

February 9, 1970
Human and Industrial Relations, *Pass 3/16*
Sen. " " " 4/7, Pass 4/8

HOUSE FILE 1220

By MILLEN

Passed House, Date *4-3-70* Passed Senate, Date *4-13-70*

Vote: Ayes *75* Nays *0* Vote: Ayes *45* Nays *5*

Approved.....

Passed House as amended by Senate
4-15-70
ayes 101, nays 2

A BILL FOR

- 1 An Act relating to the regulation of surface mining, and making
- 2 surface mines as well as underground mines subject to safety
- 3 regulation by the department of mines and minerals.
- 4 *Be It Enacted by the General Assembly of the State of Iowa:*
- 5 Section 1. Chapter one hundred fourteen (114), section seven
- 6 (7), Acts of the Sixty-second General Assembly, is hereby amended
- 7 by striking lines two (2), three (3), and four (4), and insert-
- 8 ing in lieu thereof the following:
- 9 "in surface mining or operation of an underground mine or
- 10 mines, as defined by chapter one hundred fourteen (114),
- 11 section two (2), Acts of the Sixty-second General Assembly,
- 12 and by section eighty-two point twenty-seven (82.27) of the
- 13 Code as amended by this Act, without first obtaining a license
- 14 from the".
- 15 Sec. 2. Chapter one hundred fourteen (114), section thirteen
- 16 (13), Acts of the Sixty-second General Assembly, is hereby
- 17 amended as follows:
- 18 1. By inserting in line one (1) after the word "beginning"
- 19 the words "surface mining or".
- 20 2. By inserting after the period in line five (5) the
- 21 following new sentence:
- 22 "The registration fee shall be established by the department
- 23 in an amount equal to the cost of administering the registra-
- 24 tion provisions of this Act, as estimated by the department."
- 25 Sec. 3. Chapter one hundred fourteen (114), section fourteen

- 1 (14), Acts of the Sixty-second General Assembly, is hereby
2 amended as follows:
- 3 1. By striking from line one (1) the word "Each" and
4 inserting in lieu thereof the word "The".
- 5 2. By striking lines three (3) through six (6), inclusive,
6 and inserting in lieu thereof the following:
- 7 "twenty-four (24) of chapter one hundred fourteen (114), Acts
8 of the Sixty-second General Assembly, if overburden is removed.
9 After ascertaining that the applicant".
- 10 Sec. 4. Chapter one hundred fourteen (114), section twenty-
11 three (23), is hereby amended by striking from line ten (10)
12 the word "each" and inserting in lieu thereof the word "an".
- 13 Sec. 5. Chapter one hundred fourteen (114), section thirty-
14 two (32), Acts of the Sixty-second General Assembly, is hereby
15 amended by inserting in line four (4) after the word "under-
16 ground" the words "or surface".

EXPLANATION

This bill amends the surface mining regulatory law passed in 1967 so that the law will conform technically to the way it is actually being administered at the present time.

The bill also amends an amendment to chapter 82 of the Code, the long-standing Iowa mining law, to bring surface as well as underground mines under safety inspection by the state. The federal government will officially begin safety inspection of all mines in the state about July 31, 1970, under Public Law 89-577, the Federal Metal and Nonmetallic Mine Safety Act. This federal act provides for a state plan of inspection, and if such a plan is adopted the safety requirements enforced by the state Department of Mines and Minerals should be applicable to all mines in Iowa.

-
- 1 Amend House File 1220, page 2, by inserting after
2 line 16, the following new section:
3 "Sec. 6. A plan or rules and regulations setting
4 health and safety standards for surface mining within
5 this state shall not be valid or effective until approved
6 by the governor after ascertaining that proper funding
7 for such a program is available and that such a program
8 does not duplicate a program provided by any federal
9 agency."

Filed and adopted
April 13, 1970

By GAUDINEER

SENATE AMENDMENT TO HOUSE FILE 1220

- 1 Amend House File 1220, page 2, by inserting after line 16
- 2 the following new section:
- 3 "Sec. 6. A plan or rules and regulations setting health and
- 4 safety standards for surface mining within this state shall not be
- 5 valid or effective until approved by the governor after ascertaining
- 6 that proper funding for such a program is available and that such
- 7 a program does not duplicate a program provided by any federal
- 8 agency."

*Amended
Council
4/15*

Received from the Senate
April 14, 1970
