

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 147	Chairman ECM (Dept)) (Departmental – Labor, Licensing, and Regulation)
Economic Matters	Economic and Environmental Affairs

Department of Labor, Licensing, and Regulation - State Boards - Scope of Practice

This departmental bill amends and/or establishes definitions related to the scope of practice of the five design boards within the Department of Labor, Licensing, and Regulation (DLLR). The five design boards are: the State Board of Professional Engineers, the State Board of Architects, the State Board of Certified Interior Designers, the State Board of Examiners of Landscape Architects, and the State Board of Land Surveyors.

Fiscal Summary

State Effect: None. The bill clarifies current law.

Local Effect: None.

Small Business Effect: DLLR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Bill Summary: The bill clarifies the scope of practice of each profession by adding and defining terms such as “public use,” “private use,” “residential use,” and “design coordination.” The bill also expands the definition of what activities each title limits and does not limit and greatly expands what it means to “practice landscape architecture.”

Current Law: Some activities are ill defined or undefined and can arguably be considered to be under the authority of more than one board. The State Board of Professional Engineers does not have a formal scope of practice and the “practice of landscape architect” is only vaguely defined.

Background: There has been long-standing disagreement among the five design boards as to the nature of their respective “scopes of practice.” This has resulted in some, often incidental, activities going unregulated or doubly regulated.

The boards have recognized this problem for several years but could not resolve it. There have been previous attempts by individual boards to submit legislation to address that particular board’s issues but the consistent view of the General Assembly has been that the boards needed to resolve it amongst themselves and present one unified piece of legislation.

This bill represents the cooperative work of the design boards and has been crafted in response to the General Assembly’s request to address this problem as a group and in a unified manner.

Additional Information

Prior Introductions: None, but HB 115 of 2000 did attempt to define “the practice of landscape architects.” It passed the House but received an unfavorable report from the Senate Economic and Environmental Affairs Committee.

Cross File: None.

Information Source(s): Department of Labor, Licensing, and Regulation; Office of Administrative Hearings; Department of Legislative Services

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ef/jr

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