

ENROLLED ACT NO. 46, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

AN ACT relating to mines and minerals; providing for annual reporting by mine inspectors of corrective measures taken to prevent reoccurrence of fatal accidents; providing for annual reporting of man hours worked; providing for reporting by mine site contractors; providing a definition; providing for electronic notification of mine openings and closings; repealing requirement of notice within thirty days of mine openings and closings; repealing requirement that county pay for investigations; and providing for an effective date.

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

**Section 1.** W.S. 30-2-101(a) by creating a new paragraph (xviii), 30-2-202(a)(ii)(B) and (D), 30-2-212(a), 30-2-401, 30-2-402, 30-2-403(a), (b) and (c)(intro) and 30-2-405(b) are amended to read:

**30-2-101. Definitions.**

(a) As used in this act:

(xviii) "Mine site contractor" means a person who has entered into a contract with a mine owner or operator to perform functions traditionally performed by mine personnel.

**30-2-202. Duties of inspector; duties of deputy inspectors.**

(a) The inspector shall:

(ii) Collect state mining statistics and report to the governor annually no later than March 31 for the preceding calendar year. The report shall include the

ORIGINAL HOUSE  
BILL NO. 0177

ENROLLED ACT NO. 46, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

statistics and may include recommendations concerning further mining legislation. The statistics in the report shall include for each mine:

(B) Corrective measures taken to prevent the reoccurrence of fatal accidents;

(D) Number of ~~man days~~ man hours worked.

**30-2-212. Accident investigation; fatal accidents; procedure; coroner's inquest; notification of inquest.**

(a) The inspector, or his deputy when authorized, shall investigate all fatal accidents occurring in connection with mining operations. In his investigation he may compel the attendance of witnesses and administer oaths as if he were a coroner. ~~The costs of an investigation shall be paid by the county in which the accident occurred in the same manner as costs of coroners inquests are paid by law.~~

**30-2-401. Safety rules; posting; responsibility for observance.**

All owners, ~~and~~ operators and mine site contractors shall post in a conspicuous place and make available to all employees the rules and duties of safety governing their employment. Employees are responsible for the observance of all the rules and safety practices in all phases of their work.

**30-2-402. Annual report to inspector; contents.**

The owner, ~~or~~ operator or mine site contractor of any mining operation shall report annually to the inspector before January 31 of each year. The report shall contain the names of the owners, ~~and~~ operators and mine site

ORIGINAL HOUSE  
BILL NO. 0177

ENROLLED ACT NO. 46, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

contractors, the post office address, the name of the claim to be operated, the number of persons employed, classified as to occupation, the name of the county mining district, and the tonnage produced during the previous calendar year, upon forms furnished by the inspector.

**30-2-403. Record of accidents to be kept; inspection of record; reports filed with inspector; report of serious accidents.**

(a) The owner, ~~or operator~~ or mine site contractor shall keep a record of all accidents occurring in connection with mining operations. The record shall be open to the inspector or his deputies at all times.

(b) In all compensable injuries, the owner, ~~or operator~~ or mine site contractor shall send to the inspector a copy of the ~~employer's~~ report of injury form filed in worker's compensation cases.

(c) A mine owner, ~~or operator~~ or mine site contractor shall immediately notify the inspector's office in person or by ~~electronic means~~ conversing with an individual of that office by telephone of any of the following occurrences:

**30-2-405. Notice as to commencement of operations.**

(b) The owner or operator of a ~~coal~~ mine shall notify the inspector, ~~in writing~~, whenever a new mine is opened, or whenever an existing mine is either closed or reopened. The ~~written~~ notice shall be given immediately before the happening of the event, and shall specify the date upon which the event will occur.

**Section 2.** W.S. 30-2-405(a) is repealed.

ORIGINAL HOUSE  
BILL NO. 0177

ENROLLED ACT NO. 46, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

**Section 3.** This act is effective July 1, 2005.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk