

Has. Natural Resources 3/22 Do Pass 3/30 (p. 1109)

SENATE FILE 2260

FILED MAR 11 1982

BY COMMITTEE ON NATURAL  
RESOURCES

Passed Senate, Date 3-19-82 (p. 834) Passed House, Date 4-7-82 (p. 1310)

Vote: Ayes 42 Nays 0 Vote: Ayes 98 Nays 0

Approved April 23, 1982

## A BILL FOR

1 An Act relating to coal mining.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S. 2260

1 Section 1. Section 83.14, subsection 2, unnumbered  
2 paragraph 2, Code 1981, is amended to read as follows:

3 If upon expiration of the time as fixed the director finds  
4 in writing that the violation has not been abated, the  
5 director, notwithstanding section 17A.18, shall immediately  
6 order a cessation of coal mining and reclamation operations  
7 relating to the violation until the order is modified, vacated,  
8 or terminated by the director pursuant to procedures outlined  
9 in this section. In the order of cessation issued by the  
10 director under this subsection, the director shall include  
11 the steps necessary to abate the violation in the most  
12 expeditious manner possible.

13 Sec. 2. Section 83.14, subsection 7, paragraph a, Code  
14 1981, is amended to read as follows:

15 a. A hearing has been held in the locality of the permit  
16 area ~~on-the-request-for-temporary-relief~~ in which all parties  
17 were given an opportunity to be heard. The hearing need not  
18 be held as a contested case under chapter 17A.

19 EXPLANATION

20 This bill revises two provisions of the statute implementing  
21 the federal Surface Mining Control and Reclamation Act of  
22 1977.

23 Section 1 allows a cessation order to go into effect  
24 immediately.

25 Section 2 allows hearing for temporary relief of a cessation  
26 order to be held without being a contested case.

27 The bill takes effect July 1 following enactment.

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SENATE FILE 2260

AN ACT

RELATING TO COAL MINING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 83.14, subsection 2, unnumbered paragraph 2, Code 1981, is amended to read as follows:

If upon expiration of the time as fixed the director finds in writing that the violation has not been abated, the director, notwithstanding section 17A.18, shall immediately order a cessation of coal mining and reclamation operations relating to the violation until the order is modified, vacated, or terminated by the director pursuant to procedures outlined in this section. In the order of cessation issued by the director under this subsection, the director shall include the steps necessary to abate the violation in the most expeditious manner possible.

Sec. 2. Section 83.14, subsection 7, paragraph a, Code 1981, is amended to read as follows:

a. A hearing has been held in the locality of the permit area ~~on-the-request-for-temporary-relief~~ in which all parties

\_\_\_\_\_  
TERRY E. BRANSTAD  
President of the Senate

\_\_\_\_\_  
DELWYN STROMER  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2260, Sixty-ninth General Assembly.

\_\_\_\_\_  
K. MARIE THAYER  
Secretary of the Senate

Approved April 23, 1982

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ROBERT D. RAY  
Governor

S.F. 2260