

CHAPTER 25

ABANDONED MINE RECLAMATION PROGRAM

Original House Bill No. 166

AN ACT to create W.S. 35-11-1209 relating to abandoned mine lands; prohibiting the issuance of contracts under the abandoned mine reclamation program as specified; providing definition; and providing for an effective date.

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

Section 1. W.S. 35-11-1209 is created to read:

35-11-1209. CONTRACT ELIGIBILITY.

(a) The abandoned mine land division shall not issue a contract to any construction contractor or professional services contractor if any surface coal mining and reclamation operation owned or controlled by the contractor, or by any person who owns or controls the contractor has any:

- (i) Delinquent abandoned mine reclamation fee;
- (ii) Federal or state failure-to-abate cessation order;
- (iii) Unabated federal or state imminent harm cessation order;
- (iv) Delinquent civil penalty issued under the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87;
- (v) Bond forfeiture if the violation upon which the forfeiture was based has not been corrected; or
- (vi) Unabated violation of federal or state law, rule or regulation pertaining to air or water environmental protection incurred in connection with any surface coal mining operation.

(b) As used in this section "ownership or controlling interest" means as defined in Title 30 of the Code of Federal Regulations part 773.5, as amended.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

Approved February 16, 1995.