

HOUSE JOINT RESOLUTION NO. 21

INTRODUCED BY SEIFERT, HARP, KANDUCH, PAVLOVICH,
QUILICI, ELLISON, BRIGGS, MANUEL, CONROY, HENSTAD, BOYLAN,
BURNETT, ZABROCKI, GRAHAM, VINGER, RYAN

IN THE HOUSE

January 30, 1981	Introduced and referred to Committee on Rules.
February 2, 1981	Referred to Committee on Human Services.
February 11, 1981	Committee recommend bill do pass. Report adopted.
February 12, 1981	Bill printed and placed on members' desks.
February 13, 1981	Second reading, do pass.
February 16, 1981	Considered correctly engrossed.
February 20, 1981	Third reading, passed. Ayes, 60; Noes, 39. Transmitted to Senate.

IN THE SENATE

February 21, 1981	Introduced and referred to Committee on Public Health, Welfare, and Safety.
March 26, 1981	Committee recommend bill be not concurrred in. Report adopted.
March 27, 1981	On motion Senate reconsidered its action taken on adverse committee report. Motion adopted.
	On motion Senate requested return of House Joint Resolution No. 21 from House for further consideration.

IN THE HOUSE

March 27, 1981

Returned from Senate. Not concurred in.

On motion request of Senate granted for return of House Joint Resolution No. 21. for further consideration.

IN THE SENATE

March 28, 1981

Returned from House. On motion placed on second reading.

March 30, 1981

Motion pass consideration.

March 31, 1981

Second reading, concurred in.

On motion rules suspended. Bill placed on calendar for third reading this day and allowed to be transmitted on 71st legislative day. Motion adopted.

Third reading, concurred in. Ayes, 28; Noes, 21.

IN THE HOUSE

April 1, 1981

Returned from Senate. Concurred in. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE JOINT RESOLUTION NO. 21

2 INTRODUCED BY *Rep. HART* *Karlud Larson*

Julien Ellison *Bryan* *Manuel Conroy* *Harriet*
Angela Burnett *John* *Andrew* *Steger* *Fynn*

3 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
4 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE
5 CONGRESS OF THE UNITED STATES TO ENACT AMENDATORY
6 LEGISLATION TO RETURN TO STATES THE RIGHT TO REGULATE OR
7 PARTICIPATE IN REGULATING MINES RELATING TO MINE SAFETY AND
8 HEALTH STANDARDS.
9

10
11 WHEREAS, the Legislature recognizes the ongoing
12 importance of the mining industry to Montana, as well as to
13 the entire nation; and

14 WHEREAS, the existence of the small mine operator, who
15 plays an important part in the mining industry, is
16 endangered by the impact of the "Federal Mine Safety and
17 Health Act of 1977" (P.L. 95-164); and

18 WHEREAS, the act defines a mine as any area of land
19 from which any minerals are extracted, both on the surface
20 and underground, including the lands, excavations, and other
21 facilities used in the work of extracting such minerals,
22 which definition not only covers the commonly thought of
23 mining activities such as coal, silver, and molybdenum
24 operations but also includes activities such as sand and
25 gravel excavation; and

1 WHEREAS, the act has caused a further erosion of basic
2 states' rights by excluding any participation by a state in
3 the regulation and inspection of mines relating to safety
4 and health standards; and

5 WHEREAS, there are distinct differences in mining
6 operations across the nation, which are best understood and
7 regulated on a state level rather than the national level
8 because national legislation is often inflexible or
9 incompatible with state needs and conditions; and

10 WHEREAS, the right of a state to develop its own
11 regulatory program and to perform its own inspections of
12 mines relating to safety and health standards should be
13 preserved; and

14 WHEREAS, mining industry accident statistics have shown
15 significant improvement under cooperative programs with
16 state agencies, private industry, and labor.

17
18 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
19 OF REPRESENTATIVES OF THE STATE OF MONTANA:

20 That the Congress of the United States is urged to
21 enact amendatory legislation that would return to states the
22 right to regulate or participate in the regulation of mines
23 relating to mine safety and health standards.

24 BE IT FURTHER RESOLVED, that copies of this resolution
25 be sent by the Secretary of State to the President of the

LC 1368/01

1 United States, to the President of the Senate and the
2 Speaker of the House of Representatives of the Congress of
3 the United States, and to each member of Montana's
4 Congressional Delegation.

-End-

Approved by Comm. On Human Services

1 HOUSE JOINT RESOLUTION NO. 21

2 INTRODUCED BY *Ed Hart* *Karl Lusk* *Richard*

3 *Julian Ellison* *Bugs* *McNeal* *Conroy* *Amundson*

4 *Boyer* *Burnett* *Johanna* *Andrew* *Wagner* *Ryan*

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3 *Senators Burnett, Johnson, Anderson, Stinger & Ryan*

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HJR 0021/02

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