

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

**MR. SPEAKER:**

I move that House Bill 1237 be amended to read as follows:

- 1           Page 2, line 38, after "permit." insert: **"No application for**
- 2           **revision of a permit shall be approved unless the application**
- 3           **demonstrates and the director finds the following:**
- 4           **(1) That reclamation as defined by this article and the rules**
- 5           **adopted by the commission under IC 14-34-2-1 can be**
- 6           **accomplished.**
- 7           **(2) That applicable requirements under IC 14-34-4-7 which**
- 8           **are pertinent to the application are met.**
- 9           **(3) That the application complies with all requirements of this**
- 10          **Article and the rules adopted under the Commission under IC 14-**
- 11          **34-2-1."**
- 12          Page 3, line 21, delete "an area that was previously" and insert: **"a**
- 13          **manner that is likely to cause adverse impacts beyond those**
- 14          **previously considered to persons or property outside the permit**
- 15          **area."**
- 16          Page 3, delete line 22.
- 17          Page 3, after line 42, begin a new line block indented and insert:
- 18          **"(7) The changes will cause:**
- 19               **(a) new or updated probable hydrologic consequences**
- 20               **determination; or**
- 21               **(b) cumulative hydrologic impact analysis to be required**
- 22               **under IC 14-34-3-3.**
- 23          **(8) A postmining land use will be changed to any of the**
- 24          **following:**
- 25               **(A) a residential land use.**
- 26               **(B) a commercial/industrial land use.**
- 27               **(D) developed water resources as defined in rules**

1                   **adopted by the commission under IC 14-34-2-1 which**  
2                   **meets the size criteria of 30 CFR 77.216(a).(C) a**  
3                   **recreation land use.**

4                   Page 4, between lines 21 and 22, begin a new paragraph and  
5                   insert:

6                   **"(4) A postmining land use change other than a change**  
7                   **described in section 8.1(8) of this chapter."**

8                   Page 4, line 22, delete "(4)" and insert "(5)".

(Reference is to HB 1237 as printed January 29, 1998.)

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Representative STILWELL