
By: **Delegates Stull, Aumann, Bartlett, Bates, Cane, G. Clagett, V. Clagett, Cluster, Edwards, Elliott, Frush, Glassman, Hogan, Holmes, Jennings, Kelly, Malone, McConkey, McKee, Montgomery, Myers, Owings, Parrott, Shank, Sossi, Stocksdale, Weir, and Weldon**

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House action: Adopted
Read second time: March 26, 2004

CHAPTER 230

1 AN ACT concerning

2 **Environmental Sanitarians - Milk Safety Inspector Exception**

3 FOR the purpose of ~~altering a certain definition~~; creating an exception to a certain
4 licensing requirement for milk safety inspectors performing certain duties and
5 employed by the Department of Health and Mental Hygiene; and generally
6 relating to exceptions to licensing requirements for environmental sanitarians.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section ~~11-101~~ and 11-301
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 2003 Supplement)

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

14 **Article - Environment**

15 ~~11-101.~~

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

17 (b) ~~"Board" means the State Board of Environmental Sanitarians.~~

1 (c) ~~"Hours of approved training" means the value given to participation in~~
2 ~~continuing education or experience as approved by the Board.~~

3 (d) ~~"License" means, unless the context requires otherwise, a license issued by~~
4 ~~the Board to practice as an environmental sanitarian.~~

5 (e) ~~"Practice as an environmental sanitarian" means, as a major component of~~
6 ~~employment, to apply academic principles, methods and procedures of the~~
7 ~~environmental, physical, biological, and health sciences to the inspections and~~
8 ~~investigations necessary to collect and analyze data and to make decisions necessary~~
9 ~~to secure compliance with federal, State, and local health and environmental laws~~
10 ~~and regulations specifically relating to control of the public health aspects of the~~
11 ~~environment including:~~

12 (1) ~~The manufacture, preparation, handling, distribution, or sale of food~~
13 ~~[and milk];~~

14 (2) ~~Water supply and treatment;~~

15 (3) ~~Wastewater treatment and disposal;~~

16 (4) ~~Solid waste management and disposal;~~

17 (5) ~~Vector control;~~

18 (6) ~~Insect and rodent control;~~

19 (7) ~~Air quality;~~

20 (8) ~~Noise control;~~

21 (9) ~~Product safety;~~

22 (10) ~~Recreational sanitation; and~~

23 (11) ~~Institutional and residential sanitation.~~

24 (f) ~~"Registered environmental sanitarian" means an individual who is~~
25 ~~licensed by the Board to practice as an environmental sanitarian.~~

26 (g) ~~"Sanitarian in training" means an individual who meets the educational~~
27 ~~qualifications required under this title but has not yet completed the~~
28 ~~sanitarian in training program required under § 11-305 of this title.~~

29 (h) ~~"Sanitarian in training program" means a program of training and~~
30 ~~experience under the supervision of a registered environmental sanitarian or other~~
31 ~~individual acceptable to the Board.~~

1 11-301.

2 (a) Except as otherwise provided in this title, an individual shall be licensed
3 by the Board before the individual may practice as an environmental sanitarian in
4 this State.

5 (b) This section does not apply to:

6 (1) A sanitarian-in-training;

7 (2) A student participating in a field experience as part of an educational
8 program;

9 (3) An applicant for licensure in accordance with § 11-304 (b)(5) of this
10 title; and

11 (4) A qualified individual in any of the following job classifications:

12 (i) Industrial hygienists as defined by the American Industrial
13 Hygiene Association;

14 (ii) Certified industrial hygienists and industrial hygienists in
15 training as defined by the American Board of Industrial Hygiene;

16 (iii) Health planners or natural resource planners;

17 (iv) Building and housing inspectors;

18 (v) Geologists;

19 (vi) Chemists;

20 (vii) Meteorologists;

21 (viii) Laboratory scientists;

22 (ix) Professional engineers who are licensed in this State under
23 Title 14 of the Business Occupations and Professions Article and whose professional
24 activities are normally included in § 11-101(e) of this title;

25 (x) Public health engineers and water resources engineers
26 employed by the State or a local subdivision;

27 (xi) Hydrographers and hydrographic engineers;

28 (xii) Natural resources managers;

29 (xiii) Natural resources biologists;

30 (xiv) Program administrators, administration directors,
31 administrators, administrative officers, and administrative specialists;

1 (xv) Paraprofessional personnel, aides, and technicians whose
2 routine duties include monitoring, sampling, and recording of data;

3 (xvi) Persons employed by the Department of Natural Resources or
4 related county departments who perform duties and responsibilities under the
5 Natural Resources Article;

6 (xvii) Persons employed by the Department of the Environment or
7 related county departments who perform duties and responsibilities for erosion and
8 sediment control, stormwater management, or oil pollution control under Title 4 of
9 this article;

10 (xviii) Persons employed by the Department of the Environment or
11 related county departments who perform duties and responsibilities for ambient air
12 monitoring under Title 2 of this article or for motor vehicle pollution control under
13 Title 2 of this article or Title 23 of the Transportation Article;

14 (xix) Persons employed by the Division of Labor and Industry of the
15 Department of Labor, Licensing, and Regulation who perform duties and
16 responsibilities under the Maryland Occupational Safety and Health Act;

17 (xx) Occupational safety and health technologists as defined by the
18 American Board of Industrial Hygiene and the Board of Certified Safety
19 Professionals;

20 (xxi) Safety professionals as defined by the American Society of
21 Safety Engineers;

22 (xxii) Certified safety professionals and associate safety
23 professionals as defined by the Board of Certified Safety Professionals; [and]

24 (xxiii) Persons employed by industrial operations whose
25 environmental services are performed solely for their employer; AND

26 (XXIV) STATE MILK SAFETY INSPECTORS PERFORMING DUTIES
27 UNDER THE NATIONAL CONFERENCE ON INTERSTATE MILK SHIPMENTS AND
28 EMPLOYED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
30 effect October 1, 2004.

