



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### SB3536

Introduced 2/9/2024, by Sen. Terri Bryant

#### SYNOPSIS AS INTRODUCED:

225 ILCS 705/1.26	new	
225 ILCS 705/1.27	new	
225 ILCS 705/1.28	new	
225 ILCS 705/1.29	new	
225 ILCS 705/1.30	new	
225 ILCS 705/1.31	new	
225 ILCS 705/11.01		from Ch. 96 1/2, par. 1101
225 ILCS 705/11.02		from Ch. 96 1/2, par. 1102
225 ILCS 705/11.03		from Ch. 96 1/2, par. 1103
225 ILCS 705/11.04		from Ch. 96 1/2, par. 1104
225 ILCS 705/11.05		from Ch. 96 1/2, par. 1105
225 ILCS 705/11.07		

Amends the Coal Mining Act. Provides for State mine rescue stations that are maintained by the Department of Natural Resources for the sole purpose of responding to and preparing for emergencies in the coal mines of Illinois. Provides that recovery operations that are intended solely for the purpose of securing property are not covered under a provision concerning State mine rescue services. Provides that additional mine rescue services for the purpose of securing property are the responsibility of the operator of the property. Provides that mine rescue teams shall be based out of each State mine rescue station to serve the Illinois coal industry as either a primary or secondary responder. Provides that every coal producing mine in the State must assign its mine rescue team or mine complex rescue team to a State mine rescue station and must compensate these employees at their regular rate of pay. Provides that the Mining Board shall establish training requirements for mine rescue teams and mine complex rescue teams. Provides that coal producing mines that maintain a mine rescue station are exempt from providing a mine rescue team or mine complex rescue team to serve the State mine rescue station if certain conditions are met. Sets forth provisions concerning the Department providing suitably located sites for State mine rescue stations; supervision of State mine rescue operations; definitions; and mine rescue teams.

LRB103 39045 RTM 69182 b

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 11.01, 11.02, 11.03, 11.04, 11.05, 11.06, and 11.07  
6 and by adding Sections 1.26, 1.27, 1.28, 1.29, 1.30, and 1.31  
7 as follows:

8 (225 ILCS 705/1.26 new)

9 Sec. 1.26. "State mine rescue station" means a facility  
10 maintained by the Department for the sole purpose of  
11 responding to and preparing for emergencies in the coal mines  
12 of Illinois.

13 (225 ILCS 705/1.27 new)

14 Sec. 1.27. "Mine rescue team" means a group of miners  
15 trained to serve as emergency responders during a mine  
16 emergency.

17 (225 ILCS 705/1.28 new)

18 Sec. 1.28. "Mine complex rescue team" means a mine rescue  
19 team comprised of individuals from 2 or more operating mines,  
20 owned by the same operator, that are within a 5-mile radius of  
21 each other when measured portal to portal.

1 (225 ILCS 705/1.29 new)

2 Sec. 1.29. "State mine rescue team" means a mine rescue  
3 team or mine complex rescue team assigned to a State mine  
4 rescue station.

5 (225 ILCS 705/1.30 new)

6 Sec. 1.30. "Mine rescue services" means services or work  
7 to search for, rescue, or transport a person or persons  
8 endangered, trapped, injured, or killed in a mine disaster or  
9 emergency situation. "Mine rescue services" includes any  
10 firefighting or rehabilitation work in the mine needed to  
11 accomplish the goals of the mine rescue services. Any  
12 additional services requiring mine rescue team members shall  
13 be through an agreement between operators.

14 (225 ILCS 705/1.31 new)

15 Sec. 1.31. "Mine rescue station superintendent" means the  
16 person or persons charged with the responsibility of  
17 supervising State mine rescue station operations.

18 (225 ILCS 705/11.01) (from Ch. 96 1/2, par. 1101)

19 Sec. 11.01. State mine ~~Mine~~ rescue stations. For the  
20 purpose of providing prompt and efficient means ~~of fighting~~  
21 ~~fires and~~ of saving lives ~~and property~~ jeopardized by fires,  
22 explosions or other accidents in coal mines in Illinois, there

1 shall be constructed, equipped, and maintained at public  
2 expense 4 State mine rescue stations, ~~certified by the Mine~~  
3 ~~Safety and Health Administration of the U.S. Department of~~  
4 ~~Labor,~~ to serve the coal fields of the State. Notwithstanding  
5 any other law of this State, the primary responsibility for  
6 the control and maintenance of the State mine rescue stations  
7 shall be vested with the Department. Each station shall be  
8 equipped with a mobile mine rescue unit. The Department may  
9 establish, equip and maintain 3 ~~three~~ additional substations  
10 for preservation of health and safety if the conditions  
11 warrant. ~~Temporary certification may be issued by the Mining~~  
12 ~~Board for a maximum of 6 months after the effective date of~~  
13 ~~this amendatory Act of the 94th General Assembly.~~

14 (Source: P.A. 94-1041, eff. 7-24-06.)

15 (225 ILCS 705/11.02) (from Ch. 96 1/2, par. 1102)

16 Sec. 11.02. The Department shall provide or purchase or  
17 accept as a gift, suitably located sites for the State mine  
18 rescue stations, temporary and permanent quarters and suitable  
19 equipment and materials for the work. ~~The Department shall~~  
20 ~~further arrange for cooperation in the work with mine owners,~~  
21 ~~miners and State and federal organizations so as to render the~~  
22 ~~service of the utmost efficiency.~~

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

24 (225 ILCS 705/11.03) (from Ch. 96 1/2, par. 1103)

1           Sec. 11.03. State mine ~~Mine~~ rescue station operation. The  
2 Department shall employ a State mine rescue station  
3 superintendent for each station. The Department is authorized  
4 to employ ~~pay for~~ such assistants as may be needed in giving  
5 instruction in first aid to the injured and such other  
6 assistants as may be needed from time to time to properly carry  
7 on the operations ~~work~~ of the State mine rescue stations. Not  
8 more than 2 assistants shall be employed for each mobile mine  
9 rescue unit.

10       (Source: P.A. 88-472.)

11           (225 ILCS 705/11.04) (from Ch. 96 1/2, par. 1104)

12           Sec. 11.04. The Department shall supervise the operations  
13 of ~~work at~~ each of the State mine rescue stations, shall  
14 purchase necessary supplies, and shall keep a complete record  
15 of all operations and expenditures and an invoice of all  
16 supplies on hand. The Department shall provide that at each  
17 State mine rescue station some representative shall be on duty  
18 or within call at all hours of day and night for each day of  
19 the year.

20       (Source: Laws 1953, p. 701.)

21           (225 ILCS 705/11.05) (from Ch. 96 1/2, par. 1105)

22           Sec. 11.05. Whenever the mine rescue station  
23 superintendent of any State mine rescue station shall be  
24 notified by any responsible person that an explosion or

1 accident requiring mine rescue ~~his~~ services has occurred at  
2 any mine in the State, he shall proceed immediately with  
3 suitable equipment and on arrival at the said mine shall  
4 superintend the work of the State mine rescue teams ~~corps~~ in  
5 saving lives. The mine rescue station superintendent ~~life and~~  
6 ~~property,~~ and he shall cooperate ~~co-operate~~ with the State  
7 Mine Inspector, ~~and the~~ management of the mine, and State and  
8 federal organizations ~~in rescue work~~ to such extent as is  
9 necessary, for the protection of human life in the mine,  
10 during such time as members of the State mine rescue teams  
11 ~~corps~~ are underground and while there is a reasonable  
12 expectation that persons ~~men~~ in the mine may be alive.  
13 Recovery operations that are intended solely for the purpose  
14 of securing property are not covered by this Section.  
15 Additional mine rescue services for the purpose of securing  
16 property are the responsibility of the operator of the  
17 property.

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

19 (225 ILCS 705/11.07)

20 Sec. 11.07. Mine rescue ~~Rescue~~ teams.

21 (a) Each coal producing mine must maintain a fully  
22 equipped mine rescue team or mine complex rescue team with a  
23 responsible person in charge of training and recordkeeping and  
24 at least one member trained in the maintenance of the  
25 breathing apparatuses. New coal operations are exempt from the

1 requirements of this subsection for a period of one year  
2 commencing from the date that coal is first extracted from the  
3 mine.

4 (b) Mine rescue teams shall be based out of each State mine  
5 rescue station to serve the Illinois coal industry as either a  
6 primary or secondary responder. Every coal producing mine in  
7 the State must assign its mine rescue team or mine complex  
8 rescue team to a State mine rescue station and must compensate  
9 these employees at their regular rate of pay. The Mining Board  
10 shall establish training requirements for mine rescue teams  
11 and mine complex rescue teams.

12 (c) Coal producing mines that maintain a mine rescue  
13 station are exempt from providing a mine rescue team or mine  
14 complex rescue team to serve the State mine rescue station if:

15 (1) the State mine rescue station maintains a minimum  
16 of 2 mine rescue teams assigned to serve the State mine  
17 rescue station; and

18 (2) the operator of the coal producing mine agrees to  
19 assist the State with mine rescue services if an emergency  
20 occurs.

21 (d) No person performing mine rescue services for a State  
22 mine rescue station and no operator of a mine whose employee  
23 participates as a member of a State mine rescue operation is  
24 liable in any civil action that arises under the laws of this  
25 State for damage or injury. A person performing mine rescue  
26 services for a State mine rescue station may be liable if the

1 member acted with malicious purpose, in bad faith, or in a  
2 wanton or reckless manner.

3 (e) All costs incurred in a rescue operation shall be the  
4 responsibility of the operator having the emergency event.

5 ~~Rescue teams shall be based out of each mine rescue station to~~  
6 ~~serve the Illinois coal industry as either a primary or~~  
7 ~~secondary responder. Every operator in the State must provide~~  
8 ~~employees to serve on a rescue team and must compensate these~~  
9 ~~employees who are serving as rescue team members at their~~  
10 ~~regular rate of pay.~~

11 (Source: P.A. 94-1041, eff. 7-24-06.)