

# HOUSE BILL 1135

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CF SB 728

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By: **Delegates Love, Beidle, Burns, Costa, Feldman, Impallaria, Kipke, Pena-Melnyk, and Ross**

Introduced and read first time: February 11, 2011

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board for Professional Engineers – Increase in Membership and**  
3 **Practice Specialties**

4 FOR the purpose of increasing the number of members of the State Board for  
5 Professional Engineers; requiring a certain number of engineer members of the  
6 Board to be on a certain list submitted by the Maryland Society of Professional  
7 Engineers; requiring a certain list to include only individuals who practice  
8 certain engineering specialties; making certain conforming changes; specifying  
9 the terms of the new members of the Board; and generally relating to the State  
10 Board for Professional Engineers.

11 BY repealing and reenacting, with amendments,  
12 Article – Business Occupations and Professions  
13 Section 14–202  
14 Annotated Code of Maryland  
15 (2010 Replacement Volume)

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

18 **Article – Business Occupations and Professions**

19 14–202.

20 (a) (1) The Board consists of [seven] NINE members.

21 (2) Of the [seven] NINE members of the Board:

22 (i) [five] SEVEN shall be engineers; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) two shall be consumer members.

2 (3) Of the [five] SEVEN engineer members of the Board:

3 (i) one shall be a chemical engineer;

4 (ii) two shall be civil engineers;

5 (iii) one shall be an electrical engineer; [and]

6 (iv) one shall be a mechanical engineer; AND

7 (V) TWO SHALL BE ENGINEERS WHO PRACTICE AN  
8 ENGINEERING SPECIALTY NOT LISTED IN ITEMS (I) THROUGH (IV) OF THIS  
9 PARAGRAPH.

10 (4) The Governor shall appoint the members with the advice of the  
11 Secretary and with the advice and consent of the Senate.

12 (5) (i) The Governor shall appoint each of the engineer members  
13 from a single list of at least 3 names of engineers submitted by the local chapters of  
14 the applicable professional organization, as set forth in this paragraph and any list of  
15 qualified individuals that may have been submitted to the Governor by any person  
16 who is a resident of the State.

17 (ii) For the chemical engineer member, the list shall be  
18 submitted by the American Institute of Chemical Engineers.

19 (iii) For the civil engineer members, the list shall be submitted  
20 by the American Society of Civil Engineers.

21 (iv) For the electrical engineer member, the list shall be  
22 submitted by the Institute of Electrical and Electronics Engineers.

23 (v) For the mechanical engineer member, the list shall be  
24 submitted by the American Society of Mechanical Engineers.

25 (VI) FOR THE TWO ENGINEER MEMBERS WITHOUT A  
26 REQUIRED SPECIALTY, THE LIST SHALL BE SUBMITTED BY THE MARYLAND  
27 SOCIETY OF PROFESSIONAL ENGINEERS AND SHALL INCLUDE ONLY QUALIFIED  
28 INDIVIDUALS WHO PRACTICE AN ENGINEERING SPECIALTY NOT LISTED IN  
29 PARAGRAPH (3)(I) THROUGH (IV) OF THIS SUBSECTION.

30 (b) Each member of the Board shall be:

31 (1) a citizen of the United States; and

1           (2)    a resident of the State.

2           (c)    (1)    Each engineer member of the Board shall have:

3                   (i)    practiced engineering for at least 12 years; and

4                   (ii)   been in responsible charge of important engineering work  
5 for at least 5 years.

6           (2)    Each engineer member of the Board shall be licensed as a  
7 professional engineer in this State at all times during the member's term on the  
8 Board.

9           (d)    Each consumer member of the Board:

10                   (1)   shall be a member of the general public;

11                   (2)   may not be a licensee or otherwise be subject to regulation by the  
12 Board;

13                   (3)   may not be required to meet the qualifications for the professional  
14 members of the Board; and

15                   (4)   may not, within 1 year before appointment, have had a financial  
16 interest in or have received compensation from a person regulated by the Board.

17           (e)    While a member of the Board, a consumer member may not:

18                   (1)   have a financial interest in or receive compensation from a person  
19 regulated by the Board; or

20                   (2)   grade any examination given by or for the Board.

21           (f)    Before taking office, each appointee to the Board shall take the oath  
22 required by Article I, § 9 of the Maryland Constitution.

23           (g)    (1)    The term of a member is 5 years and begins on July 1.

24                   (2)   The terms of members are staggered as required by the terms  
25 provided for members of the Board on October 1, **[1989] 2011**.

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

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

1           (h) The Governor may remove a member for incompetence, misconduct,  
2 neglect of duties, or other sufficient cause.

3           SECTION 2. AND BE IT FURTHER ENACTED, That:

4                   (1) the terms of the two new members of the State Board for  
5 Professional Engineers established by this Act shall expire 5 years after they are  
6 appointed; and

7                   (2) the terms of the other members of the State Board for Professional  
8 Engineers on October 1, 2011, shall expire in accordance with the staggering of terms  
9 in effect on October 1, 2011.

10           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2011.