



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB2639

by Rep. Brandon W. Phelps

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Coal Mining Act. Eliminates the Miners' Examining Board and transfers its duties to the Mining Board and makes conforming changes throughout the Act. Provides that no person shall be employed or engaged at the face of the coal as a machine operator (rather than as a coal loader, loading machine operator, cutting machine operator, driller or shooter, timberman or roof bolter) in any coal mine in this State without having first obtained a certificate of competency from the Mining Board, and having completed a course of instruction in first aid (rather than a course of instruction in first aid to the injured and mine rescue methods and appliances prescribed by the Department). Effective immediately.

LRB099 09937 AMC 30155 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Coal Mining Act is amended by changing  
5 Sections 2.01, 8.01, 8.06, 8.08, 8.09, 8.11, 8.12, 8.13, 8.16,  
6 8.17, and 8.19 and the heading of Article 8 as follows:

7 (225 ILCS 705/2.01) (from Ch. 96 1/2, par. 301)

8 Sec. 2.01. The Mining Board in the Department of Natural  
9 Resources shall administer this Act, ~~except that Article 8~~  
10 ~~shall be administered by the Miners' Examining Board in the~~  
11 ~~Department.~~

12 (Source: P.A. 89-445, eff. 2-7-96.)

13 (225 ILCS 705/Art. 8 heading)

14 ARTICLE 8.

15 ~~MINERS' EXAMINING BOARD AND MINERS' EXAMINATIONS.~~

16 (225 ILCS 705/8.01) (from Ch. 96 1/2, par. 801)

17 Sec. 8.01. No person shall be employed or engaged at the  
18 face of the coal as a ~~coal loader, loading~~ machine operator,  
19 ~~cutting machine operator, driller or shooter, timberman or roof~~  
20 ~~bolter~~ in any coal mine in this State without having first  
21 obtained a certificate of competency from the Mining Miners'

1 ~~Examining~~ Board, and having completed a course of instruction  
2 in first aid, ~~to the injured and mine rescue methods and~~  
3 ~~appliances prescribed by the Department,~~ except that any such  
4 certified miner may have one person working with him and under  
5 his direction as an apprentice for the purpose of learning the  
6 business of mining and becoming qualified to obtain a  
7 certificate of competency.

8 No person who enters employment as an apprentice miner  
9 shall be employed as an apprentice miner for a period longer  
10 than 12 months after becoming eligible to obtain a first class  
11 certificate of competency, except in the event of illness or  
12 injury, when time extensions may be permitted in a manner  
13 established by the Mining Miners' ~~Examining~~ Board.

14 (Source: P.A. 85-1333.)

15 (225 ILCS 705/8.06) (from Ch. 96 1/2, par. 806)

16 Sec. 8.06. The Mining Miners' ~~Examining~~ Board shall hold an  
17 examination once in each calendar month, and at such other  
18 times and at such places as the Director may designate. The  
19 Director shall endeavor to schedule examinations at places  
20 located most conveniently with reference to the districts in  
21 which coal is mined in the State of Illinois so that all  
22 persons in such district or in this State, or who may wish to  
23 come into this State for the purpose of engaging in mining may  
24 be examined as to their competency and qualifications. Public  
25 notice of the examinations shall be given through the press or

1 otherwise not less than 7 days in advance of such meeting,  
2 which notice shall fix the time and place at which any  
3 examination under this Act is to be held.

4 (Source: P.A. 85-1333.)

5 (225 ILCS 705/8.08) (from Ch. 96 1/2, par. 808)

6 Sec. 8.08. All examinations held by the Mining Miners'  
7 ~~Examining~~ Board shall be conducted in the English language and  
8 shall be of a practical nature so as to determine the  
9 competency and qualification of the applicant to engage in  
10 mining. The Mining Miners' ~~Examining~~ Board shall examine under  
11 oath all persons who apply for certificates as to their  
12 previous experience as miners and shall grant certificates of  
13 competency to such applicants as are qualified, which  
14 certificates shall entitle the holder thereof to be employed as  
15 and to do the work of miners in this State.

16 (Source: P.A. 85-1333.)

17 (225 ILCS 705/8.09) (from Ch. 96 1/2, par. 809)

18 Sec. 8.09. A first class certificate of competency shall be  
19 issued to any person under this Article who can produce  
20 satisfactory evidence to the Mining Miners' ~~Examining~~ Board of  
21 having had not less than one ~~1~~ year experience as a worker on  
22 coal producing sections of a coal mine and having had an  
23 opportunity during that year of observing and helping to  
24 perform all the work required in that section and also to learn

1 the fundamentals of roof control, testing of top, and testing  
2 for gas, which could be accomplished by the cooperation of  
3 management and workers, and that he has completed a course in  
4 first aid for the injured.

5 A first class certificate of competency shall also be  
6 issued to any person under this Article who can produce  
7 satisfactory evidence to the Mining Miners' Examining Board of  
8 having been employed as a worker or a trainee in an underground  
9 coal mine for a period not less than 6 months and having had an  
10 opportunity during that 6 months of observing and helping to  
11 perform work required on a coal producing section and also to  
12 learn the fundamentals of ventilation, roof control, testing of  
13 rib and roof, and testing for gas, and that he has completed a  
14 course in first aid for the injured, and possesses a two-year  
15 Associate in Applied Science Degree in Coal Mining Technology  
16 or a degree in Engineering from an approved school or college,  
17 or university.

18 (Source: P.A. 85-1333.)

19 (225 ILCS 705/8.11) (from Ch. 96 1/2, par. 811)

20 Sec. 8.11. In no case shall an applicant for certificate of  
21 competency be deemed competent unless he appears in person  
22 before the Mining Miners' Examining Board and orally answers  
23 intelligently and correctly practical questions, propounded to  
24 him by said Board, pertaining to the requirements and  
25 qualifications of a practical miner.

1 (Source: Laws 1955, p. 2012.)

2 (225 ILCS 705/8.12) (from Ch. 96 1/2, par. 812)

3 Sec. 8.12. The Mining Miners' ~~Examining~~ Board shall make an  
4 accurate record of its proceedings and meetings and in the  
5 record shall show a correct detailed account of the examination  
6 of each applicant with questions asked and their answers, and  
7 the record made shall be open for public inspection.

8 (Source: Laws 1957, p. 1558.)

9 (225 ILCS 705/8.13) (from Ch. 96 1/2, par. 813)

10 Sec. 8.13. No miners' certificate granted under the  
11 provisions of this Article is transferable and any effort to  
12 transfer the same is a violation of this Act. Such certificates  
13 shall be issued only at meetings of the Mining Miners'  
14 ~~Examining~~ Board and shall not be valid unless signed by at  
15 least two members of the Mining Miners' ~~Examining~~ Board and  
16 sealed with the seal of such Board.

17 (Source: Laws 1953, p. 701.)

18 (225 ILCS 705/8.16) (from Ch. 96 1/2, par. 816)

19 Sec. 8.16. The Mining Miners' ~~Examining~~ Board shall report  
20 all complaints or charges of noncompliance with, or violation  
21 of the provisions of this Article to the State's Attorney of  
22 the county in which such non-compliance or violation occurs,  
23 and the State's Attorney of the county wherein the complaints

1 or charges are made shall investigate the same and prosecute  
2 all persons so offending.

3 (Source: Laws 1953, p. 701.)

4 (225 ILCS 705/8.17) (from Ch. 96 1/2, par. 817)

5 Sec. 8.17. In order to more effectively carry out the  
6 intention and purposes of this Article, the Mining Miners'  
7 ~~Examining~~ Board shall have power to administer oaths to any and  
8 all persons who are applicants or may vouch in any manner for  
9 the service or qualification of any applicant in order to  
10 obtain for him a certificate hereunder, and any person who  
11 shall wilfully and falsely swear or testify as to any matter  
12 material to such examination or as to the service or  
13 qualification of any applicant shall be deemed guilty of  
14 perjury and shall be subject to the penalties thereof as  
15 prescribed by the criminal code of this State.

16 (Source: Laws 1953, p. 701.)

17 (225 ILCS 705/8.19) (from Ch. 96 1/2, par. 819)

18 Sec. 8.19. It shall be unlawful for any member of the  
19 Mining Miners' ~~Examining~~ Board to issue any certificate of  
20 competency pursuant to this Section when he knows or has reason  
21 to know that the applicant fails to meet any of the  
22 requirements for the certificate.

23 (Source: P.A. 79-460.)

1 (225 ILCS 705/8.02 rep.)

2 (225 ILCS 705/8.03 rep.)

3 (225 ILCS 705/8.04 rep.)

4 (225 ILCS 705/8.05 rep.)

5 (225 ILCS 705/8.14 rep.)

6 (225 ILCS 705/8.18 rep.)

7 Section 10. The Coal Mining Act is amended by repealing  
8 Sections 8.02, 8.03, 8.04, 8.05, 8.14, and 8.18.

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.



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2		Statutes amended in order of appearance
3	225 ILCS 705/2.01	from Ch. 96 1/2, par. 301
4	225 ILCS 705/Art. 8	
5	heading	
6	225 ILCS 705/8.01	from Ch. 96 1/2, par. 801
7	225 ILCS 705/8.06	from Ch. 96 1/2, par. 806
8	225 ILCS 705/8.08	from Ch. 96 1/2, par. 808
9	225 ILCS 705/8.09	from Ch. 96 1/2, par. 809
10	225 ILCS 705/8.11	from Ch. 96 1/2, par. 811
11	225 ILCS 705/8.12	from Ch. 96 1/2, par. 812
12	225 ILCS 705/8.13	from Ch. 96 1/2, par. 813
13	225 ILCS 705/8.16	from Ch. 96 1/2, par. 816
14	225 ILCS 705/8.17	from Ch. 96 1/2, par. 817
15	225 ILCS 705/8.19	from Ch. 96 1/2, par. 819
16	225 ILCS 705/8.02 rep.	
17	225 ILCS 705/8.03 rep.	
18	225 ILCS 705/8.04 rep.	
19	225 ILCS 705/8.05 rep.	
20	225 ILCS 705/8.14 rep.	
21	225 ILCS 705/8.18 rep.	