



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5145

Introduced 2/8/2012, by Rep. Jim Sacia

SYNOPSIS AS INTRODUCED:

20 ILCS 1920/2.11

from Ch. 96 1/2, par. 8002.11

Amends the Abandoned Mined Lands and Water Reclamation Act. Prohibits annual expenditures for non-coal reclamation from exceeding 2% of the Department of Natural Resources's annual budget for mine reclamation. Effective immediately.

LRB097 16753 CEL 61928 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Abandoned Mined Lands and Water Reclamation
5 Act is amended by changing Section 2.11 as follows:

6 (20 ILCS 1920/2.11) (from Ch. 96 1/2, par. 8002.11)

7 Sec. 2.11. Non-coal reclamation.

8 (a) It is hereby declared that open and abandoned tunnels,
9 shafts, and entryways and abandoned and deteriorating
10 equipment, structures, and facilities resulting from any
11 previous non-coal mining operations constitute a hazard to the
12 public health and safety. The Department is authorized and
13 empowered to fill or seal such abandoned tunnels, shafts, and
14 entryways and remove equipment, structures, and facilities
15 which it determines could endanger life and property and
16 constitute a hazard to the public health and safety.

17 (b) The Department may make expenditures and carry out the
18 purposes of this Section for lands mined for substances other
19 than coal; provided, however, that annual expenditures for
20 non-coal reclamation do not exceed 2% of the Department's
21 annual budget for mine land reclamation ~~through August 31,~~
22 ~~1999; and provided further, that all obligations for such~~
23 ~~expenditures shall be made by August 31, 2001.~~ Except for those

1 non-coal reclamation projects relating to the protection of the
2 public health or safety which shall be accorded a high
3 priority, non-coal reclamation expenditures shall be made only
4 after all reclamation with respect to abandoned coal lands or
5 coal development impacts has been accomplished.

6 (c) In those instances where coal mine waste piles are
7 being reworked for conservation purposes, the Department may
8 make additional incremental expenditures to dispose of the
9 wastes from such operations by filling voids and sealing
10 tunnels if the disposal of these wastes is in accordance with
11 the purposes of this Section.

12 (d) The Department shall acquire, by purchase, exchange,
13 gifts, condemnation or otherwise, the fee simple title or any
14 lesser interest in and to such land rights or other property as
15 the Department considers necessary to carry out the provisions
16 of this Section. Transfers and dispositions of such land shall
17 be made in the same manner as prescribed by Section 2.07 of
18 this Act.

19 (e) Consistent with this Section, the Department may enter
20 and reclaim abandoned non-coal mined lands in the same manner
21 as prescribed in Section 2.04 of this Act.

22 (Source: P.A. 91-727, eff. 6-2-00.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.