

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1941



ENROLLED

HOUSE BILL No. 370

(By Mr. Speaker Mr. Arnold)



PASSED March 8, 1941

In Effect twenty days from Passage

ENROLLED
House Bill No. 370
(BY MR. SPEAKER, MR. ARNOLD)

[Passed March 8, 1941; in effect ninety days from passage.]

AN ACT to amend and reenact sections seven, nine, ten, eleven, and twelve, article one, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, relating to inspections and rescue work by the department of mines.

Be it enacted by the Legislature of West Virginia:

That sections seven, nine, ten, eleven and twelve, article one, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Article 1. Department of Mines.

Section 7. *Mining Districts and Divisions; Mine Inspectors; Term of Office.*—The chief of the department of mines shall divide the state into not less than twenty-five mining districts and not less than three mining divisions so as to equalize as far as practicable the work of each in-

6 spector. The chief of the department of mines shall ap-
7 point one inspector for each mining district within the
8 the state, and one mine inspector at large for each division.
9 The mine inspectors in office on the date this code takes
10 effect shall, unless sooner removed as provided by law,
11 continue to serve until their terms expire and their suc-
12 cessors have been appointed and have qualified. On or
13 after the first day of January, one thousand nine hundred
14 forty-two, and on or after the first day of January of each
15 fourth year thereafter, the chief of the department of
16 mines appointed for the term commencing on said first
17 day of January shall appoint one inspector for each
18 mining district within the state, and one mine inspector
19 at large for each division to serve for a term of four years
20 commencing on said first day of January.

21 The chief of the department of mines may assign any
22 person meeting the qualifications of a mine inspector to
23 temporary duty as a mine inspector with the same author-
24 ity as a mine inspector.

Sec. 9. *Same; Inspections; Reports.*—Each of the mine
2 inspectors shall report in writing, weekly, to the chief of

3 the department of mines, the number and condition of
4 all mines inspected by him during each week, and shall
5 deliver to the operator or operators of each mine inspected
6 a certificate of inspection, and shall post a duplicate cer-
7 tificate at a prominent place of the operating company
8 where it may conveniently be read by any of the mine
9 employees. The duplicate shall remain posted until a sub-
10 sequent certificate is issued by the mine inspector. A
11 mine inspector appointed for a particular district shall
12 visit each mine in his district at least once in every three
13 months unless prevented by unavoidable circumstances,
14 or oftener if called upon in writing by ten men engaged
15 in any one mine, or by the owner, operator or superin-
16 tendent of such mine, and make a personal examination
17 of each working place, and also entrances to abandoned
18 parts of the mine where gas is liberated, and outside of
19 the mine where any danger may exist to the workmen in
20 their respective districts, and shall particularly examine
21 into the condition of the mine as to ventilation, drainage
22 and general safety, and shall make a report of such ex-
23 amination, and he shall see that all provisions of the min-

24 ing statutes, requirements of the department of mines
25 and written instructions of the mine inspectors, are strictly
26 carried out.

Sec. 10. *Mine Rescue Stations; Equipment.*—The chief
2 of the state department of mines is hereby authorized to
3 purchase, equip and operate for the use of said depart-
4 ment such mine rescue stations and equipment as he may
5 deem necessary.

Sec. 11. *Mine Rescue Crews.*—The chief of the state
2 department of mines is hereby authorized to have trained
3 and employed at the rescue stations operated by that de-
4 partment within the State, such rescue crews as he may
5 deem necessary. Each member of a rescue crew shall
6 devote four hours each month for training purposes,
7 and shall be available at all times to assist in rescue
8 work at explosions and mine fires. Regular members shall
9 receive for such services the sum of four dollars per
10 month and captains shall receive five dollars per month,
11 payable on requisition approved by the chief of the de-
12 partment of mines, and such other sums, to be paid by the
13 operating company, as may be agreed upon when engaged

14 in rescue work at explosions or mine fires. The chief of
15 the department of mines may remove any member of a
16 rescue crew at any time.

Sec. 12. *Directors of Mine Rescue Work.*—The chief of
2 the department of mines is hereby authorized to assign
3 mine rescue teams and such mine rescue and recovery
4 work to inspectors or other employees of the department
5 of mines as he may deem necessary.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

C. H. McKeown
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Arthur Watheus
Clerk of the Senate

Stalliff
Clerk of the House of Delegates

Byron B. Randolph
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within appeared this the 14th
day of March, 1941.

Matthew M. Neely
Governor.

Filed in the office of the Secretary of State
of West Virginia. MAR 17 1941

Wm. S. O'BRIEN,
Secretary of State