

SF0044JC001

(TO ENGROSSED COPY)

Adopt the following House amendments:

SF0044HW001/ACE

Delete the following House amendments:

SF0044HS001/AE

SF0044H3001/ACE

Further amend the ENGROSSED COPY as follows:

Page 1-line 6           After "operations;" insert "requiring approval of limited mining operations on state or school lands by the county and the state board of land commissioners as specified;".

Page 1-line 13         Delete "(B)" and insert "(A)".

Page 1-line 14         After "(F)," insert "by creating new subparagraphs (G) and (H),".

Page 3-after line 8         Insert:

                          "(A) That the affected lands shall not be within:

                                          (I) Three hundred (300) feet of any existing occupied dwelling, home, public building, school, church, community or institutional building, park or cemetery unless the landowner's consent has been obtained;

                                          (II) Five hundred (500) feet of any existing occupied dwelling, home, public building, school, church, community or institutional building, park or cemetery if the affected lands are state or school lands, unless the surface owner's consent has been obtained and the operator has obtained a conditional use permit from the county where the limited mining operation will occur and additional approval from the state board of land commissioners pursuant to subparagraph (H) of this paragraph.".

Page 5-after line 13         Insert:

"(G) No operator shall:

(I) Conduct more than one (1) limited mining operation within adjacent areas when the limited mining operations are to mine the same mineral; or

(II) Conduct more than one (1) limited mining operation within any six (6) mile radius when the limited mining operations are to mine the same mineral. The administrator may allow two (2) limited mining operations for the same mineral within the six (6) mile radius if one (1) of the limited mining operations has completed all required reclamation work, the bond has been released and the operator has obtained an additional conditional use permit from the county where the limited mining operation will occur to conduct the second limited mining operation.

(H) If the affected lands are state or school lands, before commencing any limited mining operation, the operator shall obtain a conditional use permit from the county where the limited mining operation will occur if a conditional use permit is required in the affected county." COOPER, ELLIS, JONES, BURKHART, HARSHMAN, LARSON, JT