

1 SB252
2 197842-2
3 By Senator Allen
4 RFD: Transportation and Energy
5 First Read: 09-APR-19

2
3
4 ENGROSSED

5
6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to coal mining; to amend Sections 25-9-11,
12 25-9-12, and 25-9-17, Code of Alabama 1975; to clarify
13 requirements for certification as a coal mine foreman and coal
14 mine fire boss by providing revised qualification guidelines
15 for applicants holding college degrees; to provide that an
16 individual holding an out-of-state certification as a coal
17 mine foreman or a coal mine fire boss may temporarily serve as
18 a coal mine foreman or coal mine fire boss if that individual
19 otherwise meets the requisite requirements for the position;
20 and to revise the amount of time during which a temporary coal
21 mine foreman or coal mine fire boss may serve in the position.
22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 25-9-11, 25-9-12, and 25-9-17,
24 Code of Alabama 1975, are amended to read as follows:

25 "§25-9-11.

26 "(a) Each applicant for a mine foreman's certificate
27 of competency shall ~~satisfy all of the following requirements~~

1 be at least 23 years old and be a citizen of the United States
2 or, if not a citizen of the United States, a person who is
3 legally present in the United States with appropriate
4 documentation from the federal government, and shall satisfy
5 one of the following:

6 ~~"(1) Be a citizen of the United States or, if not a~~
7 ~~citizen of the United States, a person who is legally present~~
8 ~~in the United States with appropriate documentation from the~~
9 ~~federal government. Have had at least four years of practical~~
10 ~~mining experience.~~

11 ~~"(2) Be at least 23 years old. Have had at least two~~
12 ~~years of practical experience in or around coal mines and hold~~
13 ~~a bachelor level degree in mining engineering, geology, or a~~
14 ~~related field of study from a school accredited by the~~
15 ~~American Association of Universities, a successor~~
16 ~~organization, or by a national or regional accrediting agency~~
17 ~~that is recognized by the Secretary of the United States~~
18 ~~Department of Education.~~

19 ~~"(3) Have had at least two years and six months of~~
20 ~~practical mining experience in or around a coal mine and a~~
21 ~~bachelor level degree in any field of engineering other than~~
22 ~~mining engineering.~~

23 ~~"(3) Have had four years practical mining experience~~
24 ~~or have had three years practical experience in or around coal~~
25 ~~mines and be a graduate of a school accredited by the American~~
26 ~~Association of Universities or have satisfactorily completed~~
27 ~~an associate degree program in mine technology at an approved~~

1 ~~state trade school or university.~~ Have had at least three
2 years of practical experience in or around coal mines and hold
3 an associate level degree in engineering, geology, or a
4 related field of study from a school accredited by the
5 American Association of Universities, a successor
6 organization, or by a national or regional accrediting agency
7 that is recognized by the Secretary of the United States
8 Department of Education.

9 ~~"(4) Present~~ (b) Each applicant must also submit
10 with his or her application an affidavit of his or her meeting
11 reflecting that he or she has met the foregoing requirements
12 described in this section and of attesting to his or her good
13 moral character and known temperate habits, which. This
14 affidavit shall be signed by three reputable citizens, at
15 least one of whom shall be the holder of a mine foreman's
16 certificate.

17 ~~"(5) Present with his or her application an~~
18 ~~affidavit that he or she is not a member of any political~~
19 ~~party or organization that advocates the overthrow of the~~
20 ~~government of the United States by force.~~

21 "§25-9-12.

22 "(a) Each applicant for a fire boss's certificate of
23 competency shall meet the same qualifications as those for a
24 mine foreman; except that three years' practical experience in
25 or around coal mines is substituted for the requirements of
26 subdivision (3) of Section 25-9-11, and at least one of the
27 persons signing the affidavit shall be holder of a fire boss's

1 ~~or a mine foreman's certificate.~~ be at least 22 years old and
2 be a citizen of the United States or, if not a citizen of the
3 United States, a person who is legally present in the United
4 States with appropriate documentation from the federal
5 government, and shall satisfy one of the following:

6 "(1) Have had at least three years of practical
7 mining experience.

8 "(2) Have had at least one year of practical
9 experience in or around coal mines and hold a bachelor level
10 degree in mining engineering, geology, or a related field of
11 study from a school accredited by the American Association of
12 Universities, a successor organization, or by a national or
13 regional accrediting agency that is recognized by the
14 Secretary of the United States Department of Education.

15 "(3) Have had at least one year and six months of
16 practical mining experience in or around a coal mine and a
17 bachelor level degree in any field of engineering other than
18 mining engineering.

19 "(4) Have had at least two years of practical
20 experience in or around coal mines and hold an associate level
21 degree in engineering, geology, or a related field of study
22 from a school accredited by the American Association of
23 Universities, a successor organization, or by a national or
24 regional accrediting agency that is recognized by the
25 Secretary of the United States Department of Education.

26 "(b) Each applicant must also submit with his or her
27 application an affidavit reflecting that he or she has met the

1 requirements described in this section and attesting to his or
2 her good moral character and known temperate habits. This
3 affidavit shall be signed by three reputable citizens, at
4 least one of whom shall be the holder of a mine foreman's
5 certificate.

6 "§25-9-17.

7 "(a) Except as otherwise provided in this chapter,
8 no person shall act as fire boss in any coal mine in this
9 state unless he or she is in possession of a fire boss's
10 certificate of competency. ~~Anyone holding a mine foreman's~~
11 ~~certificate of competency may serve as fire boss. Whenever any~~
12 ~~exigency arises by which~~ or a mine foreman's certificate of
13 competency.

14 "(b) If it is impossible for any an operator, owner,
15 or lessee to secure the immediate service of a certified mine
16 foreman or fire boss, he or she may employ a person, ~~who has~~
17 ~~the same qualifications by experience, concurred in by the~~
18 ~~chief or mine inspector delegated by the chief, to act as~~
19 ~~temporary mine foreman or fire boss for a period not to exceed~~
20 ~~15 days~~ holds a valid underground coal mine foreman
21 certification issued by another state, has worked in an
22 underground mine in Alabama for at least 30 calendar days, and
23 who meets the qualifications to work as a mine foreman in this
24 state, as concurred in by the chief, or mine inspector
25 delegated by the chief, to act as a temporary mine foreman or
26 fire boss until the date of the next mine foreman examination
27 that the person is eligible to take.

1 "(c) The requirements for a temporary mine foreman
2 or fire boss shall be no more ~~severe~~ stringent than those
3 contained in federal regulations."

4 Section 2. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10

11
12
13
14
15
16
17

Senate

Read for the first time and referred to the Senate
committee on Transportation and Energy..... 09-APR-19

Read for the second time and placed on the calen-
dar 2 amendments..... 16-APR-19

Read for the third time and passed as amended 18-APR-19

Yeas 33
Nays 0

Patrick Harris,
Secretary.