

No. 545, S.]

[Published July 15, 1947.]

CHAPTER 404.

AN ACT to create sections 101.103 and 101.104 of the statutes, relating to requiring notice of beginning of mine operations and to the operation of mines, tunnels, quarries and pits.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

101.103 MINE EXCAVATIONS; APPLICATION; PERMIT. (1) For the purposes of this section:

(a) "Shaft" means an opening made for mining minerals, for hoisting and lowering men or material, or for ventilating underground workings.

(b) "Mineral" means a product recognized by standard authorities as mineral, whether metalliferous or nonmetalliferous.

(c) "Excavation" or "workings" means any or all parts of a mine excavated or being excavated, including shafts, tunnels, drifts, cross cuts, raises, winzes, stopes and all other working places in a mine.

(2) No excavation of a shaft shall be commenced unless a permit is first issued therefor by the industrial commission. Permits for such excavation shall be issued without cost upon application filed with the commission, if the commission is satisfied that the shaft or the excavation and workings will be in compliance with the safety orders adopted by the industrial commission and applicable thereto. Application shall be made upon forms prescribed by the industrial commission and shall be furnished upon request.

(3) The provisions of subsection (2) do not apply to shafts which will be less than 50 feet in depth wherein persons are not employed, or which are not equipped with power driven hoists used for hoisting persons in and out of the shafts, or which are not covered with a flammable building.

101.104 MINES, TUNNELS, QUARRIES, PITS; OPERATION IN VIOLATION OF SAFETY AIDES. If any shaft or workings of a mine, or any tunnel, trench, caisson, quarry, or gravel or sand pit is being operated or used in violation of the safety orders of the industrial commission applicable thereto, the owner or operator upon receiving notice of such violation from the commission shall immediately cease such operation or use. The operation or use of such shaft or workings of a mine, or of

such tunnel, trench, caisson, quarry or gravel or sand pit, shall not be resumed until such safety orders have been complied with.

Approved July 10, 1947.

No. 550, S.]

[Published July 15, 1947.

CHAPTER 405.

AN ACT to amend 88.075 (1) of the statutes, relating to discontinuing a drainage project.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 88.075 (section heading) is revised to read "DRAINAGE PROJECT MAY BE STOPPED."

SECTION 2. 88.075 (1) of the statutes is amended to read:

88.075 (1) *Whenever the owners of land who represent a majority of the lands described in the petition for the formation of the district, or represent a majority of the lands contained in the report of the drainage commission, shall before confirmation of the report of the commissioners for the creation of such district, and whenever the owners of land who represent more than a majority of the confirmed benefits in a farm "drainage" shall file with the county judge having jurisdiction of such drainage a petition requesting that no * * * further proceeding be had and that no * * * further expense * * * be caused against such drainage, the court shall order a hearing thereon, notice of which shall be posted in 3 public places on or in the immediate vicinity of the land included in the "drainage" at least 10 days before the date of hearing. If on such hearing the court shall find that such petition is signed by the required number of owners and that notice of hearing was properly given it shall enter an order directing that no more work be done in or expense created against such "drainage," but such order shall in no way affect existing contracts.*

Approved July 10, 1947.