
By: **Senator Hafer**

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

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)
26 Annotated Code of Maryland
27 (1996 Replacement Volume and 1999 Supplement)

28 BY adding to
29 Article - Environment
30 Section 15-313
31 Annotated Code of Maryland

1 (1996 Replacement Volume and 1999 Supplement)

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

4 **Article - Environment**

5 15-101.

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

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

8 (d) "Director" or "Director of the Bureau" means Director of the Bureau of
9 Mines.

10 15-301.

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

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

16 15-313.

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

21 (1) THE DIRECTOR DETERMINES THAT THE CERTIFICATION
22 REQUIREMENTS OF THAT STATE ARE SUBSTANTIALLY EQUIVALENT TO THE
23 CORRESPONDING MARYLAND REQUIREMENTS; AND

24 (2) THE OTHER STATE PROVIDES RECIPROCAL RECOGNITION OF
25 CERTIFICATES ISSUED BY THE BUREAU.

26 (B) (1) AN INDIVIDUAL WHO HOLDS A MINE FOREMAN CERTIFICATE,
27 FIRE-BOSS CERTIFICATE, OR OTHER CERTIFICATION ISSUED BY AN AGENCY OF
28 ANOTHER STATE THAT HAS ENTERED INTO AN AGREEMENT UNDER SUBSECTION (A)
29 OF THIS SECTION MAY APPLY TO THE BUREAU FOR RECIPROCAL CERTIFICATION.

30 (2) AN APPLICANT FOR RECIPROCAL CERTIFICATION SHALL SUBMIT TO
31 THE BUREAU:

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

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

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

5 (C) THE EXAMINING AUTHORITY:

6 (1) SHALL REVIEW AN APPLICATION SUBMITTED UNDER SUBSECTION
7 (B) OF THIS SECTION;

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

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

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

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

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

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

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