

Chapter 220

(Senate Bill 88)

AN ACT concerning

Environment – Controlled Hazardous Substance Advisory Council

FOR the purpose of providing that the Controlled Hazardous Substance Advisory Council is required to meet only at the request of the Secretary of the Environment; altering the membership of the Council; altering the term of a member of the Council; deleting certain obsolete references; repealing the requirement that the Council elect a chairperson annually; and generally relating to the Controlled Hazardous Substance Advisory Council.

BY repealing and reenacting, with amendments,
Article – Environment
Section 7–211 through 7–214
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 7–215
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

Article – Environment

7–211.

(A) There is a Controlled Hazardous Substance Advisory Council in the Department.

(B) **THE CONTROLLED HAZARDOUS SUBSTANCE ADVISORY COUNCIL SHALL MEET ONLY AT THE REQUEST OF THE SECRETARY.**

7–212.

(a) (1) The Council consists of 13 members.

(2) Of the 13 members, 10 shall be appointed by the Governor with the advice of the Secretary as follows:

(i) 1 shall be the pesticides coordinator **OR THE PESTICIDES COORDINATOR'S DESIGNEE** for the Cooperative Extension Service of the University of Maryland;

(ii) 1 shall be from the State Department of Agriculture;

(iii) 1 shall be from the Department of Labor, Licensing, and Regulation, Division of Labor and Industry;

(iv) 1 shall be from the Department of Natural Resources;

(v) 1 shall be the State Fire Marshal or the State Fire Marshal's designee;

(vi) 1 shall be from an industry that generates hazardous substances;

(vii) 1 shall be from the hazardous substance disposal and management industry;

(viii) 1 shall be from an industry that generates low-level nuclear waste;

(ix) 1 shall be from the low-level nuclear waste management industry; and

(x) 1 shall be an individual who is engaged in the business of resource recovery.

(3) Of the 13 members, 3 shall be public members appointed by the Governor with the advice and consent of the Senate.

(b) A public member may not be an individual who otherwise qualifies for membership under subsection (a)(2) of this section.

(c) (1) The term of a member is **[6]10** years.

(2) Except for an ex officio member, the terms of members are staggered as required by the terms provided for members of the Council on July 1, 1982. [The terms of those members end as follows:

(i) 2 public members in 1982;

(ii) The member from the Department of Labor, Licensing, and Regulation, Division of Labor and Industry in 1984;

(iii) The members from the State Department of Agriculture and the University of Maryland in 1985;

(iv) The members from the Department of Natural Resources, the business of resource recovery, and the State Fire Marshal's designee in 1986; and

(v) The members from the industry that generates hazardous substances, the hazardous substance disposal and management industry, the low-level nuclear waste management industry, and the industry that generates low-level nuclear waste and 1 public member in 1987.]

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

7-213.

From among the public members, the Council [annually] shall elect a chairperson.

7-214.

[(a) The Council shall determine the times and places of its meetings.

(b)] A member of the Council:

(1) May not receive compensation; but

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

7-215.

The Council shall advise and assist the Department in:

(1) Identifying any hazardous substance as a controlled hazardous substance;

(2) Developing rules and regulations for the management and disposal of controlled hazardous substances; and

(3) Developing separate rules and regulations that relate to management and disposal of low-level nuclear wastes.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 4, 2010.