

LAWS OF PENNSYLVANIA,

No. 357

AN ACT

Repealing section 58 of the act of April 28, 1899 (P. L. 133), entitled "An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania."

The National
Guard.

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

Specific repeal,
section 58, act of
April 28, 1899,
P. L. 133.

Section 1. Section 58 of the act of April 28, 1899 (P. L. 133), entitled "An act to provide for the organization, discipline and regulation, of the National Guard of Pennsylvania," which reads as follows, is hereby repealed:

Exemption from
military duty
and jury duty.

Section 58. In addition to exemptions now allowed by law, any person who shall have performed duty in any military organization of the National Guard of the State, for the period of nine years, or, who enlisted for nine months, or a longer period, in active service of the United States, and was honorably discharged, shall be *exempt from further military service, except in case of war, invasion or insurrection, and from serving as a juror, if he so desires.

APPROVED—The 20th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 358

AN ACT

Amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

* "exempt for" in original.

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

The Administrative Code of 1929.

Section 1. As much as applies to the Department of Mines and Minerals Industries of section 202, act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," amended December 21, 1959 (P. L. 1966), is amended to read:

Part applicable to Department of Mines and Mineral Industries, section 202, act of April 9, 1929, P. L. 177, amended December 21, 1959, P. L. 1966, further amended.

Section 202. Departmental Administrative Boards, Commissions, and Offices.—The following boards, commissions, and offices, are hereby placed and made departmental administrative boards, commissions, or offices, as the case may be, in the respective administrative departments mentioned in the preceding section, as follows:

* * * * *

In the Department of Mines and Mineral Industries,
 Anthracite Mine Inspectors,
 Bituminous Mine Inspectors,
 Anthracite Mine Inspectors' Examining Board,
 Mine Inspectors' Examining Board for the Bituminous
 Coal Mines of Pennsylvania,
 Oil and Gas Inspectors Examining Board,
Oil and Gas Conservation Commission.

* * * * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act.

Section 2. The act is amended by adding, after section 466, a new section to read:

Act amended by adding a new section 467.

Section 467. Oil and Gas Conservation Commission.
 —(a) *The Oil and Gas Conservation Commission shall consist of seven members, one of *whom shall be the Secretary of Mines and Mineral Industries or his designated deputy. The members of the commission shall have the following qualifications:*

(1) *Three of such members shall have had at least ten years experience with the production of and/or exploration of oil, and three of whom shall have **had at least ten years experience with the production of and/or exploration of gas. All of the members except the Secretary of Mines and Mineral Industries shall have had at least five years of their experience within the ten year period immediately prior to the date of their appointment.*

(2) *Representation on the board shall include one member from each of the following segments of the industry: Independent Oil, Major Oil, Independent Gas,*

* "which" in original.

** "had" not in original.

Major Utility Gas, Major Non-utility Gas. The sixth appointee shall be an independent, either oil or gas.

(b) The commission shall annually elect one of its members as chairman and shall elect a secretary who need not be a member of the commission.

(c) Four members of the commission shall constitute a quorum and any action or order of the commission shall require the approval of at least four members.

(d) The secretary shall have such powers and shall perform such duties not contrary to the law as the commission shall prescribe.

(e) The members of the commission shall not receive any compensation except traveling expenses and other necessary expenses for each day actually devoted to the work of the commission, and the secretary shall receive such reasonable compensation as shall be determined by the commission with the approval of the Secretary of Mines and Mineral Industries.

*(f) Each of the commissioners, except the Secretary of Mines and Mineral Industries, or his deputy, shall be appointed by the Governor with the advice and consent of the Senate, and shall serve for a term of six years: Provided, however, That on the effective date of the act, the Governor shall appoint two commissioners to serve for a term of two years, two commissioners to serve for a term of four years, and two commissioners to serve for a full term of six years. All appointments subsequent to the initial terms shall be for a six year *period except for interim appointments to serve an unexpired term.*

Section 1902 of the act, amended May 31, 1956, P. L. 1915, amended by adding a new clause (f).

Section 3. Section 1902 of the act, amended May 31, 1956 (P. L. 1915), is amended by adding, at the end thereof, a new clause to read :

Section 1902. Mines.—The Department of Mines and Mineral Industries shall have the power, and its duty shall be :

* * * * *

(f) To administer the oil and gas conservation laws through the Oil and Gas Conservation Commission.

Section 4. The act is amended by adding, after section 1906, a new section to read :

Act amended by adding a new section 1907.

Section 1907. Oil and Gas Conservation Commission.—The Oil and Gas Conservation Commission shall exercise the powers and perform the duties by law vested in and imposed upon said commission.

Act effective immediately.

Section 5. This act shall take effect immediately.

APPROVED—The 25th day of July, A. D. 1961.

DAVID L. LAWRENCE

* "year" in original.