

HAS AT LEAST FIVE YEARS' PRACTICAL EXPERIENCE AS A WORKING EMPLOYEE IN THE UNDERGROUND OPERATIONS OF COAL MINES IN THIS STATE. HE SHALL HAVE PASSED A FIRST-GRADE MINE FOREMAN EXAMINATION BEFORE THE EXAMINING BOARD AND OBTAINED A CERTIFICATE OF COMPETENCY. IN ADDITION, THE INSPECTOR SHALL SATISFY THE SECRETARY OF PERSONNEL THAT HE HAS THEORETICAL AND PRACTICAL KNOWLEDGE OF THE WORKING, VENTILATION, DRAINAGE, AND OPERATION OF BITUMINOUS COAL MINES AND OF ALL NOXIOUS AND EXPLOSIVE GASES FOUND IN THEM, OF THE MINING LAW OF THE STATE, AND IS ALSO SUITED FOR THE DUTIES REQUIRED BY THIS POSITION.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 499 of the Code. The reference to the "State Commissioner of Personnel" is proposed for deletion in light of the creation of the "Secretary of the Department of Personnel" by Chapter 98, Acts of 1970. "Personal fitness and ability" is proposed for deletion because it duplicates the phrase "suited". In addition, the Legislative Council Joint Subcommittee has proposed that the provision requiring a 85 percent passing grade be deleted. The subcommittee felt that such a specific grade is arbitrary and that only a certificate of competency need be required. The only other changes made are in style.

(C) ASSIGNMENT; DIVISION AND REDIVISION OF DISTRICTS; RESIDENCE; DEVOTION OF FULL TIME TO DUTIES.—THE BUREAU SHALL ASSIGN AND REASSIGN THE DISTRICT MINE INSPECTOR TO OR FROM A PRESCRIBED INSPECTION TERRITORY AS NECESSARY. THE DISTRICTS, COVERING THE MINING AREA OF THE STATE, SHALL BE DIVIDED AND REDIVIDED, DEPENDING ON THE WORK LOAD OF EACH INSPECTOR. EACH INSPECTOR SHALL RESIDE WITHIN HIS ASSIGNED INSPECTION TERRITORY. EACH INSPECTOR SHALL DEVOTE HIS ENTIRE TIME TO THE DUTIES OF THIS OFFICE, AND MAY NOT HAVE AN INTEREST, DIRECT OR INDIRECT, IN ANY MINING OPERATION OR MINING INVESTMENT IN THIS OR ANY CONTIGUOUS STATE.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 500 of the Code. The only changes made are in style.

(D) INCAPACITATION OF DISTRICT MINE INSPECTORS.—IF A DISTRICT MINE INSPECTOR TEMPORARILY