

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 20-0524.01 Jennifer Berman x3286

HOUSE BILL 20-1208

HOUSE SPONSORSHIP

Roberts and Will, Catlin, Exum, Pelton, Arndt, Esgar, Gray, McKean, Titone, Valdez D.

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House Committees

Rural Affairs & Agriculture
Appropriations

Senate Committees

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Appropriations

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Sunset Process - House Rural Affairs and Agriculture Committee. The bill implements recommendations of the department of regulatory agencies' sunset review and report on the coal mine board of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
June 4, 2020

SENATE
2nd Reading Unamended
June 3, 2020

HOUSE
3rd Reading Unamended
March 9, 2020

HOUSE
2nd Reading Unamended
March 6, 2020

examiners (board) in the department of natural resources by:

- ! Continuing the board for 9 years, until 2029 (**sections 1 and 2** of the bill);
- ! Defining "commissioner" as the commissioner of mines in the statute that lists the board members (**section 3**);
- ! Replacing an obsolete reference to a "flame safety lamp" with a reference to a "digital gas detector" (**section 4**); and
- ! Repealing references to "assistant mine foreman" (**section 5**).

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

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

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (18) (a) The following agencies, functions, or both,
7 are scheduled to repeal on July 1, 2020:

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

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

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

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

18 **34-22-113. Repeal of article - subject to review.** ~~Unless~~
19 ~~continued by the general assembly,~~ This ~~article~~ ARTICLE 22 is repealed,
20 effective July 1, 2020, and the coal mine board of examiners is abolished.

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

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

9 **34-22-102. Board of examiners - created - duties - members.**

10 (2) The board ~~shall be~~ IS composed of four voting members and one
11 nonvoting ex officio member as follows:

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

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

17 **34-22-109. Examinations - content.** (3) TO QUALIFY FOR
18 CERTIFICATION, an applicant for certification as a shot-firer ~~shall~~ MUST be
19 sufficiently knowledgeable as to explosives, breaking agents, and blasting
20 accessories used in coal mines, the proper placement of drill holes made
21 for the purpose of breaking or dislodging coal and rock, the ~~flame safety~~
22 ~~lamp~~ DIGITAL GAS DETECTOR and its use in detecting inflammables and
23 noxious gases, and the proper ventilation in the working places of coal
24 mines.

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

27 **34-22-112. Examinations - applicant qualifications.** (2) Every

1 applicant for certification as a mine foreman ~~or assistant mine foreman~~
2 shall produce evidence satisfactory to the board of not less than three
3 years' experience in mines or in operations determined by the board to be
4 equivalent to coal mines. The experience of an applicant intending to
5 work in underground mines must be in underground mining. The
6 experience of an applicant intending to work in surface mining must be
7 in surface mining.

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

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