

tions; providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines; requiring certain information and reports, and prescribing penalties," is amended to read:

Penalty.

Section 5. Any person, firm or corporation violating any of the provisions of this act shall *be guilty of a misdemeanor and*, upon conviction, [in a summary proceeding] be sentenced to pay for each day of operation which shall constitute a separate offense a fine [of not less than twenty-five dollars (\$25.00) and costs, nor more than one hundred dollars (\$100.00)] *not to exceed two hundred dollars (\$200) and costs*, [and in default of the payment of such fine and costs] *or be imprisoned in the county jail for a period [of ten (10) days] not to exceed three (3) months, or both, at the discretion of the court.*

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 393

### AN ACT

Amending the act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations; providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines; requiring certain information and reports, and prescribing penalties," extending the provision of the act.

Coal stripping.

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

Section 2, act of June 18, 1941, P. L. 133, amended.

Section 1. Section 2, act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations; providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines; requiring certain information and reports, and prescribing penalties," is amended to read:

Application of act.

Section 2. This act shall apply to every coal stripping operation in the Commonwealth of Pennsylvania [where three or more persons are employed or engaged at work]. The Department of Mines *and Mineral Industries* shall have exclusive jurisdiction over all coal stripping operations in this Commonwealth. Any mine inspector directed by the Department of Mines *and Mineral Industries* shall have the right to enter upon and inspect all such stripping operations for the purpose of determining the conditions of safety.

Department of Mines and Mineral Industries given jurisdiction over coal stripping operations.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE