

HOUSE BILL NO. HB0171

Filing of mineral exploration documents.

Sponsored by: Representative(s) Miller, Cohee, Gingery,
Harshman and Jorgensen and Senator(s) Bebout
and Ross

A BILL

for

1 AN ACT relating to minerals; requiring documents related to
2 mineral exploration be reported to the Wyoming geological
3 survey board as specified; providing for the collection and
4 confidentiality of documents as specified; providing
5 penalties for violations of reporting requirements;
6 specifying application; and providing for an effective
7 date.

8

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

10

11 **Section 1.** W.S. 9-2-807(e) by creating a new
12 paragraph (iii), 16-4-203(d)(xii), (xiii) and by creating a
13 new paragraph (xiv) and 35-11-404 by creating new
14 subsections (o) and (p) are amended to read:

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1 **9-2-807. Geological survey board; created;**
2 **membership; term; qualifications; removal; vacancies;**
3 **election of officers; meetings; quorum; compensation;**
4 **expenses; duties.**

5
6 (e) The board shall:

7
8 (iii) Collect and preserve all logs, surveys,
9 assays and other documents filed under W.S. 35-11-404(o).
10 All documents collected under this paragraph shall be held
11 confidential for a period of three (3) years after initial
12 receipt by the state geologist and confidentiality may be
13 extended in one (1) year increments upon notification to
14 the state geologist by electronic mail, telephone or
15 written request, from the person or legal entity who filed
16 the documents requesting that confidentiality be extended.
17 If an extension request has been received, an extension
18 shall be granted for one (1) year. If no extension request
19 has been received by the state geologist by the end of the
20 confidential period, the state geologist shall mail by
21 certified mail, return receipt requested, to the address of
22 record, a notice of the date of the confidentiality
23 expiration to the person or legal entity who filed the
24 documents. If there is no reply within thirty (30) days of

1 receipt of the notice or if there is a return of a notice
2 sent pursuant to this paragraph or any communication by the
3 postal service that the notice is undeliverable, that shall
4 be evidence that the person or legal entity does not wish
5 to extend the period of confidentiality and the
6 confidential period shall expire. All logs, surveys,
7 assays and other documents shall become the property of the
8 state to be retained within the permanent files of the
9 Wyoming geological survey board for the use of the staff
10 and public after the confidentiality period has expired.

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12 **16-4-203. Right of inspection; grounds for denial;**
13 **access of news media; order permitting or restricting**
14 **disclosure; exceptions.**

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16 (d) The custodian shall deny the right of inspection
17 of the following records, unless otherwise provided by law:

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19 (xii) Information regarding the design, elements
20 and components, and location of state information
21 technology security systems and physical security systems;
22 and

23

1 (xiii) Records or information relating to
2 individual diagnoses of contagious, infectious,
3 communicable, toxic and genetic diseases maintained or
4 collected by the Wyoming state veterinary laboratory as
5 provided in W.S. 21-17-308(e) ~~;~~ and

6
7 (xiv) Documents filed with the geological survey
8 board at the office of the state geologist subject to the
9 provisions of W.S. 9-2-807(e)(iii).

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11 **35-11-404. Drill holes to be capped, sealed or**
12 **plugged.**

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14 (o) A person who has sunk a drill hole pursuant to
15 subsection (a) of this section shall file with the
16 geological survey board at the office of the state
17 geologist all logs, surveys, assays or other factual
18 documents relating to exploration within ninety (90) days
19 from the date the exploration is completed. The
20 requirements of this subsection shall not apply to drilling
21 done pursuant to an active mine permit filed with the
22 Wyoming department of environmental quality.

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1 (p) In addition to the penalties in subsection
2 (k) of this section, the administrator of the land quality
3 division may recommend to the director that a person who
4 violates the provisions of subsection (o) of this section
5 or who willfully and knowingly authorizes, orders or
6 carries out a violation of subsection (o) of this section
7 be denied any request for a drilling, exploration or mining
8 permit until all documents required to be filed under
9 subsection (o) of this section have been filed. No bonds
10 shall be released until the geologic information has been
11 filed within the permanent files of the Wyoming geological
12 survey board.

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14 **Section 2.** This act shall not apply retroactively to
15 require filing of logs, surveys, assays or other documents
16 relating to exploration commenced on or before the
17 effective date of this act.

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19 **Section 3.** This act is effective July 1, 2009.

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21

(END)