

Mine Families First

This Act establishes a program to help people whose family members are trapped, injured or awaiting rescue during an underground mine emergency.

Submitted as:

Pennsylvania

[Act No. 57](#)

Status: Enacted into law in 2007.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*]This Act shall be cited as the “Mine Families First Act.”

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3 Section 2. [*Legislative Findings.*] The [Legislature] finds and declares it is the policy of
4 this [state] to treat the families of miners trapped, injured or waiting rescue during a mine
5 emergency with the dignity and respect they deserve and to make sure the families are provided
6 updated information on rescue efforts before the public or the media and that their needs and
7 questions are attended to during a mine emergency.

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9 Section 3. [*Definitions.*] As used in this Act:

10 “Department” means the state [Department of Environmental Protection].

11 “Mine Emergency Response Program” means the program established under [insert
12 citation] in the [Department of Environmental Protection] to ensure the safety of underground
13 miners.

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15 Section 4. [*Mine Families First Program.*]

16 (a) The [department] shall establish a Mine Families First Program as part of the [Mine
17 Emergency Response Program] defined under [insert citation] to ensure two-way communication
18 between those people in command of a mine emergency response operation and the families of
19 miners trapped, injured or waiting rescue.

20 (b) Within [90] days of the effective date of this section, the [department] shall develop a
21 [Mine Families First Response and Communication Plan] to outline the steps that shall be taken by
22 the [department] and mine owners and operators to communicate with families of miners involved
23 in a mine emergency. The [Plan] shall at a minimum contain the following:

24 (1) procedures for the immediate notification of mine family members in the event
25 of a mine emergency through people previously designated by mine workers;

26 (2) designation of and, if necessary, transportation to a physical location for mine
27 families to gather to obtain information about the mine emergency and rescue operations;

28 (3) security provisions to ensure the privacy of mine families at the location
29 designated for mine emergency briefings for families;

30 (4) procedures to ensure mine families are briefed regularly, before the news media,
31 about the progress of the mine emergency response;

32 (5) designation of a [Mine Family First Liaison Staff] for each incident to serve as a
33 24-hour point of contact for mine families to provide a two-way conduit for information about the
34 mine emergency and rescue operation;

35 (6) procedures and a process for involving and coordinating the participation of
36 not-for-profit and public social service organizations to provide counseling and other social
37 services mine families may need during a mine emergency; and

38 (7) procedures to notify; and, if needed, transport miner families to medical
39 facilities where miners extricated from mines are given follow-up medical care.

40 (c) (1) The [department] shall, within [30] days of completing the initial [Mine
41 Families First Response and Communications Plan], submit the [Plan] for public review and
42 comment.

43 (2) After completion of the review and comment period, the [department] shall
44 make the necessary revisions to the [Mine Families First Response and Communication Plan] and
45 develop a final plan for use as part of a [Mine Emergency Response Program].

46 (d) The [department] shall designate a person to serve as [Mine Families First Liaison] for
47 each mine emergency, whose duties shall include, at a minimum:

48 (1) provide miners' families with briefings on the progress of mine emergency
49 response operations in a timely and effective manner;

50 (2) receive and act on comments, concerns and needs of the miners' families during
51 and immediately after the response to the mine emergency;

52 (3) coordinate with the appropriate social service, disaster aid and other public and
53 not-for-profit agencies and organizations to provide assistance needed by mine families;

54 (4) assure information about the mine emergency response is communicated to
55 miners' families first before information is released to the public or media; and

56 (5) ensure the wishes of the miners' families are honored with respect to the
57 granting of interviews and access by the news media.

58 (e) The [department] shall develop a training program for [Mine Families First Liaisons]
59 to provide a basic level of competency in handling emergency situations, in effective
60 communications techniques and in understanding the psychological factors experienced by
61 miners' families during mine emergency situations.

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63 Section 5. *[Advisory Council.]*.

64 (a) The [department] shall establish a [Mine Families First Response and Communications
65 Advisory Council]. The [Council] shall be comprised of at least the following members:

66 (1) one member representing mine owners;

67 (2) one member representing mine labor unions;

68 (3) one member representing local emergency response professionals;

69 (4) one member representing mental health professionals;

70 (5) one member from the [state Emergency Management Agency]; and

71 (6) two at-large members selected from the general public.

72 (b) Each member shall be appointed [by the Governor, with the exception of the two at-
73 large members, one of whom shall be appointed by the President pro tempore of the Senate and
74 the other of whom shall be appointed by the Speaker of the House of Representatives]. All
75 members must be residents of this state. [One] alternate member shall be appointed for each
76 member and shall take the place of the respective member whenever that member is unable to
77 attend an official meeting.

78 (c) Each member shall serve for a period of [three] years. A member upon expiration of
79 that member's term shall continue to serve until a successor is appointed.

80 (d) The [Advisory Council] shall assist the [department] in developing the initial [Mine
81 Families First Response and Communications Plan] and provide assistance in periodic review and
82 updating of the [Plan]. The [Advisory Council] shall assist in reviewing how the [Plan] was used

83 in the event of an actual mine emergency and offer recommendations to the [department] for any
84 needed changes to the plan resulting from its review.

85 (e) [Advisory Council] members shall not receive a salary but shall be reimbursed for all
86 necessary expenses incurred in the performance of their duties. An alternate may not be
87 reimbursed unless the alternate serves in place of the appointed member.

88 (f) All actions of the [Advisory Council] shall be by majority vote of the members or
89 alternates present. A quorum shall be at least one more than half the number of the [Advisory
90 Council] members; however, vacancies shall not be counted when calculating the number needed
91 for a quorum. The [Advisory Council] shall elect a chairperson from among its members. The
92 [Advisory Council] shall meet upon the call of the chairperson, after a mine emergency, or at least
93 annually.

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95 Section 6. [*Interagency Coordination.*]The [department] shall coordinate the development
96 of the [Mine Families First Response and Communication Plan] and the [Mine Families First
97 Liaison Program] with the state [Emergency Management Agency] to ensure consistency with
98 overall emergency response procedures and protocols.

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100 Section 7. [*Severability.*] [Insert severability clause.]

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102 Section 8. [*Repealer.*] [Insert repealer clause.]

103

104 Section 9. [*Effective Date.*] [Insert effective date.]