

SENATE FILE NO. SF0003

Abandoned mine reclamation-liens.

Sponsored by: Joint Minerals, Business and Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to environmental quality; amending the lien
2 requirement for abandoned mine reclamation on private
3 property; and providing for an effective date.

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

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7 **Section 1.** W.S. 35-11-1206(a) is amended to read:

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9 **35-11-1206. Liens for reclamation on private lands.**

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11 (a) Within six (6) months after the completion of
12 projects to restore, reclaim, abate, control or prevent
13 adverse effects of past coal or mineral mining practices on
14 privately owned land, the director shall itemize the monies
15 expended and may file a lien against the property with the
16 appropriate county clerk. If the monies expended result in

1 a significant increase in property value, a notarized
2 appraisal by an independent appraiser shall be filed with
3 the lien. The lien shall be the amount determined by the
4 appraisal to be the increase in the fair market value of
5 the land as a result of the restoration, reclamation,
6 abatement, control or prevention of the adverse effects of
7 past coal or mineral mining practices. No lien shall be
8 filed under this section against the property of any person
9 ~~who owned the surface prior to May 2, 1977, and~~ who neither
10 consented to, participated in, nor exercised control over
11 the mining operation which necessitated the reclamation
12 project.

13

14 **Section 2.** This act is effective July 1, 2009.

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16 (END)