

HOUSE BILL REPORT

HB 1308

As Passed Legislature

Title: An act relating to hazardous devices.

Brief Description: Providing additional exemptions from state law for the handling of hazardous devices.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representatives Mielke, McMorris, Mulliken, Sterk and McDonald).

Brief History:

Committee Activity:

Commerce & Labor: 2/3/97, 2/6/97 [DP].

Floor Activity:

Passed House: 2/21/97, 95-0;

Passed House: 1/16/98, 94-0.

Passed Legislature.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 9 members: Representatives McMorris, Chairman; Honeyford, Vice Chairman; Conway, Ranking Minority Member; Wood, Assistant Ranking Minority Member; Boldt; Clements; Cole; Hatfield and Lisk.

Staff: Pam Madson (786-7166).

Background: The Washington State Explosives Act governs the manufacture, use, and handling of explosives. The Department of Labor and Industries approves the use of explosives. No person may manufacture, possess, store, sell, purchase, transport, or use explosives unless licensed by the department.

Certain uses are exempt from the explosives act. For example, the normal and emergency operations of federal agencies involving transportation, storage, and use of explosives are exempt. Only emergency operations of state agencies, police, and any municipality or county involving such activity are exempt.

Local government explosive disposal (bomb) units may be subject to restrictions under the explosives act when handling and storing explosives. Certain training exercises

conducted with explosive materials and other normal operations of the unit are restricted by regulations governing the handling and possession of explosives.

Summary of Bill: Certain work by a hazardous devices technician is exempt from the state explosives act. Exempt activity includes performing normal and emergency operations, handling evidence, and operating and maintaining specially designed emergency response vehicles that carry no more than 10 pounds of explosive material. Training activities conducted by a hazardous devices technician whose employer possesses the minimum safety equipment prescribed by the Federal Bureau of Investigation are also exempt. A hazardous devices technician is a person who has graduated from the Federal Bureau of Investigation hazardous devices school and who is employed by a state, county, or municipality.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Law enforcement personnel who handle and use explosives are trained and approved by the federal government. Allowing an exemption from the state explosives act for handling and storing explosives by these trained individuals will eliminate confusion between what is allowed under federal law and what is allowed under state law. It will provide better readiness capability and more timely response for law enforcement dealing with explosives. Explosives may be stored in units designed for explosive devices and maybe kept in a readily accessible but safe location. It will eliminate delay in response time.

Testimony Against: None.

Testified: Representative Thomas Mielke, prime sponsor; and Marsh Pugh, Washington State Patrol.