

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2453

By: Cannaday

4
5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2001, Section 123.4, which relates to the
9 Oklahoma Explosives and Blasting Regulation Act;
10 providing for notice to certain property owners prior
11 to blasting; and providing an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 63 O.S. 2001, Section 123.4, is
14 amended to read as follows:

15 Section 123.4 A. The Department of Mines shall promulgate the
16 necessary rules to implement the provisions of this Division. Rules
17 promulgated by the Department shall include but not be limited to
18 requirements for blasting:

19 1. Blasting plans, ~~use~~;

20 2. Use of explosives, ~~public~~;

21 3. Public notices, ~~including, but not limited to, notice to~~
22 property owners by certified mail, return receipt requested, within
23 one (1) mile of the blasting area prior to blasting; and ~~records~~

24 4. Records.

1 B. The Department of Mines may establish a schedule of fees to
2 be charged for applications for or issuance of new and renewed
3 certifications and permits required pursuant to this division. The
4 fees shall be subject to the following provisions:

5 1. The Department shall follow the procedures required by the
6 Administrative Procedures Act for promulgating rules in establishing
7 or amending any such schedule of fees;

8 2. The Department shall base its schedule of fees upon the
9 reasonable costs of operating the programs specified by this
10 division; and

11 3. The fees authorized by this section shall not be implemented
12 by emergency rule but shall be adopted by permanent rules, which
13 shall be submitted to the Legislature for review pursuant to Section
14 308 of Title 75 of the Oklahoma Statutes prior to implementation.

15 SECTION 2. This act shall become effective November 1, 2008.

16

17 51-2-8447 SAB 01/12/08

18

19

20

21

22

23

24