

LAWS  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

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No. 1  
AN ACT

Amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage, contingent on Federal aid, and making an appropriation," extending the provisions of the act to cover emergency flood instances and the operation and maintenance of pumping and other mine drainage facilities.

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

Section 1. Sections 1 and 2, act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage, contingent on Federal aid, and making an appropriation," are amended to read:

Sections 1 and 2, act of July 7, 1955, P. L. 258, amended.

Section 1. In the event that [the Congress of the United States enacts legislation making available] Federal moneys *are made available* on a matching basis for the control and drainage of water from anthracite coal formations, the Commonwealth accepts the grant of Federal aid thereunder subject to the terms and conditions of the grant.

In the event that matching Federal funds being made available, the Commonwealth accepts the grant with conditions.

Section 2. In such event the Department of Mines and Mineral Industries shall construct ditches, flumes, backfill stripping pits and cropfalls, and improve stream beds for the purpose of preventing the flow of surface water into mines, and shall purchase the necessary materials for the same, and also shall purchase and install pumps, pipes, machinery, equipment and materials for the purpose of pumping water from abandoned mines: Provided, however, That the Commonwealth shall not bear any operating and maintenance costs whatsoever and shall not bear the installation costs of any underground facilities; *however, this restriction shall not apply and shall not pertain to cases of emergencies endangering life created by the flooding of mines, nor shall the functions herein set out be restricted to abandoned mines in cases of such emergency.*

Department of Mines and Mineral Industries is authorized to perform the necessary work.

Proviso.

Non applicability of proviso.

*In such instances, upon the prior determination by the Secretary of Mines and Mineral Industries when the Secretary of the Interior of the United States of*

Emergency determination required.

Duties of  
department.

*America operating under the Federal companion legislation has likewise ruled that an emergency exists, the Department of Mines and Mineral Industries shall:*

- (1) *Conduct rescue operations;*
- (2) *Without advertising or competitive bidding, purchase material and equipment, and provide labor and techniques for pumping of water from the mines, constructing ditches, flumes and other devices for mine drainage, for sealing, backfilling and for the performance of any other work designated by the Secretary of Mines and Mineral Industries as expedient to prevent the spreading and reduce the hazards from flooding of mines;*
- (3) *Pay for power and for other costs attendant upon the operation and maintenance of pumping and other devices for mine drainage;*
- (4) *Perform the purpose of the act with personnel of the department or by contract with others;*
- (5) *Reimburse any person, agency or corporation for material, labor and equipment furnished at the request of the Department of Mines and Mineral Industries in the performance of the aforesaid duties;*
- (6) *Pay for the foregoing whether already undertaken or to be undertaken hereafter;*
- (7) *Conduct investigation to determine the cause of this disaster and to institute measures to insure the future safety and health of persons in the area; and*
- (8) *Do all necessary and expedient to effect the purposes of this act.*

Effective date.

Section 2. This act shall take effect immediately.

APPROVED—The 11th day of February, A. D. 1959.

DAVID L. LAWRENCE

No. 2

### AN ACT

Amending the act of May 2, 1925 (P. L. 501), entitled "An act authorizing municipalities to impose a penalty, not exceeding five per centum, on all municipal assessments which are not paid within ninety days from the date of the assessment," extending the provisions of the act to townships.

Municipalities  
and townships.

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

Title and section  
1, act of May 2,  
1925, P. L. 501,  
amended.

Section 1. The title and section 1, act of May 2, 1925 (P. L. 501), entitled "An act authorizing municipalities to impose a penalty, not exceeding five per