

No. 453

AN ACT

Amending the act of July fifteen, one thousand nine hundred thirty-five (Pamphlet Laws 1034), entitled "An act requiring operators of anthracite coal mines to report shipments to the Department of Mines," requiring breakers, washeries or preparation plants to file reports and changing the time for filing reports.

Operators of anthracite coal mines.

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

Title and section 2, act of July 15, 1935, P. L. 1034, amended.

Section 1. The title and section two, act of July fifteen, one thousand nine hundred thirty-five (Pamphlet Laws 1034), entitled "An act requiring operators of anthracite coal mines to report shipments to the Department of Mines," are amended to read:

AN ACT

Title.

Requiring operators, *breakers, washeries or preparation plants* of anthracite coal mines to report shipments to the Department of Mines.

Reports to be made of shipments.

Section 2. All operators, *breakers, washeries or preparation plants* of anthracite coal mines shall report [monthly] to the Department of Mines, *within fifteen days after the close of each month*, shipments of anthracite for *preceding months* to destinations, such destinations to include each state, each province of Canada, and such subdivisions thereof, as the department may designate.

APPROVED—The 4th day of April, A. D. 1956.

GEORGE M. LEADER

No. 454

AN ACT

Amending the act of June nine, one thousand nine hundred eleven (Pamphlet Laws 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," changing applicability of act and the requirement of a mine foreman in small mines.

Bituminous coal mines.

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

Section 3, Article XXVIII., act of June 9, 1911, P. L. 756, amended June 21, 1947, P. L. 872, further amended.

Section 1. Section three of Article XXVIII., act of June nine, one thousand nine hundred eleven (Pamphlet Laws 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protec-

tion and preservation of property connected therewith," amended June twenty-one, one thousand nine hundred forty-seven (Pamphlet Laws 872), is amended to read:

ARTICLE XXVIII.

* * * * *

Section 3. The provisions of this act shall [not apply to any mine where fewer than five persons are employed or engaged in work inside the mine, in any one period of twenty-four hours; but any mine inspector shall, nevertheless, have the right to enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine. In case a mine inspector shall find any such mine to be unsafe, or to be operated in any unsafe manner, measured by standards and by regulations promulgated by the Secretary of Mines, he shall order such unsafe conditions to be forthwith corrected, and, in default of the owner or operator doing so, shall order such mine closed until the unsafe conditions are corrected. Mandatory enforcement of any such order may be had by injunction proceedings.] Application of act.

Any such regulations promulgated by the Secretary of Mines shall be selected from the act and the amendments thereto, for mines in which five or more persons are employed or engaged in work, and shall include only such regulations as are reasonably and practically applicable to mines employing fewer than five persons.

Any person who shall continue to operate, or be a party to the operation of a mine in which from two to five persons are employed or engaged in work, without correcting the unsafe conditions as ordered by a mine inspector, shall upon conviction thereof, in a summary proceeding for a first offense, be sentenced to pay a fine of twenty-five dollars (\$25) and costs of prosecution, and in default of the payment of such fine and costs shall be imprisoned for a period of ten (10) days, and upon conviction of a second or subsequent offense shall be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution, and be imprisoned for a period of thirty (30) days.] *apply to every bituminous coal mine in the Commonwealth, but no mine employing less than five persons on the inside in any twenty-four hour period need have a mine foreman.*

Section 2. This act shall take effect six months after Effective date. final enactment.

APPROVED—The 4th day of April, A. D. 1956.

GEORGE M. LEADER