

ENROLLED ACT NO. 30, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to the collection of geologic information from bedrock geologic formations exposed as a byproduct of highway construction; establishing a state policy concerning the treatment of and access to bedrock geologic formations exposed by highway construction; providing exceptions; providing authority to the Wyoming department of transportation; providing duties to the state geologist; and providing for an effective date.

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

Section 1. W.S. 9-2-803(c)(iv) and by creating a new paragraph (vi) and 24-1-118 are amended to read:

9-2-803. State geologist; appointment; term; removal; pecuniary interest in mineral property in state prohibited; duties; powers.

(c) The state geologist shall:

(iv) Keep in his office full and complete records of all work done by him or under his supervision, all of which shall be the property of the state; ~~and~~

(vi) Regarding roadside bedrock geological formations shall:

(A) Receive, investigate and attempt to resolve any complaints under W.S. 24-1-118(b)(iii);

(B) Report complaints to the joint minerals, business and economic development interim committee as provided in W.S. 24-1-118(b)(iii);

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(C) Consult with the department of transportation as provided in W.S. 24-1-118(b)(iv) on the appropriateness of any signage identifying roadside bedrock geological formations.

24-1-118. Construction and maintenance to be performed at expense of state; geologic formations.

(a) Excepting as such work may be performed through mutual agreement with other entities, either public or private, the construction and maintenance of all state highways, including all bridges, and culverts thereon, shall be performed at the expense of the state and by and under the supervision of the commission and the director of the department of transportation or his authorized representative.

(b) When a new permanent highway cut is made that exposes a bedrock geological formation:

(i) It shall be the policy of the state to leave the bedrock geological formation exposed and not to cover it with soil and planted vegetation except when:

(A) There are safety requirements that require another treatment;

(B) The exposure occurs on private, tribal or federal land that will be private, tribal or federal land once the construction is completed and the landowner desires a different reclamation; or

(C) There are cost of construction or operational reasons to remove or cover the exposed formation.

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(ii) After completion of highway construction, for any exposed bedrock geological formation site within the highway right-of-way, with exceptions for site specific safety needs, an individual wishing to understand the local geology for economic, educational or private curiosity reasons may examine the cut and the exposed formation and may remove any geologic samples as may be gathered by hand or collected using geological hammers or other hand held tools;

(iii) The department of transportation shall work with the state geologist to address and resolve any grievances raised under subsection (b) of this section;

(iv) For exposed bedrock geologic formations of interest to the public, the department of transportation may install appropriate signage, in compliance with applicable federal and state law, to identify the geological formation and may consult with the state geologist on the appropriateness of the signage.

ORIGINAL SENATE
FILE NO. SF0136

ENGROSSED

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Section 2. This act is effective November 1, 2019.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk