

HOUSE BILL No. 6069

December 2, 2014, Introduced by Rep. Price and referred to the Committee on Local Government.

A bill to amend 1911 PA 163, entitled

"An act to provide for the election of inspectors of mines in certain cases and the appointment of their deputies, for the appointment of such inspectors of mines and their deputies until the election and qualification of the first inspectors of mines, to prescribe their powers and duties and to provide for their compensation, and to repeal Act No. 213 of the Public Acts of 1887,"

by amending section 8 (MCL 425.108), as amended by 1984 PA 116.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. ~~The duties of the~~ A mine inspector shall be to visit
2 all **OF** the mines ~~of~~ **LOCATED WITHIN** his or her county once ~~in~~ every
3 60 days, and more often if in his or her judgment **IT BECOMES**
4 necessary. ~~, and~~ **THE MINE INSPECTOR SHALL** closely inspect the mines
5 ~~so~~ visited ~~, and~~ condemn all ~~such~~ places where he or she ~~shall find~~
6 **DETERMINES** that the employees are in danger from any cause, whether
7 resulting from careless mining or defective machinery or appliances

1 or improper or unsafe methods of any nature. The mine inspector
2 shall compel the erection of a partition between all shafts where
3 hoisting of ore is performed and where there are ladder ways, where
4 persons must ascend and descend going to and from their work. If
5 the mine inspector ~~shall find~~ **DETERMINES** that a place is dangerous
6 from any cause, ~~as aforesaid,~~ the mine inspector shall immediately
7 order the persons engaged in work at that place to quit work, and
8 shall notify the superintendent, agent, or person in charge to
9 secure the place from the existing danger. ~~, which~~ **THE** notification
10 or order shall be in writing and shall clearly define the limits of
11 the dangerous place and specify the work to be done or change to be
12 made to render the ~~same~~ **PLACE** secure, ordinary mine risks excepted.
13 The mine inspector shall also ~~command~~ **ORDER** the person, persons, or
14 corporation working any mine, or the agent, superintendent,
15 foreman, or other person having immediate charge of the working of
16 any mine, to furnish all shafts and open pits of the mine with ~~some~~
17 **A** secure safeguard at the top of the shaft or open pit so as to
18 guard against accident by persons falling ~~therein~~ **INTO THE SHAFT OR**
19 **OPEN PIT** or by material falling down the mine. ~~, also~~ **IN ADDITION,**
20 **THE MINE INSPECTOR SHALL REQUIRE** a covering on all the carriages on
21 which persons ascend or descend up and down the shaft, if in the
22 inspector's judgment it ~~shall be~~ **IS** practicable and necessary for
23 ~~the purpose of~~ safety. If a mine is idle or abandoned, the mine
24 inspector shall notify the person, persons, or corporation owning
25 the land on which the mine is situated, or the agent of ~~such~~ **THE**
26 owner or owners, to erect and maintain around all the shafts and
27 open pits of the mine a fence or railing suitable to prevent

1 persons or domestic animals from accidentally falling into the
2 shafts or open pits. This notice shall be in writing and shall be
3 served upon the owner, owners, or agent, personally or by leaving a
4 copy at the residence of the owner or agent, if they or any of them
5 reside in the county where the mine is situated. ~~and~~ **PRIOR TO**
6 **JANUARY 1, 2015**, if the owner, owners, or agents are ~~none of them~~
7 **NOT** residents of the county the notice may be given by publication
8 in 1 or more newspapers printed and circulated in the county if
9 there be one, and by registered letter, and if a newspaper is not
10 published in the county then in a newspaper published in some
11 adjoining county for a period of 3 consecutive weeks. **BEGINNING**
12 **JANUARY 1, 2015, IF THE OWNER, OWNERS, OR AGENTS ARE NOT RESIDENTS**
13 **OF THE COUNTY, TIER A PUBLIC NOTICE SHALL BE PROVIDED AS SET FORTH**
14 **IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.** If the owner, owners, or
15 agent ~~shall~~ **DO** not, within 30 days after receiving ~~such~~ **THE** notice
16 or within 30 days after the completion of publication, erect
17 suitable fences or railings as provided in this section, the mine
18 inspector shall cause ~~such~~ suitable fences or railings to be
19 erected and ~~make a return~~ **PROVIDE AN ACCOUNTING** of his or her
20 ~~doings in the case,~~ **ACTIONS**, with the description of the land or
21 lands on which the shafts and open pits are located, together with
22 an itemized statement of the actual expenses incurred ~~in the case~~
23 on each description of land, to the county clerk of the county. ~~and~~
24 ~~which return~~ **THE ACCOUNTING** and statement shall be verified by the
25 affidavit of the mine inspector. All expenses incurred under this
26 section shall be audited by the county board of commissioners of
27 the county, and all sums allowed by the board for ~~such~~ **THE** expenses

1 shall be paid from the general fund of the county. The county clerk
2 shall certify to the county board of commissioners at its annual
3 meeting in each year the amount of expense incurred under this
4 section during the preceding year and the amount ~~belonging~~
5 **ATTRIBUTABLE** to each ~~and every~~ description of land on which any
6 ~~such mines are situated. , and that amount~~ **THESE AMOUNTS** shall be
7 certified to the supervisors of the ~~proper~~ **AFFECTED** townships in
8 the same manner as county taxes are certified to those supervisors.
9 ~~, and the~~ **THE** amount of the expense incurred ~~as above on~~ **FOR** each
10 description shall be assessed by the supervisors upon the
11 description upon their assessment rolls for that year in a separate
12 column, and shall be collected in the same manner as county taxes,
13 and when so collected paid into the general fund of the county.

14 Enacting section 1. This amendatory act does not take effect
15 unless House Bill No. 5560 of the 97th Legislature is enacted into
16 law.