

Veto No. 9

HB 1164

August 1, 1975

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1164, Printer's No. 1341, entitled "An act amending the act of May 31, 1947 (P.L.368, No.168), entitled 'Anthracite Standards Law,' changing and adding definitions, imposing administrative and enforcement powers on the Department of Environmental Resources and its mine inspectors in lieu of the Anthracite Committee and Commonwealth agents including record preservation."

The bill would virtually curtail the powers granted to the Department of Environmental Resources and its mine inspectors to test the quality of coal. Inspection powers under present law include the legal right to take samples of anthracite for the purpose of testing, to examine weighmasters' certificates or statements of quality, and to inspect books and records.

But this bill would sharply limit these inspections by requiring that they "be made only subsequent to and as a result of a public complaint submitted to the Department." This requirement would greatly hamper the ability of agents of the Commonwealth to investigate prospective anthracite coal quality problems. If the Commonwealth is to prosecute violations under the Anthracite Standards Law, as it attempted to do last winter, then clearly agents of the Commonwealth must have the power to conduct inspections and make tests prior to the actual development of a pattern of apparent violations.

For these reasons, I must disapprove House Bill No. 1164.

MILTON J. SHAPP