

HOUSE BILL NO. HB0233

Filing of mineral exploration documents.

Sponsored by: Representative(s) Miller, Boswell, Cohee,
Illoway, Latta, Meyer and Walsh and
Senator(s) Peck

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) by creating a new paragraph
13 (xiii) and 35-11-404 by creating new subsections (o) and
14 (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 filed 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 receipt by the
14 state geologist of a written request by certified mail,
15 return receipt requested, from the person or legal entity
16 who filed the documents requesting that confidentiality be
17 extended. Not less than thirty (30) days prior to the date
18 of expiration of confidentiality, the state geologist shall
19 mail by certified mail, return receipt requested, a notice
20 of the date of expiration to the person or legal entity who
21 filed the documents. The return of a notice sent pursuant
22 to this paragraph or communications by the postal service
23 as undeliverable shall be evidence that the person or legal
24 entity does not wish to extend the period of

1 confidentiality. All requests must be received prior to
2 December 31 of the year following expiration of the period
3 of confidentiality. All logs, surveys, assays and other
4 documents shall become the property of the state to be
5 retained within the permanent files of the Wyoming
6 geological survey board for the use of the staff and public
7 after the period of confidentiality has expired.

8
9 **16-4-203. Right of inspection; grounds for denial;**
10 **access of news media; order permitting or restricting**
11 **disclosure; exception.**

12
13 (d) The custodian shall deny the right of inspection
14 of the following records, unless otherwise provided by law:

15
16 (xiii) Documents filed with the geological
17 survey board at the office of the state geologist subject
18 to the provisions of W.S. 9-2-807(e)(iii).

19
20 **35-11-404. Drill holes to be capped, sealed or**
21 **plugged; mineral exploration reporting requirements.**

22
23 (o) A person who has sunk a drill hole pursuant to
24 subsection (a) of this section shall file with the

1 geological survey board at the office of the state
2 geologist all logs, surveys, assays or other factual
3 documents relating to exploration within ninety (90) days
4 from the date the exploration is completed. The
5 requirements of this subsection shall not apply to drilling
6 done pursuant to an active mine permit filed with the
7 Wyoming department of environmental quality.

8
9 (p) In addition to the penalties in subsection (k) of
10 this section, the administrator of the land quality
11 division may recommend to the director that a person who
12 violates the provisions of subsection (o) of this section
13 or who willfully and knowingly authorizes, orders or
14 carries out a violation of subsection (o) of this section
15 be denied any request for a drilling, exploration or mining
16 permit until all documents required to be filed under
17 subsection (o) of this section have been filed.

18
19 **Section 2.** This act shall not apply retroactively to
20 require filing logs, surveys, assays or other documents
21 relating to exploration commenced on or before the
22 effective date of this act.

23

1 **Section 3.** This act is effective July 1, 2003.

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(END)