

Original Sponsor: Rules Committee
by request of the Governor

Offered: 3/30/63
Referred: Rules

1 IN THE HOUSE BY LABOR AND MANAGEMENT COMMITTEE
2 CS FOR HOUSE BILL NO. 123
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRD LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to safety standards for
7 the operation of coal mines and other mines;
8 and providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 27.20.010(a) is amended to read:
11 (a) The commissioner of natural resources may adopt
12 the rules, regulations and orders which he considers neces-
13 sary to carry out the purposes of this chapter, and his rules
14 and regulations shall have the force and effect of law.
15 Rules, regulations and orders authorized by this chapter shall
16 be consistent with its purposes and may include, but are not
17 limited to, rules, regulations and orders pertaining to and
18 supplementing the subject matter contained in this chapter.
19 The commissioner of natural resources, in adopting coal
20 mining safety regulations, shall, as nearly as is practicable,
21 conform to the federal regulations applicable to bituminous
22 coal and lignite mine safety.
23 * Sec. 2. AS 27.20 is amended by adding new sections to read:
24 Sec. 27.20.021. DEPARTMENT MAY INSPECT MINING OPERA-
25 TIONS. The department may enter, inspect, and examine any
26 mining operation in the state, and inspect and examine the
27 workings and the machinery belonging to it, at all reasonable
28 times, either day or night, but not so as to impede or
29 obstruct the workings of the mining operation more than is

1 necessary. He may also make inquiry into the condition of
2 the mine, workings, machinery, ventilation, drainage, methods
3 of lighting or using lights, and into methods, things and
4 appliances connected with and relating to the health and
5 safety of persons in or about the same. The manager of each
6 mine shall furnish the means necessary for such entry,
7 inspection, examination, inquiry and exit.

8 Sec. 27.20.031. CORRECTING UNSAFE CONDITIONS. If, upon
9 examination, a mine or a portion of it is found to be in an
10 unsafe condition, as defined by regulations adopted under
11 this chapter, or if proper first aid or mine rescue measures
12 have not been adopted, the department shall at once serve
13 notice in writing upon the owner, lessee, agent, operator,
14 manager, or superintendent of the mine, setting out the
15 nature of the defects which render the mine unsafe or in-
16 secure and the place in the mine where the defects exist,
17 and require the repairs necessary to remedy the defects to
18 be made within a specified time. If circumstances require
19 it, the department shall forbid the operation of the mine
20 or portion of it that is declared unsafe or insecure, except
21 for the purpose of making necessary repairs to make the
22 mine safe for employees in it, and for the purpose of per-
23 mitting inspection and investigation of the conditions
24 described in the notice.

25 Sec. 27.20.041. REPORTS TO BE CONFIDENTIAL. The de-
26 partment shall keep confidential, upon the request of the
27 person supplying the information, all reports and informa-
28 tion required to be filed by regulations adopted under this
29 chapter and all information deducible from filed information.

1 Except by order of a court of competent jurisdiction, the
2 information shall be revealed only to authorized employees
3 and officers of the State of Alaska and persons authorized
4 in writing by the persons supplying the information. The
5 information may also be made available to the public in
6 the form of statistical reports if the identity of any
7 particular person or mine operator is not revealed by the
8 reports.

9 Sec. 27.20.051. PENALTIES. A person who fails to
10 comply with any provision of this chapter, or with a regula-
11 tion or order adopted under it, upon conviction, is punish-
12 able by a fine of not more than \$1,000, or by imprisonment
13 for not more than one year, or by both.

14 Sec. 27.20.061. DEFINITION OF MINING OPERATION. In
15 this chapter

16 (1) "mining operation" includes all parts of a
17 mine or mineral exploration project in the state and any
18 mining or treatment plant or equipment connected with it
19 underground or on the surface, which contributes, or may
20 contribute, to the mining or treatment of ore or other
21 metalliferous or nonmetalliferous mineral product; the term
22 also includes a site of tunneling, shaft-sinking, quarrying
23 or excavation of rock for other purposes, including but not
24 limited to, the construction of water or highway tunnels or
25 drains or of underground sites for the housing of industrial
26 plants or other facilities;

27 (2) "department" means the Department of Natural
28 Resources.

29 * Sec. 3. AS 27.20.015 - 27.20.480 are repealed.

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* Sec. 4. This Act takes effect August 1, 1963.