

ORIGINAL HOUSE  
BILL NO. HB0035

ENROLLED ACT NO. 16, HOUSE OF REPRESENTATIVES

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2024 BUDGET SESSION

AN ACT relating to environmental quality; requiring the environmental quality council to promulgate rules no more stringent than federal law, rules or regulations; providing exceptions; specifying applicability; requiring rulemaking; requiring reporting; and providing for an effective date.

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

**Section 1.** W.S. 35-11-112(a)(i), (g) and by creating a new subsection (h) is amended to read:

**35-11-112. Powers and duties of the environmental quality council.**

(a) The council shall act as the hearing examiner for the department and shall hear and determine all cases or issues arising under the laws, rules, regulations, standards or orders issued or administered by the department or its air quality, land quality, solid and hazardous waste management or water quality divisions. At the council's request the office of administrative hearings may provide a hearing officer for any rulemaking or contested case hearing before the council, and the hearing officer may provide recommendations on procedural matters when requested by the council. Notwithstanding any other provision of this act, including this section, the council shall have no authority to promulgate rules or to hear or determine any case or issue arising under the laws, rules, regulations, standards or orders issued or administered by the industrial siting or abandoned mine land divisions of the department. The council shall:

(i) Subject to subsection (h) of this section, promulgate rules and regulations necessary for the administration of this act, after recommendation from the

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director of the department, the administrators of the various divisions and their respective advisory boards;

(g) Subject to subsection (h) of this section, the council shall not promulgate any rules which impose standards or requirements related to meat processing which are more stringent than federal law, rules or regulations.

(h) The council shall not promulgate any rules or regulations that impose standards or requirements more stringent than federal law, rules or regulations applicable to any federal program that the state maintains primacy over unless the department identifies the need for rules or regulations that impose standards or requirements more stringent than federal law, rules or regulations in its statement of principal reasons.

## **Section 2.**

(a) Not later than July 2, 2024, the director of the department of environmental quality shall:

(i) Consult with regulated stakeholders to identify a list of existing rules to be reviewed by the director of the department of environmental quality to conform existing rules to the requirements of this act, including a timeline for conducting that review;

(ii) Report to the joint minerals, business and economic development interim committee on the rules identified under this subsection for review.

(b) The environmental quality council shall promulgate or repeal any rules necessary to administer this

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act in accordance with the changes identified by the director of the department of environmental quality.

(c) The director of the department of environmental quality shall review new and amended rules to comply with this act.

**Section 3.** This act is effective July 1, 2024.

(END)

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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