

No. 215

## AN ACT

Amending the act of July fifteen, one thousand eight hundred ninety-seven (Pamphlet Laws 287), entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth, and to provide for the examination of persons seeking employment as miners in the anthracite region, and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violation of the same," establishing Miners Examining Boards in certain counties, decreasing the number of miners on each board, and changing the method of their appointment, increasing the compensation of board members, changing certain powers of the boards and members thereof, and increasing examination fees.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections two, three, four and five, act of July fifteen, one thousand eight hundred ninety-seven (Pamphlet Laws 287) entitled, "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth, and to provide for the examination of persons seeking employment as miners in the anthracite region, and to prevent the employment of incompetent persons as miners in anthracite coal mines, and providing penalties for a violation of the same," are amended to read:

Sections 2, 3, 4  
and 5, act of  
July 15, 1897,  
P. L. 287,  
amended.

Section 2. That there shall be established in each of [the eight inspection districts in the anthracite coal region,] *the counties of Luzerne, Lackawanna, Carbon, Schuylkill and Northumberland*, a board to be [styled] *known as the "Miners Examining Board,"* [of the . . . . . district,] to consist of [nine] *three* miners who shall be appointed [, in the same manner as the boards to examine mine inspectors are now appointed,] *by the judges of the court of common pleas of the county* from among the most skillful miners actually engaged in said business in their respective [districts and] *county*, who must have had five years practical experience in the same. The said persons so appointed shall each serve for a term of two years from the date on which their appointment takes effect [, and they shall be appointed upon or before the expiration of the term of the present members of the "Miners Examining Board," and they shall be and constitute the "Miners Examining Board" for their respective districts, and shall hold the office for the term for which they were appointed, or until their successors are duly appointed and qualified; and

Miners Examining Board established in certain counties.

Number of members and how appointed.

Qualifications.

Term of office.

Compensation  
and necessary  
expenses.

Monthly  
statements.

Organization  
of boards.

Examining  
Boards shall  
designate place  
of meeting of  
boards.

Shall not be held  
in building where  
liquors are sold.

Board shall  
open book of  
registration.

shall receive as compensation for their services three dollars per day for each day actually engaged in this service, and all legitimate and necessary expenses incurred in attending the meetings of said board under the provisions of this act, and no part of the salary of said board or expenses thereof shall be paid out of the State Treasury]. *Each member of the Examining Board shall receive as compensation for his services twenty dollars (\$20) per day for each day actually engaged in this service, and all legitimate and necessary expenses incurred in attending the meetings of the board under the provisions of this act. The members of the boards shall submit monthly statements, approved by the president of the board, setting forth the number of days during which each member has actually been in attendance at the sessions of the board, together with any expenses that may have been incurred to the Secretary of Mines who, upon approval of the statements, shall submit them to the State Treasurer for payment.*

Each of said boards shall organize by electing one of their members president, and one member as secretary [, and by dividing themselves into three sub-committees for the more convenient discharge of their duties; each of said committees shall have all powers hereinafter conferred upon the board; and whenever in this act the words "Examining Board" are used, they shall be taken to include any of the committees thereof.

Every member of said board shall, within ten days of their appointment or being apprised of the same, take and subscribe an oath or affirmation before a properly qualified officer of the county in which they reside, that they will faithfully and impartially discharge the duties of their office.

Any vacancies occurring in said board shall be filled in the manner hereinbefore provided from among such only as are eligible for original appointment].

Section 3. Each of said examining boards shall designate some convenient place within their districts for the meeting of the [several committees thereof, of which due notice shall be given by advertisement in two or more newspapers of the proper county, and so divided as to reach as nearly as practicable all the mining districts therein;] *board*, but in no case shall such meeting be held in a building where any intoxicating liquors are sold.

Each of said [committees] *boards* shall open at the designated place of meeting a book of registration, in which shall be registered the name and address of each and every person duly qualified under this act to be employed as a miner in an anthracite coal mine. And

it shall be the duty of all persons employed as miners to be properly registered, and in case of a removal from the district in which a miner is registered, it shall be his duty to be registered in the district to which he removes.

Miners shall register.

Application for registration only may be sent by mail to the board, after being properly attested before any person authorized to administer an oath or affirmation in the county in which the applicant resides. The form of application shall be subject to such regulation as may be prescribed by the boards, but in no case shall any applicant be put to any unnecessary expense in order to secure registration.

Application for registration.

Form of application.

Section 4. Each applicant for examination and registration and for the certificate hereinafter provided, shall pay a fee of [one dollar] *two dollars* to the said board, and a fee of [twenty-five cents] *one dollar* shall be charged for registering any person who shall have been examined and registered by any other said board, and the amount derived from [this source shall be held by said boards and applied to the expenses and salaries herein provided and such as may arise under the provisions of this act; and the said boards shall report, annually, to the court of common pleas of their respective counties and the Bureau of Mines and Mining all moneys received and disbursed under the provisions of this act, together with the number of miners examined and registered under this act, and the number who failed to pass the required examination.] *these sources shall be forwarded, monthly, to the Secretary of Mines who, upon receipt of same, shall submit the amount of moneys obtained from the boards to the State Treasurer to be applied to the salaries and expenses herein provided.*

Fees for examination and registration.

How amounts received shall be forwarded and applied.

Section 5. That it shall be the duty of each of the said boards to meet once every month and not oftener, and said meeting shall be public, [and if necessary, the meeting shall be continued to cover whatever portion may be required of a period of three days in succession,] and examine under oath all persons who shall desire to be employed as miners in their respective districts; and said board shall grant such persons as may be qualified, certificates of competency or qualification which shall entitle the holder thereof to be employed as and to do the work of miners as may be expressed in the said certificate, and such certificate shall be good and sufficient evidence of registration and competency under this act; and the holder thereof shall be entitled to be registered without an examination in any other of the anthracite districts upon the payment of the fee herein provided.

Meetings of Boards.

Board shall grant certificate of competency, etc.

Certificate shall be evidence of competency, etc.

Holder can be registered in other districts.

Qualifications of applicants for certificate of competency.

Applicant must appear in person and answer.

And be properly identified.

Board shall keep record of all proceedings.

Contents of said record.

Certificates shall not be transferable.

Issuing of certificates.

All persons applying for a certificate of competency, or to entitle them to be employed as miners, must produce satisfactory evidence of having had not less than two years practical experience as a miner, or as a mine laborer in the mines of this Commonwealth, and in no case shall an applicant be deemed competent unless he appear in person before the said board and answer intelligently and correctly at least twelve questions in the English language pertaining to the requirements of a practical miner, and be properly identified, under oath, as a mine laborer by at least one practical miner holding miners' certificates. The said board shall keep an accurate record of the proceedings of all its meetings, and in said record shall show a correct detailed account of the examination of each applicant, with the questions asked and their answers, and at each of its meetings the board shall keep said record open for public inspection. Any miner's certificate granted under the provisions of this act, and the hereinafter mentioned act approved the ninth day of May, Anno Domini one thousand eight hundred and eighty-nine, shall not be transferable to any person or persons whatsoever, and any transfer of the same shall be deemed a violation of this act. Certificates shall be issued only at meetings of said board, and said certificates shall not be legal unless then and there signed in person by at least [three] *two* members of said board.

APPROVED—The 24th day of October, A. D. 1955.

GEORGE M. LEADER

No. 216

## AN ACT

Amending the act of June two, one thousand eight hundred ninety-one (Pamphlet Laws 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," increasing the compensation of members of the examining boards.

Anthracite coal mines.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 3, article VIII, act of June 2, 1891, P. L. 176, amended June 25, 1947, P. L. 966, further amended.

Section 1. Section three of article VIII, act of June two, one thousand eight hundred ninety-one (Pamphlet Laws 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the