

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1945

ENROLLED

SENATE BILL No. 179

(By Mr. Vickers, Mr. President, By Request

PASSED March 9 1945

In Effect 90-days from Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.



179

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Senate Bill No. 179

(BY MR. VICKERS, MR. PRESIDENT, BY REQUEST)

[Passed March 9, 1945; in effect ninety days from passage.]

AN ACT to amend and reenact sections two, three and four, article six, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to add section four-a to said article, all relating to miners examining board, examination by the board, and fee for examination.

Be it enacted by the Legislature of West Virginia:

That sections two, three and four, article six, chapter twenty-two of the code, one thousand nine hundred thirty-one, as amended, be amended and reenacted and that a new section designated section four-a be added, all to read as follows:

Section 2. *Miners Examining Board.*—The chief of the
2 department of mines with the approval of the governor,
3 shall appoint a board of three members to be known as
4 the miners examining board, which shall be composed
5 of two practical and experienced miners, one of whom
6 shall be a negro, and one coal mine operator's repre-
7 sentative; not more than two members of the board shall
8 belong to the same political party; they shall serve for a
9 term of four years, unless sooner removed from office by
10 the chief of the department of mines for incompetency,
11 neglect of duty, drunkenness, malfeasance or other good
12 cause.

13 The chief of the department of mines shall designate
14 one member of the board as chairman, and shall furnish
15 said board with a seal of the department of mines. All
16 records, reports, books and papers of the board shall be
17 kept in the department of mines.

18 The salaries of the members of the board shall be not
19 less than thirty-three hundred dollars nor more than
20 thirty-nine hundred dollars per annum, and they shall
21 receive their actual traveling expenses, to be paid out of

22 the state treasury; such salary shall be fixed by the chief
23 of the department of mines, and shall be uniform; said
24 chief of the department of mines shall provide for the
25 maintenance of said miners examining board in the same
26 manner as is provided all other branches of the depart-
27 ment of mines.

Sec. 3. *Examinations by the Board; Records.*—The
2 miners examining board shall meet at least once each
3 month in each mine inspection district at such places as
4 the chief of the department of mines may designate, so
5 that all persons in the state, or who wish to come into the
6 state to engage in coal mining, may be examined as to
7 their competency and qualifications. Public notice of the
8 time and place of examinations shall be given through the
9 press or otherwise, in the discretion of the board, not less
10 than seven days in advance of the date of examination.

11 The board shall keep an accurate record of its pro-
12 ceedings and meetings, and in said record shall show a
13 correct detailed account of the examination of each appli-
14 cant with questions asked and their answers. Such rec-
15 ords shall be open to public inspection.

Sec. 4. *Fee for Examination.*—Each applicant for examination shall pay to the miners examining board a fee of one dollar. All fees collected by the miners examining board shall be promptly transmitted to the chief of the department of mines and by him paid into the state treasury.

Sec. 4-a. All funds from the date this bill becomes effective that have been deposited in the state treasury under a special fund known as the “miners examination certificate fund” shall be transferred to the department of mines to defray the expenses of the coal miners’ examining boards until other funds are made available by direct appropriation for the expenses of such boards.

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

Charles C Morris

Chairman Senate Committee

John C. Bratter Jr.
Chairman House Committee

Originated in the

Senate

Takes effect

90 days from

passage

Howard Hughes
Clerk of the Senate

Al Capp

Clerk of the House of Delegates

Arnold W. Pickers

President of the Senate

John E. Amos
Speaker House of Delegates

The within

Approved

this the

14th

day of

March

, 1945.

Robert M. Madsen

Governor.

Filed in the office of the Secretary of State

of West Virginia

MAR 15 1945

Wm. S. O'BRIEN,

Secretary of State