



Rep. Lawrence M. Walsh, Jr.

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LRB099 02763 AMC 30998 a

1 AMENDMENT TO HOUSE BILL 123

2 AMENDMENT NO. _____. Amend House Bill 123 on page 1, by
3 replacing lines 4 through 6 with the following:

4 "Section 5. The Fluorspar and Underground Limestone Mines
5 Act is amended by changing Section 1 as follows:

6 (225 ILCS 710/1) (from Ch. 96 1/2, par. 4201)

7 Sec. 1. Application of Act; short title; definitions.

8 (a) This Act shall apply to all mines in the State of
9 Illinois producing minerals within the meaning of that term, as
10 hereinafter defined.

11 (b) This Act may be cited as the Fluorspar ~~and Underground~~
12 ~~Limestone~~ Mines Act.

13 (c) For the purpose of this Act the singular numbers when
14 in reference to persons, acts, objects and things of whatsoever
15 kind and description shall, whenever the context will permit,
16 be taken and held to import and include the plural number and

1 the plural number shall similarly be taken and held to import
2 and include the singular, and terms that impart the masculine
3 gender shall be taken to impart and include the feminine gender
4 as well.

5 (d) The term "mine," when used in the Act, shall include
6 prospects, openings and open-cuts and workings, and shall
7 embrace any and all parts of the property of such "mine" and
8 mining plant on the surface or underground, that contribute
9 directly or indirectly to the mining and handling of minerals.

10 Provided, that when a group of workings in proximity to one
11 another and under one management are administered as distinct
12 units each working shall be considered a separate mine.

13 (e) The term "mineral" when used in this Act shall mean
14 whatever is recognized by the standard authorities as mineral,
15 whether metalliferous or non-metalliferous, but shall not be
16 held to embrace or include silica, granite, marble, salt, sand,
17 gravel, clay, rock, coal, lignite, gas, oil or any substance
18 extracted in solution or in the molten state through bore
19 holes.

20 (f) The term "operator" when used in this Act shall mean
21 the person, firm, or body corporate, in immediate possession of
22 any mine and its accessories as owner or lessee thereof, and as
23 such responsible for the condition and management thereof.

24 (g) The term "superintendent" when used in this Act shall
25 mean the person having the immediate supervision of the mine.

26 (h) The term "mine foreman" when used in this Act shall

1 mean the person who at any one time is charged with the general
2 direction of the underground work.

3 (i) The term "inspector" when used in this Act shall
4 signify the official State Inspector.

5 (j) The words "excavation" and "workings" when used in this
6 Act shall signify any and all parts of a mine excavated or
7 being excavated, including shafts, raises, tunnels, adits,
8 open-cuts, and all working places, whether abandoned or in use.

9 (k) Whenever the expression "number of men" or "average
10 number of men" employed in a mine are used in this Act as
11 defining or constituting classes of mines to which this Act or
12 any specific section, clauses, provision or rule thereof, does
13 or does not apply, such expressions shall be construed to mean
14 the average number of individuals employed during the previous
15 year as shown by the returns to the mine inspector or by the
16 books or pay roll of the mine, or by all of such means and such
17 average number shall be determined by dividing the total number
18 of man shifts by the number of days the mine worked during such
19 period.

20 (l) The term "explosive" or "explosives" as used in this
21 Act shall be held to mean and to include any chemical or any
22 mechanical mixture that contains any oxidizing and combustible
23 units or other ingredients in such proportions, quantities, or
24 packing that an ignition by fire, by friction, by concussion,
25 by percussion or by detonation of any part of the compound or
26 mixture may cause such a sudden generation of highly heated

1 gases that the resultant gaseous pressures are capable of
2 producing destructive effect on contiguous objects or of
3 destroying life or limb.

4 (m) The term "person" when used in this Act shall be held
5 to mean and include a firm or body corporate as well as natural
6 persons.

7 (n) The term "underground" as used in this Act shall be
8 held to mean "within the limits of" any mine working or
9 excavation and shall not exclude such workings or excavations
10 as may not be covered over by rock or earth.

11 (o) The term "employees" and "men employed" shall be held
12 to mean all individuals receiving compensation from the
13 operator, directly or indirectly, for labor or services
14 performed in connection with the mine and shall include
15 contractors, lessors, lessees, tributers, or any one similarly
16 employed.

17 (Source: P.A. 88-185.)".