

106TH CONGRESS
1ST SESSION

S. 1114

To amend the Federal Mine Safety and Health Act of 1977 to establish a more cooperative and effective method for rulemaking that takes into account the special needs and concerns of smaller miners.

IN THE SENATE OF THE UNITED STATES

MAY 25, 1999

Mr. ENZI introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Federal Mine Safety and Health Act of 1977 to establish a more cooperative and effective method for rulemaking that takes into account the special needs and concerns of smaller miners.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Mine Advocacy
5 Review Panel Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to establish a more cooper-
8 ative and effective method for rulemaking with respect to

1 mandatory health or safety standards that takes into ac-
2 count the special needs and concerns of small mine opera-
3 tors.

4 **SEC. 3. AMENDMENT TO FEDERAL MINE SAFETY AND**
5 **HEALTH ACT OF 1997.**

6 (a) IN GENERAL.—Section 101(a)(2) of the Federal
7 Mine Safety and Health Act of 1977 (30 U.S.C.
8 811(a)(2)) is amended by inserting before the last sen-
9 tence the following: “The procedures for gathering com-
10 ments from small entities as described in section 609 of
11 title 5, United States Code, shall apply under this section
12 and small mine operators shall be considered to be small
13 entities for purposes of such section. For purposes of the
14 preceding sentence, the term ‘small mine operator’ has the
15 meaning given the term ‘small business concern’ under
16 section 3 of the Small Business Act (including any rules
17 promulgated by the Small Business Administration) as
18 such term relates to a mining operation.”.

19 (b) CONFORMING AMENDMENT.—Section 609(d) of
20 title 5, United States Code, is amended by striking “Agen-
21 cy and” and inserting “Agency, the Mine Safety and
22 Health Administration and”.

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