
By: **Senator Hafer**
Introduced and read first time: February 4, 2000
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: March 3, 2000

CHAPTER 538

1 AN ACT concerning

2 **Coal Mining Operations - Bureau of Mines - Recognition of Certification of**
3 **Other States**

4 FOR the purpose of authorizing the Director of the Bureau of Mines of the
5 Department of the Environment to enter into certain agreements with agencies
6 of other states that are responsible for the regulation of coal mining to provide
7 for reciprocal recognition of certain certificates relating to coal mining
8 operations; providing that an individual who has certain certification from a
9 state that has entered into an agreement with the Bureau may apply to the
10 Bureau for reciprocal certification; requiring and authorizing certain procedures
11 relating to the issuance of reciprocal certifications; authorizing a certain fee;
12 requiring an individual to whom reciprocal certification is issued to notify the
13 Bureau of certain disciplinary actions; providing that an individual who holds
14 reciprocal certification is subject to the jurisdiction of the Bureau in a specified
15 manner; and generally relating to recognition of certain certifications relating to
16 coal mining operations under agreements between the Bureau of Mines and
17 agencies regulating coal mining operations in other states.

18 BY repealing and reenacting, without amendments,
19 Article - Environment
20 Section 15-101(a), (b), and (d) and 15-301(a)
21 Annotated Code of Maryland
22 (1996 Replacement Volume and 1999 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article - Environment
25 Section 15-301(b)

1 Annotated Code of Maryland
2 (1996 Replacement Volume and 1999 Supplement)

3 BY adding to
4 Article - Environment
5 Section 15-313
6 Annotated Code of Maryland
7 (1996 Replacement Volume and 1999 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article - Environment**

11 15-101.

12 (a) In this title, the following words have the meanings indicated.

13 (b) "Bureau" means Bureau of Mines.

14 (d) "Director" or "Director of the Bureau" means Director of the Bureau of
15 Mines.

16 15-301.

17 (a) In this subtitle, the following words have the meanings indicated.

18 (b) "Examining authority" means the Director of the Bureau or [his] THE
19 DIRECTOR'S designee when referring to the procedure for grant or suspension of a
20 permit of competence or grant or suspension of a first-class mine foreman certificate
21 of competence or a fire-boss certificate of competence.

22 15-313.

23 (A) THE DIRECTOR MAY ENTER INTO AN AGREEMENT WITH AN AGENCY
24 RESPONSIBLE FOR THE REGULATION OF COAL MINING IN ANOTHER STATE TO
25 PROVIDE FOR THE RECOGNITION IN MARYLAND OF MINE FOREMAN AND FIRE-BOSS
26 CERTIFICATES OR OTHER CERTIFICATIONS ISSUED BY THAT STATE IF:

27 (1) THE DIRECTOR DETERMINES THAT THE CERTIFICATION
28 REQUIREMENTS OF THAT STATE ARE SUBSTANTIALLY EQUIVALENT TO THE
29 CORRESPONDING MARYLAND REQUIREMENTS; AND

30 (2) THE OTHER STATE PROVIDES RECIPROCAL RECOGNITION OF
31 CERTIFICATES ISSUED BY THE BUREAU.

32 (B) (1) AN INDIVIDUAL WHO HOLDS A MINE FOREMAN CERTIFICATE,
33 FIRE-BOSS CERTIFICATE, OR OTHER CERTIFICATION ISSUED BY AN AGENCY OF

1 ANOTHER STATE THAT HAS ENTERED INTO AN AGREEMENT UNDER SUBSECTION (A)
2 OF THIS SECTION MAY APPLY TO THE BUREAU FOR RECIPROCAL CERTIFICATION.

3 (2) AN APPLICANT FOR RECIPROCAL CERTIFICATION SHALL SUBMIT TO
4 THE BUREAU:

5 (I) AN APPLICATION ON THE FORM PROVIDED BY THE BUREAU;

6 (II) A COPY OF THE APPLICANT'S MINE FOREMAN CERTIFICATE,
7 FIRE-BOSS CERTIFICATE, OR OTHER CERTIFICATION ISSUED BY THE OTHER STATE;
8 AND

9 (III) ANY OTHER INFORMATION THAT THE BUREAU REQUIRES.

10 (C) THE EXAMINING AUTHORITY:

11 (1) SHALL REVIEW AN APPLICATION SUBMITTED UNDER SUBSECTION
12 (B) OF THIS SECTION;

13 (2) IN ACCORDANCE WITH THE AGREEMENT ENTERED INTO UNDER
14 SUBSECTION (A) OF THIS SECTION, MAY REQUIRE THAT THE APPLICANT SATISFY ANY
15 ADDITIONAL REQUIREMENTS THAT THE BUREAU ESTABLISHES FOR RECIPROCAL
16 CERTIFICATION; AND

17 (3) IF THE APPLICANT QUALIFIES FOR RECIPROCAL CERTIFICATION,
18 MAY REQUIRE THE APPLICANT TO PAY A FEE TO THE STATE COMPARABLE TO THE
19 FEE FOR A CERTIFICATE ISSUED UNDER OTHER PROVISIONS OF THIS SUBTITLE.

20 (D) AN INDIVIDUAL TO WHOM A RECIPROCAL CERTIFICATE IS ISSUED UNDER
21 THIS SECTION SHALL PROMPTLY NOTIFY THE BUREAU IF THE STATE WHICH ISSUED
22 THE ORIGINAL MINE FOREMAN CERTIFICATE, FIRE-BOSS CERTIFICATE, OR OTHER
23 CERTIFICATION THAT WAS A BASIS FOR THE RECIPROCAL CERTIFICATION
24 SUSPENDS, REVOKES, OR TAKES OTHER DISCIPLINARY ACTION AGAINST THE
25 ORIGINAL CERTIFICATE.

26 (E) THE HOLDER OF A RECIPROCAL CERTIFICATE IS SUBJECT TO THE
27 JURISDICTION OF THE BUREAU IN THE SAME MANNER AS THE HOLDER OF:

28 (1) A MINE FOREMAN CERTIFICATE OR FIRE-BOSS CERTIFICATE ISSUED
29 UNDER THIS SUBTITLE; OR

30 (2) ANY OTHER CERTIFICATION RECOGNIZED UNDER THIS SUBTITLE.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2000.

