmospheric carbon dioxide;

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20 (iv) More carbon dioxide allows plants to better
21 resist drought by using water more efficiently;

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1 (v) The national aeronautics and space
2 administration has confirmed that global vegetation is
3 increasing from the near-polar regions to the equator. The
4 largest contributor to this greening of the earth is
5 increasing carbon dioxide;

6

7 (vi) Carbon dioxide levels are currently at
8 approximately four hundred twenty (420) parts per million,
9 which is at near-historically low concentrations. The
10 current carbon dioxide levels are one-sixth (1/6) of the
11 average of two thousand six hundred (2,600) parts per
12 million over geologic time;

13

14 (vii) It is estimated that carbon dioxide levels
15 need to exceed one hundred fifty (150) parts per million to
16 ensure the survival of plant life on earth;

17

18 (viii) The earth needs carbon dioxide to support
19 life and to increase plant yields, both of which will
20 contribute to the health and prosperity of all Wyoming
21 citizens.

22

23 (b) It is the policy of the state of Wyoming that:

1

2 (i) Carbon dioxide is a foundational nutrient
3 necessary for life on earth;

4

5 (ii) Carbon dioxide shall not be designated or
6 treated as a pollutant or contaminant;

7

8 (iii) The state of Wyoming shall not pursue any
9 targets or measures that support the reduction or
10 elimination of carbon dioxide, including any "net-zero"
11 targets.

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13 **Section 2.** W.S. 37-1-101(a)(intro) and 37-2-134(a)(i)
14 and (iv) are amended to read:

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16 **37-1-101. Definitions.**

17

18 (a) As used in chapters 1, 2, 3, 12, and 17 ~~and 18~~ of
19 this title:

20

21 **37-2-134. Electric generation facility closures;
22 presumption; commission review.**

23

1 (a) As used in this section:

2

3 (i) "Dispatchable" means ~~as defined in W.S.~~
4 ~~37-18-101(a)(ii)~~ a source of electricity that is available
5 for use on demand and that can be dispatched upon request
6 of a power grid operator or that can have its power output
7 adjusted, according to market needs and includes
8 dispatchability;

9

10 (iv) "Reliable" means ~~as defined in W.S.~~
11 ~~37-18-101(a)(iv)~~ generated electricity that is not subject
12 to intermittent availability.

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14 **Section 3.** W.S. 37-1-101(a)(vi)(N), 37-18-101 and
15 37-18-102 are repealed.

16

17 **Section 4.** Not later than sixty (60) days after the
18 effective date of this act, each public utility that
19 recovered rates from customers under W.S. 37-18-102(c)(i)
20 or (iii), as repealed by section 3 of this act, shall
21 refund those rates to customers who paid them, provided
22 that the utility shall not be required to refund rates
23 recovered under W.S. 37-18-102(c)(i) and (iii) that the

1 utility had expended for carbon capture, utilization and
2 storage technology before the effective date of this act.
3 Refunds required under this section shall be in a form and
4 manner specified by the public service commission.

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6 **Section 5.** The public service commission shall
7 promulgate all rules necessary to implement this act.

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9 **Section 6.** This act is effective immediately upon
10 completion of all acts necessary for a bill to become law
11 as provided by Article 4, Section 8 of the Wyoming
12 Constitution.

13

14 (END)