
By: **Chairman, Judiciary Committee (By Request - Departmental - State Police)**

Introduced and read first time: February 9, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Department of State Police - Explosives Advisory Council - Repeal**

3 FOR the purpose of repealing the Explosives Advisory Council within the Department
4 of State Police; and generally relating to the Explosives Advisory Council.

5 BY repealing

6 Article - Public Safety

7 Section 11-201 through 11-206, inclusive, and the subtitle "Subtitle 2.

8 Explosives Advisory Council"

9 Annotated Code of Maryland

10 (2003 Volume and 2004 Supplement)

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

13 **Article - Public Safety**

14 [Subtitle 2. Explosives Advisory Council.]

15 [11-201.

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

17 (b) "Council" means the Explosives Advisory Council.

18 (c) "Department" means the Department of State Police.

19 (d) (1) "Explosives" means chemical compounds, mixtures, or devices, the
20 primary purpose of which is to function by explosion.

21 (2) "Explosives" includes:

22 (i) dynamite;

23 (ii) other high explosives;

- 1 (iii) black powder;
- 2 (iv) pellet powder;
- 3 (v) initiating explosives;
- 4 (vi) detonators;
- 5 (vii) safety fuses;
- 6 (viii) squibs;
- 7 (ix) detonating cord;
- 8 (x) igniter cord; and
- 9 (xi) igniters.]

10 [11-202.

11 (a) There is an Explosives Advisory Council in the Department.

12 (b) The Council is independent of the Department, except for staff assistance
13 and supplies that may be provided by the Department to the Council.]

14 [11-203.

15 (a) (1) The Council consists of 19 members appointed by the Governor.

16 (2) Of the 19 members:

17 (i) five members shall be appointed from explosives user
18 industries, with one member appointed from each of the following industries:

- 19 1. coal mining;
- 20 2. utility construction;
- 21 3. explosives distribution;
- 22 4. quarry or aggregate mining; and
- 23 5. home or commercial construction;

24 (ii) five members shall be appointed from explosives regulatory
25 units, with one member appointed from each of the following units:

- 26 1. Division of Labor and Industry of the Department of
27 Labor, Licensing, and Regulation;
- 28 2. State Fire Marshal;

1 [11-205.

2 (a) The Council shall meet 6 times a year, or as needed, at the times and
3 places determined by the chairman.

4 (b) A member of the Council:

5 (1) may not receive compensation as a member of the Council; but

6 (2) is entitled to reimbursement for expenses under the Standard State
7 Travel Regulations, as provided in the State budget.

8 (c) The chairman may divide the members into subgroups or committees as
9 needed.]

10 [11-206.

11 The Council shall:

12 (1) advise, assist, and recommend to the Department regulations for the
13 storage, use, manufacture, and transportation of designated explosives materials;

14 (2) continually review new developments in the explosives industry
15 including:

16 (i) safety precautions for manufacturers, users, and distributors;

17 (ii) techniques for blasting; and

18 (iii) federal regulation of explosives;

19 (3) review any proposed regulation of the Department that affects the
20 manufacture, use, or distribution of explosives;

21 (4) recommend to the Department revisions or additions to State law
22 that regulates any aspect of the manufacture, use, or distribution of explosives;

23 (5) conduct forums to disseminate information and educate the public
24 about the manufacture, use, or distribution of explosives;

25 (6) submit an annual report to the Governor, Secretary of State Police,
26 and State Fire Marshal; and

27 (7) periodically assess the performance and sufficiency of the Council as
28 now constituted and recommend changes as necessary.]

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
30 effect October 1, 2005.