

LEGISLATIVE HISTORY OF R.S. 34:6-98.1 et seq
(Mine Safety Act)

COPY NO. 2

No similar bill introduced in 1953.

1954 - A367

Introduced March 29 by Mr. Mills.

This bill is a much longer (43 pages) bill and more detailed than the one which became law. Bill had statement (copy enclosed). It was referred to the Labor and Industrial Relations Committee. There was no action on it until June 7, when it was reported by a Committee Substitute for both A367 and A441 (see below for subsequent action).

A cursory reading of the original bill (A367) reveals only one mention of concern for property: (Sect. 18)

Upon being notified by the operator of a mine, or by a mine inspector, that a major accident causing injury to persons or property has occurred at a mine, the chief shall go, and may order one or more of the mine inspectors to go, at once to such mine, inquire into the cause of the accident, and make a written report upon the condition of that part of the mine wherein the accident occurred and cause of the accident. He shall file such report in his office and mail a copy thereof to the Commissioner of Labor and Industry, the general office of the operator of such mine, and office of the authorized representative of the employees, if any.

1954 - A441

Introduced May 10, 1954 by Mr. Vervaet.

No statement on the bill.

The bill as originally introduced did not contain the phrase "and to provide for the protection of property" (See copy of Section 6 of original act enclosed). The phrase was added in the Committee Substitute bill.

June 7 - Reported by Committee Substitute for A367 & A441.

June 14 - Amended on floor of Assembly.

June 17 - Amended on floor of Assembly.

(These amendments do not affect first paragraph of Sect. 7)

June 17 - Passed Assembly

June 21 - Passed Senate.

July 23 - Approved - Chapter 197.

No hearings or reports on these bills were located.

Do Not Remove From Library
DEPOSITORY COPY

Information on the drafting of this act can be found in:

974.901 N.J. Dept. of Labor and Industry.
L33 Annual Report, 1954-55. p. 1 (copy enclosed).

It is interesting to note that two recent bills to amend Section 10 of the Mine Safety Act use the words "and the protection of mining property" (A577 of 1964 and A591 of 1965, both by Mr. Maraziti, copies enclosed).

RS/PC

COPY

1 90. It shall be the duty of the superintendent of any mine, within the
2 provisions of this law, to keep at all times in the office of said mine and in
3 the timekeeper's office thereof, in an accessible place and subject to inspec-
4 tion by all workmen and persons interested in the same, at least 1 printed
5 copy of this act.

1 91. Any operator who shall violate any provision of this act whether or
2 not said violation is called to his attention by an inspector, shall be deemed
3 guilty of a misdemeanor.

1 92. Any person who shall violate any of the provisions of this act whether
2 or not said violation is called to his attention by the deputy inspector, shall
3 be guilty of a misdemeanor.

1 93. Sections 34:6-68 through 34:6-98 of the Revised Statutes are
2 repealed.

1 94. This act shall be known as the "Mine Safety Act."

1 95. This act shall take effect on September 1, 1954.

STATEMENT

The provisions of our statutes relating to mine safety were, with the exception of 1 section, last amended over 35 years ago.

With the passage of time these provisions have been proven highly inadequate in all respects and have resulted in a deplorable situation from an administrative and enforcement standpoint, which now endangers the lives, health and safety of approximately 4,000 New Jersey miners. This bill repeals all of the present provisions relating to mine safety; it establishes adequate administrative, inspection and enforcement procedures in dealing with problems relating to mines and miners. Provisions relating to the hours, duties and safety standards of mine employees are also incorporated. Finally included are provisions relating to mine safety, mine equipment and safe uses thereof. Many of the provisions of this bill have been taken from various statutes of other jurisdictions and recommendations of the Federal Bureau of Mines.

1 6. Safety.

2 Every mine shall be so constructed, equipped, arranged, operated and
3 conducted in all respects as to provide reasonable and adequate protection to
4 the lives, health and safety of all persons employed therein, or legally fre-
5 quenting the same.

6 No person shall work or be permitted to work in an unsafe place except
7 to make it safe.

8 An air current sufficient to remove smoke, dust and noxious gasses and to
9 insure the safety of every employee shall be conducted along every passage-
10 way and working place in underground workings in such a manner and in ac-
11 cordance with the standards established by the bureau.

12 Every mine shall install and maintain a washroom, properly heated and
13 equipped and accessible to its employees.

14 The commissioner shall require that an underground mine, operating
15 either through a vertical or inclined shaft, or a horizontal tunnel, shall have
16 not less than 2 adequate and accessible outlets, at least 150 feet apart. The
17 subterranean workings shall connect such outlets with each other. Such out-
18 lets shall at all times provide safe and separate passage between the subter-
19 ranean workings and the surface.

20 Every mine shall be properly and sufficiently protected against the haz-
21 ards of fire from any cause.

22 Every mine shall be required to have such medical examination of em-
23 ployees as the commissioner may deem necessary to fulfill the purposes of
24 this act.

1 7. Explosives.

2 When explosives are used in a mine or quarry, the manner of storing,
3 keeping, handling, moving, charging and firing, or in any manner using such
4 explosives, shall be in accordance with the requirements of chapter 27 of the
5 laws of 1941 as amended or supplemented, and the rules and regulations now
6 in effect or hereafter issued thereunder, except for the following limitations:

ASSEMBLY, No. 591

STATE OF NEW JERSEY

INTRODUCED MARCH 22, 1965

By Assemblyman MARAZITI

Referred to Committee on Labor and Industrial Relations

AN ACT to supplement the "Mine Safety Act," approved July 23, 1954 (P. L. 1954, c. 197), and repealing section 10 thereof.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The commissioner shall have exclusive jurisdiction as to the regulation
2 of the mining or quarrying industry, or any processing business connected
3 therewith. This act shall supersede any existing ordinance or resolution of
4 any municipality or other governmental subdivision pertaining to the regu-
5 lation of safety and health of workers and occupational conditions in the
6 mines of the State and the protection of mining property.

1 2. Section 10 of the "Mine Safety Act" is repealed.

1 3. This act shall take effect immediately.

ASSEMBLY, No. 677

STATE OF NEW JERSEY

INTRODUCED APRIL 20, 1964

By Assemblyman MARAZITI

Referred to Committee on Public Safety, Defense and Veterans Affairs

AN ACT to supplement the "Mine Safety Act," approved July 23, 1954 (P. L. 1954, c. 197), and repealing section 10 thereof.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The commissioner shall have exclusive jurisdiction as to the regulation
2 of the mining or quarrying industry, or any processing business connected
3 therewith. This act shall supersede any existing ordinance or resolution of
4 any municipality or other governmental subdivision pertaining to the regu-
5 lation of safety and health of workers and occupational conditions in the
6 mines of the State and the protection of mining property.

1 2. Section 10 of the "Mine Safety Act" is repealed.

1 3. This act shall take effect immediately.

BUREAU OF ENGINEERING & SAFETY

The report of the Bureau of Engineering and Safety for the fiscal year ending June 30, 1955, covers the modernization of certain statutory requirements, the entry into new fields and the expansion of existing activities, in addition to the wide range of duties which are the responsibility of the Bureau. The serious task of administering the legal provisions pertaining to the safety of life and limb of the industrial worker is of the highest importance to the best interests of workers, management and the community. However, the demands thereby created have taxed the resources and administrative facilities available to the Bureau to their utmost.

During the year, the basic structure of the Bureau's operations was revitalized through emphasis on supervision, increased inter-sectional cooperation, acquisition of interested and well-qualified personnel and much needed equipment. Sound staff training programs were under development through conferences with members of the faculty of Rutgers University and representatives of the State Police. The Bureau was definitely heading for higher ground and a greatly improved perspective to be better able to perform a high mission.

IMPORTANT DEVELOPMENTS

On July 23, 1954, Governor Meyner signed the Mine Safety Act into law providing for New Jersey one of the most effective pieces of safety legislation ever available to any state department of labor. Culminating the initial efforts of a provisional safety committee of mine workers affiliated with the CIO, followed by a series of conferences between the mine workers and mine operators, the new Mine Safety Act has already demonstrated its effectiveness in a marked reduction of mine accidents in the first six months of 1955. The joint venture in bill drafting provided workers and operators alike with an opportunity to explore their respective responsibilities in mine safety. The whole-hearted cooperation of both groups has been significant as one of the underlying factors in making the revised mine safety laws so successful in the first year of operation.

It could be deduced that a study, by other industrial groups, of the procedures that produced the Mine Safety Act, as a joint effort on the part of labor and management, would be of immeasurable assistance in reducing industrial accidents in those areas that require attention, particularly manufacturing and construction.