

CHAPTER 119

**GENERAL ASSEMBLY**

HOUSE BILL 20-1208

BY REPRESENTATIVE(S) Roberts and Will, Catlin, Exum, Pelton, Arndt, Esgar, Gray, McKean, Titone, Valdez D.; also SENATOR(S) Donovan, Crowder, Rankin, Tate.

**AN ACT**

**CONCERNING THE CONTINUATION OF THE COAL MINE BOARD OF EXAMINERS, AND, IN CONNECTION THEREWITH, IMPLEMENTING RECOMMENDATIONS CONTAINED IN THE 2019 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal** (18)(a)(I); and **add** (30)(a)(III) as follows:

**24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal.** (18) (a) The following agencies, functions, or both, are scheduled to repeal on July 1, 2020:

(I) ~~The regulation of persons working in coal mines by the department of natural resources through the coal mine board of examiners in accordance with article 22 of title 34, C.R.S.;~~

(30) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2029:

(III) THE REGULATION OF PERSONS WORKING IN COAL MINES BY THE DEPARTMENT OF NATURAL RESOURCES THROUGH THE COAL MINE BOARD OF EXAMINERS IN ACCORDANCE WITH ARTICLE 22 OF TITLE 34.

**SECTION 2.** In Colorado Revised Statutes, **amend** 34-22-113 as follows:

**34-22-113. Repeal of article - subject to review.** ~~Unless continued by the general assembly; This article~~ ARTICLE 22 is repealed, effective July 1, 2020, and

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

~~the coal mine board of examiners is abolished. The provisions of section 24-34-104 (2) to (8), C.R.S., concerning a wind-up period, an analysis and evaluation, public hearings, and claims by or against an agency apply to the powers, duties, and functions of the board specified in this article~~ SEPTEMBER 1, 2029. BEFORE THE REPEAL, THIS ARTICLE 22 IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

**SECTION 3.** In Colorado Revised Statutes, 34-22-102, **amend** (2) introductory portion and (2)(e) as follows:

**34-22-102. Board of examiners - created - duties - members.** (2) The board ~~shall be~~ IS composed of four voting members and one nonvoting ex officio member as follows:

(e) The commissioner, AS DESCRIBED IN SECTION 34-21-102, or ~~his~~ THE COMMISSIONER'S designee, ~~shall serve~~ SERVES as a nonvoting, ex officio member of the board.

**SECTION 4.** In Colorado Revised Statutes, 34-22-109, **amend** (3) as follows:

**34-22-109. Examinations - content.** (3) TO QUALIFY FOR CERTIFICATION, an applicant for certification as a shot-firer ~~shall~~ MUST be sufficiently knowledgeable as to explosives, breaking agents, and blasting accessories used in coal mines, the proper placement of drill holes made for the purpose of breaking or dislodging coal and rock, the ~~flame safety lamp~~ DIGITAL GAS DETECTOR and its use in detecting inflammables and noxious gases, and the proper ventilation in the working places of coal mines.

**SECTION 5.** In Colorado Revised Statutes, 34-22-112, **amend** (2) and (3) as follows:

**34-22-112. Examinations - applicant qualifications.** (2) Every applicant for certification as a mine foreman ~~or assistant mine foreman~~ shall produce evidence satisfactory to the board of not less than three years' experience in mines or in operations determined by the board to be equivalent to coal mines. The experience of an applicant intending to work in underground mines must be in underground mining. The experience of an applicant intending to work in surface mining must be in surface mining.

(3) ~~The holder of~~ A PERSON WHO HOLDS a college degree in engineering, which degree is determined by the board to be acceptable and suited to the intent and purpose of this ~~article~~ ARTICLE 22, who satisfies the board that ~~he~~ THE PERSON has at least one year of actual and satisfactory experience in the operation of underground coal mines, including experience in mining, timbering, haulage, drainage, and ventilation and including experience in the capacity of mining engineer, ~~shall be~~ IS eligible for examination as A mine foreman ~~or assistant mine foreman~~ in underground coal mines.

**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 23, 2020