

1 *Frank Chase* BILL NO. 81 *Spuch Leeb*  
 2 INTRODUCED BY *Mular Julini, Bengtson Murphy*  
 3 *Manahan Kelly Sullivan Conway*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE STATUS OF  
 5 CERTAIN HARDROCK MINING RECORDS IN THE DEPARTMENT OF STATE  
 6 LANDS FROM CONFIDENTIAL TO PUBLIC; AND CONFIRMING THE  
 7 CONFIDENTIALITY OF OTHER SUCH RECORDS; AMENDING SECTION  
 8 50-1221, R.C.M. 1947."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11 Section 1. Section 50-1221, R.C.M. 1947, is amended to  
 12 read as follows:

13 "50-1221. Information obtained from applications--when  
 14 confidential--admissible in hearings or proceedings. Any and  
 15 all information obtained by the board or by the director or  
 16 his staff by virtue of applications for exploration licenses  
 17 or development permits is confidential between the board and  
 18 the applicant, as the legislature finds that the demands of  
 19 individual privacy clearly outweigh the merits of public  
 20 disclosure. Any information obtained by the board or by the  
 21 director or his staff by virtue of applications for licenses  
 22 or permits is, however, properly admissible in any hearing  
 23 conducted by the director, the board, appeals board or in  
 24 any judicial proceeding to which the director and the  
 25 applicant are parties. Any and all information obtained by

1 the board or department by virtue of applications for  
 2 operating permits under this chapter are public records and  
 3 may be utilized by the department and board in preparing  
 4 environmental impact statements under section 69-6504.  
 5 Failure to comply with the secrecy provisions of this ~~act~~  
 6 chapter shall be punishable by a fine of up to ten thousand  
 7 dollars (\$10,000) or one (1) year in jail."

-End-

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