

August 17, 2018

To the Honorable Members of  
The Illinois House of Representatives,  
100th General Assembly:

Today I return House Bill 5689 to remove unnecessary and unwarranted language requiring employee class representatives on the State Mining Board and the Miners Examining Board to be union members.

As presented to me, this legislation makes certain safety standards utilized in underground mines in Illinois consistent with federal regulations. This legislation was intended to enhance safety regulations in mining in Illinois in a number of ways, providing for an optional walk test to determine a safe and appropriate distance between containers of breathing devices and refuge chambers as permitted by the federal Mine Safety and Health Administration. It also increases the number of Self Contained Self Rescuers that must be located throughout the mine in to conform with federal regulations. These enhancements were the product of lengthy negotiations between the Illinois Department of Natural Resources, coal mining industry, and safety regulators and I fully support making sure our miners are working in the safest possible conditions.

However, the language requiring employee members of the State Mining Board and the Miners' Examining Board to be union-affiliated does not speak to these core safety objectives and is unnecessary and, by creating an arbitrary restriction on membership, will filter out candidates for appointment who are best positioned to affect the safety goals of this legislation. The coal mining industry in Illinois has changed considerably over time, with the last union coal mine in Illinois closing in 2013. Appointments like these should be based upon qualifications and expertise regardless of union membership. Moreover, membership on State boards and commissions should represent to the greatest extent possible the diverse experience of the people of Illinois, and this bill in its current form is in opposition with that goal. I am revising this legislation so that it can serve its intended safety purpose without being unnecessarily politicized.

Therefore, pursuant to Section 9(e) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 5689, entitled "AN ACT concerning regulation," with the following specific recommendations for change:

On page 1, by replacing lines 23 through page 2, line 10 with the following:

"(3) Two mine officers from the employee class shall

have 4 years' ~~years~~ experience in an underground coal mine\_ and shall hold certificates ~~a first class certificate~~ of competency as an Illinois mine examiner.

(4) The third mine officer from the employee class shall have at least 4 years' ~~years~~ experience in a surface coal mine.”

On page 4, by replacing lines 11 through 15 with the following:

“the members of the Miners' Examining Board shall be employees of coal mines. Two of the members of the Miners' Examining Board shall be from the employing class.”.

With these changes, House Bill 5689 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner  
GOVERNOR