

Repealing HB 200 (2020): Restoring Wyoming's Energy Sovereignty and Economic Prosperity

A White paper on the Repeal of the Reliable and Dispatchable Low-Carbon Energy Standards (HB 200, 2020, Wyoming Statute § 37-18-101)

Executive Summary

As Governor, I will immediately demand the repeal of HB 200, the Reliable and Dispatchable Low-Carbon Energy Standards, enacted by the 65th Legislature in 2020, Wyoming Statute § 37-18-101. This legislation codified into law the federal government's "war on coal" imposing Carbon Capture and Sequestration (CCS) requirements on our public utilities and legacy energy industries. This bill accommodated federal over reach and statutorily aligned Wyoming with the AOC, Biden/Harris and United Nations new world order green agenda.

Estimated residential rates have risen from .07 cents per kilowatt hour to .14 cents per kWh, a 55% increase. Commercial rates .06 to .09 cents or approximately 45%. This bill facilitated adding billions to our national debt. The heavy hand of Wyoming government has again tipped the scales picking winners and losers to the detriment of the state, its core industries, and the people.

Legislative History and Political Responsibility

The Wyoming 65th Legislature under House Speaker Eric Barlow and Senate president Drew Perkins alone with a bi-partisan group of House and Senate members introduced and voted for HB200. The Bill imposed low-carbon electricity generation *portfolio* standards and carbon capture and sequestration requirements on all coal and gas fired public utilities. Here are the recorded votes:

House Ayes: (March 11, 2020)**:** Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clifford, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Freeman, Furphy, Greear, Haley, Hallinan, Harshman, Kinner, Kirkbride, Larsen Lloyd, Loucks, Macguire, Newsome, Nicholas, Northrup, Obermueller, Paxton, Pelkey, Pownall, Roscoe, Schwartz, Simpson, Stith, Sweeney, Walters, Washut, Western, Wilson, Zwonitzer.

Senate Ayes: Anderson, Baldwin, Boner, Coe, Dockstader, Driskill, Gierau, Kinskey, Kost, Landen, Moniz, Nethercott, Perkins, Schuler, Scott, Von Flatern, Wasserburger.

Effect

Base load power plants were required to divert millions of dollars in precious funds from needed upgrades to buy and install CCS equipment. Carbon capture delivered no environmental benefit, inflicted

measurable economic harm on rate payers, and squandered hundreds of millions in taxpayers and ratepayer dollars. Then and now atmospheric CO_2 levels show no measurable change in CO_2 and no climate changing effects as a result.

Why It Matters

Repealing HB 200 will remove the boot of government from Wyoming and put us on the path to lower budgets, removing burdensome mandates, lower electricity rates, protect Wyoming's organic energy industries (coal, oil, and gas), and halt the diversion of public funds to unproven technologies. The repeal is essential to restore fiscal responsibility, constitutional governance, and economic vitality.

The Science of CO_2: A Vital Gas, not a Pollutant

CO_2 is a vital plant nutrient that enhances photosynthesis, reduces water consumption of plants and that is important in dry arid environments. CO_2 supports life.

Nature sequesters CO_2 through plants, which produce the oxygen essential for life. CO_2 is fundamental to photosynthesis. Higher concentrations of CO_2 enhance plant growth: greenhouses routinely inject CO_2, raising levels from ambient ~420 ppm to 800–1,200 ppm. This accelerates growth rates, improves crop yields by up to 40%, and produces hardier faster-maturing plants. In an arid state like Wyoming reduced water consumption by plants is beneficial. Insufficient CO_2 severely stunts plant growth.

After years of industrialization the premise of a CO_2 caused climate crisis requiring mandatory Carbon Capture Sequestration lacks scientific foundation.

Economic and Fiscal Impacts

HB 200 (Wyoming Statute § 37-18-101) and related policies have harmed Wyoming's energy economy:

- Wyoming's GDP growth averaged just 0.7% per year (2019–2025), compared to the U.S. average of 2.4%—more than three times slower.
- 46% of Wyomingites live in energy producing counties with declining GDP (2019–2024), including Sublette (-33.4%), Platte (-18.7%), Sweetwater (-17.6%), Natrona (-10.5%), and others.
- Powder River Basin supplies about 40% of U.S. coal. The Wyoming government's Green agenda sent the wrong message to our out of state customers and resulting in reduced sales.
- Retrofits to power plants cost $50–$132 per metric ton of CO_2 captured, with high energy penalties that can double electricity requirements for operations, reducing overall plant efficiency and introducing chemical toxicity concerns.

Repeal Efforts

- **2024**: Senate File 42 (lower CO_2 targets, delay to 2033) faced opposition and failed.

- **2025**: HB 0209 (sponsored by Rep. Chris Knapp and Sen. Cheri Steinmetz) sought full repeal but did not pass. Senate File 0092 ("Make Carbon Dioxide Great Again") died in committee.
- **2026**: HB 56 passed committee but was blocked in full session.

Wyoming continues funding the Wyoming Integrated Test Center), the Wyoming Energy Authority, and projects like Nature Conservancy's Project Bison for Direct Air Capture (DAC).

Broader Policy Context

Government zoning permitting and DEQ actions favored wind, solar, and carbon capture while delaying permits for coal, oil, and gas—picking winners and losers. NEPA and EIS processes are not applied to green industries. The Direct Air Capture (DAC) regulatory framework lacks measurable metrics for compliance mechanisms.

Conclusion and Path Forward

Repeal will eliminate Carbon Capture and Sequestration mandates, reduce rates, protect ratepayers and taxpayers, and refocus policy on reliable, dispatchable, affordable energy from Wyoming's abundant resources.

HB 200 represents one of the largest misadventures and policy errors in Wyoming history, subordinating state interests to a federal agenda. Elections matter because they determine whether officials prioritize citizens over corporations and federal overreach.

Repealing HB 200 (2020), Wyoming Statute § 37-18-101, restores constitutional governance, ends the diversion of funds, and positions Wyoming for renewed prosperity grounded in reality rather than alarmism.

The time to repeal is now.