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2003 Regular Session 3lr0305 CF 3lr2062

By: Senator Hollinger (Chairman, Education, Health, and Environmental Affairs Committee)									
Introduced and a	ntroduced and read first time: January 31, 2003								
Assigned to: Education, Health, and Environmental Affairs									
Committee Repo	ort: Favorable with amendments								
Senate action: A	dopted								
Read second tim	ne: March 7, 2003								
	CHAPTER								
1 AN ACT co	encerning								
2	Department of Labor, Licensing, and Regulation - Occupational and								
3	Professional Licensing Design Boards								
4 FOR the nu	rpose of exempting individuals who perform interior design services from								

the Maryland Architects Act; requiring certain boards within the Department of

Department website; establishing certain term limits for members and officers

of the State Board of Certified Interior Designers; requiring the chairmen of

certain boards within the Department to meet on an annual basis; continuing

provisions of the Maryland Program Evaluation Act (Sunset Law) by extending

regulatory authority of the State Board of Certified Interior Designers to certify

certification and regulation of certified interior designers by the State Board of

certification and regulation of certified interior designers by the State Board of

establishing an Occupational and Professional Licensing Design Boards' Fund as a continuing, nonlapsing special fund in the Department; requiring that the

Fund be used for certain purposes; authorizing the State Board of Architects,

Landscape Architects, State Board for Professional Engineers, and State Board

for Professional Land Surveyors to set certain fees; specifying the use of certain

classification of certain fees; authorizing certain applicants to pay application

fees to designees of certain boards; requiring certain reports; providing that

State Board of Certified Interior Designers, State Board of Examiners of

fees; directing the payment of certain fees to the Fund; changing the

Labor, Licensing, and Regulation to jointly publish a newsletter on the

the State Board of Certified Interior Designers in accordance with the

to a certain date the termination provisions relating to the statutory and

and regulate certified interior designers; requiring that an evaluation of the

Certified Interior Designers and the statutes and regulations that relate to

Certified Interior Designers be performed on or before a certain date;

41 BY adding to

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1
       certain fees remain in effect until certain other fees are adopted and made
       effective; providing for the termination of certain provisions of this Act; and
2
3
       generally relating to the authority of the Department of Labor, Licensing, and
       Regulation and the State Board of Architects, the State Board of Certified
4
5
       Interior Designers, the State Board of Examiners of Landscape Architects, the
       State Board for Professional Engineers, and the State Board for Professional
6
7
       Land Surveyors.
8 BY adding to
       Article - Business Occupations and Professions
9
       Section 3-204.1, 3-209, 8-204.1, 8-207, 9-204.1, 14-204.1, 14-209, 15-204.1,
10
                15-208.1(c), and 15-209
11
12
       Annotated Code of Maryland
13
       (2000 Replacement Volume and 2002 Supplement)
14 BY repealing
15
       Article - Business Occupations and Professions
16
       Section 3-209, 8-207, 14-209, and 15-209
17
       Annotated Code of Maryland
18
       (2000 Replacement Volume and 2002 Supplement)
19 BY repealing and reenacting, with amendments,
       Article - Business Occupations and Professions
20
       Section 3-101, 3-103(c)(3), 3-207, 3-208.1(c), 3-304, 3-306(b)(2) and (c)(1),
21
22
                3-307(a)(2), 3-309(b)(2), (c)(2), and (e)(2), 3-310(a), 3-311(a)(1)(viii),
23
                3-405(a)(2), 3-406, 3-408(b)(2), (c)(3), and (f)(2), 8-101, 8-202(h), 8-203,
24
                8-206.1(c), 8-302(d)(1), 8-303, 8-304(b)(1), 8-305, 8-307(b)(3) and (c)(2),
25
                8-309, 8-602, 9-101, 9-206.1(c), 9-207, 9-304, 9-306(b)(1), 9-309(b)(2)
                and (c)(2), 9-310(a)(1)(v), 9-313(b)(2), 9-314(a) and (b), 9-405(a)(2), 9-406,
26
27
                9-408(b)(2) and (c)(2), 14-101, 14-207, 14-208.1(c), 14-306(a)(2),
28
                14-310(c)(1) and (e), 14-311(b)(2), 14-312(a)(2) and (d)(2), 14-314(b)(1)
29
                and (c)(2), 14-315(a) and (b)(2), 14-316(a)(5), 14-317(a)(1)(v), 14-320(b)(2),
30
                15-101, 15-207, 15-306(a)(2), 15-311(b)(2), 15-312(a)(2), (b), and (d),
                15-314(b)(1) and (c)(2), 15-315(a), (b)(2), and (c)(2), 15-316(a)(5),
31
                15-317(a)(5), 15-318(a)(1)(vii), 15-321(b), 15-403, 15-404, and
32
33
                15-406(b)(2) and (c)(2).
34
       Annotated Code of Maryland
       (2000 Replacement Volume and 2002 Supplement)
35
36 BY repealing and reenacting, with amendments,
       Article - State Government
37
38
       Section 8-403(b)(35)
39
       Annotated Code of Maryland
       (1999 Replacement Volume and 2002 Supplement)
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1 Article - Business Regulation Section 2-106.1 and 2-106.2 2 3 Annotated Code of Maryland (1998 Replacement Volume and 2002 Supplement) 4 5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 6 MARYLAND, That the Laws of Maryland read as follows: 7 **Article - Business Occupations and Professions** 8 3-103. This title does not limit the right of: 9 (c) 10 a certified interior designer OR OTHER INDIVIDUAL to provide 11 interior design services as that term is defined in Title 8 of this article; or 12 3-204.1. 13 AT LEAST ANNUALLY, THE CHAIRMAN OF THE BOARD, THE CHAIRMAN OF THE 14 STATE BOARD OF CERTIFIED INTERIOR DESIGNERS, THE CHAIRMAN OF THE STATE 15 BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS, THE CHAIRMAN OF THE STATE 16 BOARD FOR PROFESSIONAL ENGINEERS, AND THE CHAIRMAN OF THE STATE BOARD 17 FOR PROFESSIONAL LAND SURVEYORS SHALL MEET TO DISCUSS ISSUES OF MUTUAL 18 IMPORTANCE TO THE DESIGN PROFESSIONS. 19 3-208.1. 20 The Board shall provide all licensees and code officials with a (c) (1) 21 periodic newsletter not less than semiannually on the activities of the Board. 22 The Board [may] SHALL publish, ON THE DEPARTMENT WEBSITE, (2) 23 the newsletter jointly with the State Board [of] FOR Professional Engineers, the 24 State Board of Certified Interior Designers, the State Board of Examiners of 25 Landscape Architects, AND THE STATE BOARD FOR PROFESSIONAL LAND SURVEYORS 26 [or any combination of these boards]. 27 8-202. 28 The term of a member is 3 years and begins on July 1. (h) (1) 29 The terms of members are staggered as required by the terms (2) 30 provided for members of the Board on July 1, 1991. At the end of a term, a member continues to serve until a successor is 31 (3) 32 appointed and qualifies. 33 A member who is appointed after a term has begun serves only for 34 the rest of the term and until a successor is appointed and qualifies.

23 8-602.

27 9-204.1.

34 9-206.1.

(c)

33 DESIGN PROFESSIONS.

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SENATE BILL 267 1 (5)A MEMBER MAY SERVE NO MORE THAN TWO CONSECUTIVE TERMS. 2 8-203. From among its members, the Board annually shall elect a chairman and a 3 (a) secretary. 5 (b) The manner of election of officers shall be as the Board determines. A MEMBER MAY SERVE NO MORE THAN THREE CONSECUTIVE YEARS AS 6 7 AN OFFICER OF THE BOARD. 8 8-204.1. AT LEAST ANNUALLY, THE CHAIRMAN OF THE BOARD, THE CHAIRMAN OF THE 10 STATE BOARD OF ARCHITECTS, THE CHAIRMAN OF THE STATE BOARD OF EXAMINERS 11 OF LANDSCAPE ARCHITECTS, THE CHAIRMAN OF THE STATE BOARD FOR 12 PROFESSIONAL ENGINEERS, AND THE CHAIRMAN OF THE STATE BOARD FOR 13 PROFESSIONAL LAND SURVEYORS SHALL MEET TO DISCUSS ISSUES OF MUTUAL 14 IMPORTANCE TO THE DESIGN PROFESSIONS. 15 8-206.1. The Board shall provide all certificate holders and code officials with 17 a periodic newsletter not less than semiannually on the activities of the Board. The Board [may] SHALL publish, ON THE DEPARTMENT WEBSITE, 19 the newsletter jointly with the State Board [of] FOR Professional Engineers, the 20 State Board of Architects, the State Board of Examiners of Landscape Architects, AND 21 THE STATE BOARD FOR PROFESSIONAL LAND SURVEYORS [or any combination of 22 these boards].

Subject to the evaluation and reestablishment provisions of the Maryland 25 Program Evaluation Act, this title and all regulations adopted under this title shall

36 periodic newsletter not less than semiannually on the activities of the Board.

AT LEAST ANNUALLY, THE CHAIRMAN OF THE BOARD, THE CHAIRMAN OF THE

The Board shall provide all licensees and code officials with a

29 STATE BOARD OF ARCHITECTS, THE CHAIRMAN OF THE STATE BOARD OF CERTIFIED 30 INTERIOR DESIGNERS. THE CHAIRMAN OF THE STATE BOARD FOR PROFESSIONAL 31 ENGINEERS. AND THE CHAIRMAN OF THE STATE BOARD FOR PROFESSIONAL LAND 32 SURVEYORS SHALL MEET TO DISCUSS ISSUES OF MUTUAL IMPORTANCE TO THE

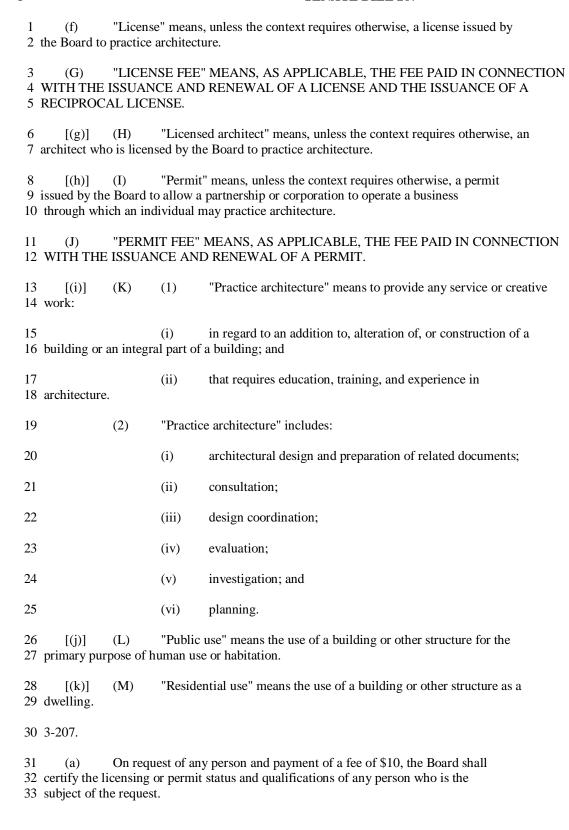
26 terminate and be of no effect after July 1, [2004] 2014.

- 1 (2) The Board [may] SHALL publish, ON THE DEPARTMENT WEBSITE,
- 2 the newsletter jointly with the State Board [of] FOR Professional Engineers, the
- 3 State Board of Architects, the State Board of Certified Interior Designers, AND THE
- 4 STATE BOARD FOR PROFESSIONAL LAND SURVEYORS [or any combination of these
- 5 boards].
- 6 14-204.1.
- 7 AT LEAST ANNUALLY, THE CHAIRMAN OF THE BOARD, THE CHAIRMAN OF THE
- 8 STATE BOARD OF ARCHITECTS, THE CHAIRMAN OF THE STATE BOARD OF CERTIFIED
- 9 INTERIOR DESIGNERS, THE CHAIRMAN OF THE STATE BOARD OF EXAMINERS OF
- 10 LANDSCAPE ARCHITECTS, AND THE CHAIRMAN OF THE STATE BOARD FOR
- 11 PROFESSIONAL LAND SURVEYORS SHALL MEET TO DISCUSS ISSUES OF MUTUAL
- 12 IMPORTANCE TO THE DESIGN PROFESSIONS.
- 13 14-208.1.
- 14 (c) The Board shall provide all licensees, certificate holders, and code
- 15 officials with a periodic newsletter not less than semiannually on the activities of the
- 16 Board.
- 17 (2) The Board [may] SHALL publish, ON THE DEPARTMENT WEBSITE,
- 18 the newsletter jointly with the State Board of Architects, the State Board of
- 19 Examiners of Landscape Architects, the State Board of Certified Interior Designers,
- 20 AND THE STATE BOARD FOR PROFESSIONAL LAND SURVEYORS [or any combination
- 21 of these boards].
- 22 15-204.1.
- 23 AT LEAST ANNUALLY, THE CHAIRMAN OF THE BOARD, THE CHAIRMAN OF THE
- 24 STATE BOARD OF ARCHITECTS, THE CHAIRMAN OF THE STATE BOARD OF CERTIFIED
- 25 INTERIOR DESIGNERS, THE CHAIRMAN OF THE STATE BOARD OF EXAMINERS OF
- 26 LANDSCAPE ARCHITECTS, AND THE CHAIRMAN OF THE STATE BOARD FOR
- 27 PROFESSIONAL ENGINEERS SHALL MEET TO DISCUSS ISSUES OF MUTUAL
- 28 IMPORTANCE TO THE DESIGN PROFESSIONS.
- 29 15-208.1.
- 30 (C) (1) THE BOARD SHALL PROVIDE ALL LICENSEES, CERTIFICATE
- 31 HOLDERS, AND CODE OFFICIALS WITH A PERIODIC NEWSLETTER NOT LESS THAN
- 32 SEMIANNUALLY ON THE ACTIVITIES OF THE BOARD.
- 33 (2) THE BOARD SHALL PUBLISH, ON THE DEPARTMENT WEBSITE, THE
- 34 NEWSLETTER JOINTLY WITH THE STATE BOARD FOR PROFESSIONAL ENGINEERS.
- 35 THE STATE BOARD OF ARCHITECTS, THE STATE BOARD OF CERTIFIED INTERIOR
- 36 DESIGNERS, AND THE STATE BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS.

1 Article - State Government

- 2 8-403.
- 3 (b) Except as otherwise provided in subsection (a) of this section, on or before
- 4 the evaluation date for the following governmental activities or units, an evaluation
- 5 shall be made of the following governmental activities or units and the statutes and
- 6 regulations that relate to the governmental activities or units:
- 7 (35) Interior Designers, State Board of Certified (§ 8-201 of the Business
- 8 Occupations and Professions Article: July 1, [2003] 2013);
- 9 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
- 10 read as follows:
- 11 Article Business Regulation
- 12 2-106.1.
- 13 (A) THIS SECTION APPLIES TO THE FOLLOWING OCCUPATIONAL AND
- 14 PROFESSIONAL LICENSING BOARDS:
- 15 (1) THE STATE BOARD OF ARCHITECTS ESTABLISHED UNDER TITLE 3 OF
- 16 THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE:
- 17 (2) THE STATE BOARD OF CERTIFIED INTERIOR DESIGNERS
- 18 ESTABLISHED UNDER TITLE 8 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
- 19 ARTICLE:
- 20 (3) THE STATE BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS
- 21 ESTABLISHED UNDER TITLE 9 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
- 22 ARTICLE;
- 23 (4) THE STATE BOARD FOR PROFESSIONAL ENGINEERS ESTABLISHED
- 24 UNDER TITLE 14 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; AND
- 25 (5) THE STATE BOARD FOR PROFESSIONAL LAND SURVEYORS
- 26 ESTABLISHED UNDER TITLE 15 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
- 27 ARTICLE.
- 28 (B) THERE IS A STATE OCCUPATIONAL AND PROFESSIONAL LICENSING
- 29 DESIGN BOARDS' FUND IN THE DEPARTMENT, WHICH SHALL BE A CONTINUING,
- 30 NONLAPSING SPECIAL FUND.
- 31 (C) (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, EACH OCCUPATIONAL
- 32 AND PROFESSIONAL LICENSING BOARD DESCRIBED IN SUBSECTION (A) OF THIS
- 33 SECTION SHALL PAY ALL FEES COLLECTED TO THE COMPTROLLER OF THE STATE.
- 34 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE FUND.

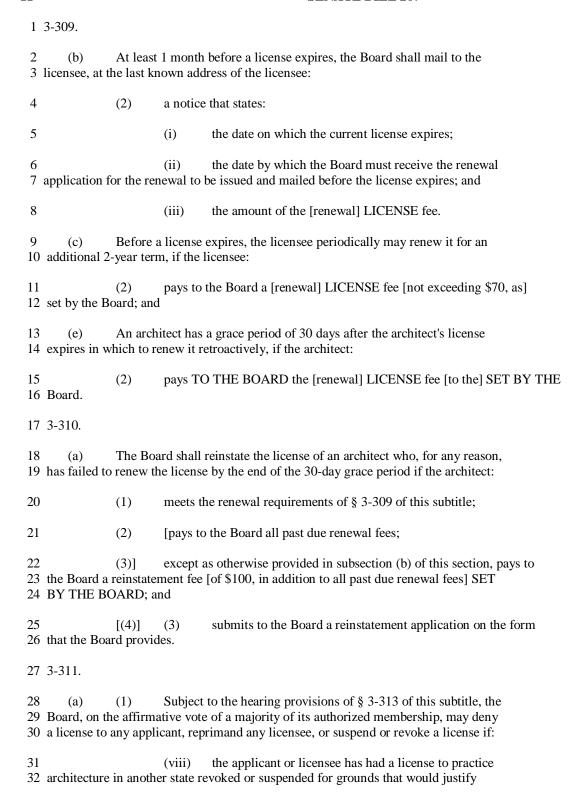
- 1 (D) THE FUND SHALL BE USED TO COVER THE ACTUAL DOCUMENTED DIRECT
- 2 AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY DUTIES
- 3 OF EACH OCCUPATIONAL AND PROFESSIONAL LICENSING BOARD DESCRIBED IN
- 4 SUBSECTION (A) OF THIS SECTION.
- 5 $\,$ (E) $\,$ THE SECRETARY OR A DESIGNEE OF THE SECRETARY SHALL ADMINISTER 6 THE FUND.
- 7 (F) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND
- 8 TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT
- 9 ARTICLE.
- 10 2-106.2.
- 11 (A) (1) IN CONSULTATION WITH EACH BOARD DESCRIBED IN § 2-106.1 OF
- 12 THIS SUBTITLE, THE SECRETARY SHALL ANNUALLY CALCULATE THE DIRECT AND
- 13 INDIRECT COSTS ATTRIBUTABLE TO EACH BOARD.
- 14 (2) EACH BOARD SHALL ESTABLISH FEES BASED ON THE
- 15 CALCULATIONS PROVIDED BY THE SECRETARY UNDER THIS SECTION.
- 16 (3) EACH FEE ESTABLISHED BY AN INDIVIDUAL BOARD MAY NOT BE
- 17 INCREASED ANNUALLY BY MORE THAN 12.5% OF THE EXISTING AND
- 18 CORRESPONDING FEE OF THE BOARD.
- 19 (B) IN ORDER TO ESTABLISH FEES THAT MORE EQUITABLY DISTRIBUTE THE
- 20 COSTS ASSOCIATED WITH THE OPERATION OF EACH BOARD AMONG SIMILAR
- 21 BOARDS, THE SECRETARY MAY AVERAGE THE DIRECT AND INDIRECT COSTS OF ONE
- 22 OR MORE BOARDS PROVIDED THAT THE BOARDS CONSENT TO HAVING THEIR DIRECT
- 23 AND INDIRECT COSTS AVERAGED TOGETHER.
- 24 Article Business Occupations and Professions
- 25 3-101.
- 26 (a) In this title the following words have the meanings indicated.
- 27 (b) "Architect" means an individual who practices architecture.
- 28 (c) "Board" means, unless the context requires otherwise, the State Board of
- 29 Architects.
- 30 (d) "Code official" means a public official responsible for the review of building
- 31 permit documents or the issuance of building permits.
- 32 (e) "Design coordination" means the review and coordination of services
- 33 provided by individuals licensed or certified under Titles 3, 8, 9, 14, and 15 of this
- 34 article.

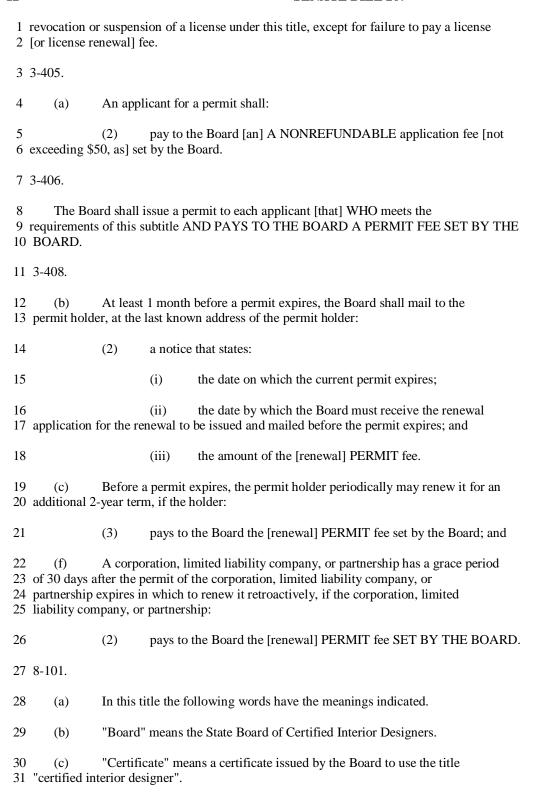


1 (b) Each certification under this section: 2 shall include a statement of the licensing or permit status of the (1) person who is the subject of the request; and 4 (2) may include: 5 information about the examination results and other (i) 6 qualifications of that person; 7 information about the dates of issuance and renewal of the (ii) 8 license or permit of that person; 9 (iii) information about any disciplinary action taken against that 10 person; and 11 (iv) if authorized by that person, information about any complaint 12 against that person. 13 The Board shall collect a fee of \$10 for each certification under this [(c)]14 section.] 15 [3-209. 16 (a) Subject to the maximum amounts and other limitations specifically set by 17 this title, the Board shall set reasonable fees for the issuance and renewal of licenses 18 and permits and its other services. 19 Except as otherwise provided by law, the Board shall pay all money 20 collected under this title into the General Fund of the State.] 21 3-209. 22 THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES. (A) (1) 23 THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO (2) 24 APPROXIMATE THE COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON 25 THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE 26 BUSINESS REGULATION ARTICLE. 27 (B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD BY 28 REGULATION. THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO 29 (1) 30 THE COMPTROLLER OF THE STATE. THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE 31 (2) 32 OCCUPATIONAL AND PROFESSIONAL LICENSING DESIGN BOARDS' FUND

33 ESTABLISHED IN § 2-106.1 OF THE BUSINESS REGULATION ARTICLE.

1	3-304.			
2	An appl	icant for	a license	shall:
3	provides; and	(1)	submit t	to the Board an application on the form that the Board
5 6	Board or the	(2) Board's	_	as provided in § 3-306(b) or (c) of this subtitle,] pay to the
7 8	AND		(I)	A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD;
9 10	the cost of the	ne require	(II) ed exami	an examination fee set by the Board in an amount not to exceed nation.
11	3-306.			
	(-)	no is licei		ssue a license by reciprocity under this section for an ractice architecture in another state or country only if
15		(2)	pays to	the Board:
16 17		ION FEE	(I) E set by th	[an application fee not exceeding \$100, as] A NONREFUNDABLE ne Board; and
18			(II)	A LICENSE FEE SET BY THE BOARD; AND
19 20	` /			ssue a license by reciprocity under this section for an he Council only if:
21		(1)	the appl	icant:
22			(i)	is of good character and reputation; and
23			(ii)	pays to the Board:
24 25		NDABLI	E APPLIO	1. [an application fee not exceeding \$100, as] A CATION FEE set by the Board; and
26				2. A LICENSE FEE SET BY THE BOARD; AND
27	3-307.			
28 29	` /			nalifies for a license by passing an examination under this the applicant a notice that states that:
30 31		(2) ill issue a		pt of a license fee [not exceeding \$60, as] set by the Board, to the applicant.





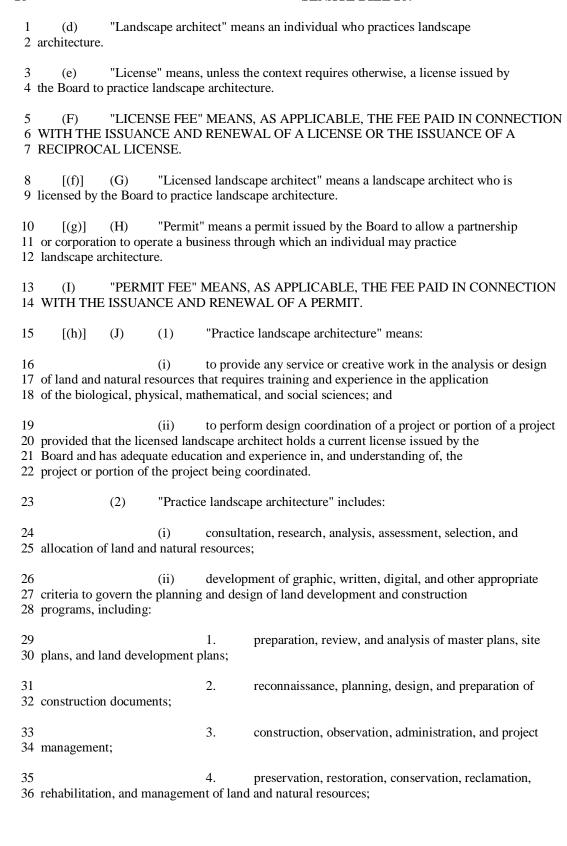
- 1 (D) "CERTIFICATE FEE" MEANS, AS APPLICABLE, THE FEE PAID IN 2 CONNECTION WITH THE ISSUANCE AND RENEWAL OF A CERTIFICATE AND ISSUANCE
- 3 OF A RECIPROCAL CERTIFICATE.
- 4 "Certified interior designer" means an interior designer who is [(d)]5 certified by the Board.
- "Certified interior design services" means interior design services 6 [(e)](F) 7 provided by a certified interior designer.
- "Design coordination" means the review and coordination of services 9 provided by individuals licensed or certified under Titles 3, 8, 9, 14, and 15 of this 10 article.
- 11 [(g)]"Interior design services" means rendering or offering to render
- 12 services for a fee or other valuable consideration, in the preparation and
- 13 administration of interior design documents (including drawings, schedules and
- 14 specifications) which pertain to the planning and design of interior spaces including
- 15 furnishings, layouts, fixtures, cabinetry, lighting fixtures, finishes, materials, and
- 16 interior construction not materially related to or materially affecting the building 17 systems, all of which shall comply with applicable laws, codes, regulations, and
- 18 standards. The scope of work described herein shall not be construed as authorizing
- 19 the planning and design of engineering and architectural interior construction as
- 20 related to the building systems, including structural, electrical, plumbing, heating,
- 21 ventilating, air conditioning or mechanical systems and shall not be construed as
- 22 authorizing the practice of architecture or engineering as defined in Title 3 or Title 14
- 23 of this article. The interior design plans as described above are not to be construed as
- 24 those architectural plans which may be required to be filed with any county or
- 25 municipality.
- 26 [(h)](I) "Public use" means the use of a building or other structure for the 27 primary purpose of human use or habitation.
- "Residential use" means the use of a building or other structure as a 28 [(i)]**(J)** 29 dwelling.
- 30 [8-207.

36 each individual:

- The Board shall set reasonable fees for the issuance and renewal of a 31 (a) 32 certificate.
- Except as otherwise provided by law, the Board shall pay all money 33 (b) 34 collected under this title into the General Fund of the State.
- The Board shall publish annually a list including the name and address of 35 (c)
- 37 (1) who has been certified; or

1 2	before the p	(2) ublication	whose certificate has been suspended or revoked within 3 years
3	8-207.		
4	(A)	(1)	THE BOARD MAY SET REASONABLE FEES FOR ITS SERVICES.
7	THE CALC	ULATIO	THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO E COST OF MAINTAINING THE BOARD AND SHALL BE BASED ON NS PERFORMED BY THE SECRETARY UNDER § 2-106.2 OF THE ATION ARTICLE.
9 10	(B) REGULAT		DARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD BY
11 12	(C) THE COM	(1) PTROLLI	THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO ER OF THE STATE.
			THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE AND PROFESSIONAL LICENSING DESIGN BOARDS' FUND \$ 2-106.1 OF THE BUSINESS REGULATION ARTICLE.
16 17	\ /		DARD SHALL PUBLISH ANNUALLY A LIST INCLUDING THE NAME EACH INDIVIDUAL:
18		(1)	WHO HAS BEEN CERTIFIED; OR
19 20	WITHIN 3	(2) YEARS I	WHOSE CERTIFICATION HAS BEEN SUSPENDED OR REVOKED BEFORE THE PUBLICATION.
21	8-302.		
22	(d)	The app	licant shall:
23 24	in accordan	(1) ce with §	file an application and pay [an] A NONREFUNDABLE application fee 8-303 of this subtitle;
25	8-303.		
26	An app	licant for	a certificate shall:
27 28	provides; ar	(1) nd	submit an application to the Board on the form that the Board
29 30	NONREFU	(2) NDABLI	pay to the Board OR THE BOARD'S DESIGNEE [an] A E application fee set by the Board.
31	8-304.		
32	(b)	The Boa	ard may grant a waiver under this section only if the applicant:

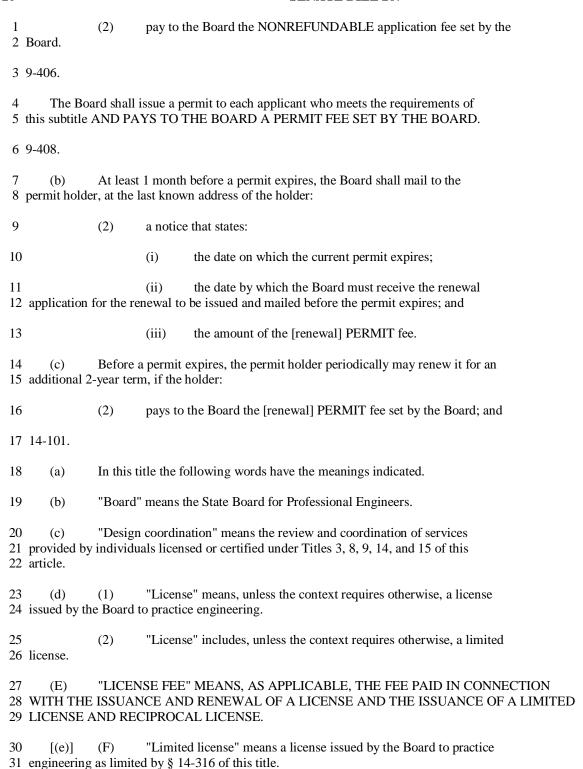
1		(1)	pays TC	THE BOARD:
2 3	8-303 of this	subtitle]	(I) ; and	the NONREFUNDABLE application fee set by the Board [under §
4			(II)	THE CERTIFICATE FEE SET BY THE BOARD; AND
5	8-305.			
				cate fee SET BY THE BOARD, the Board shall issue a no meets the requirements of this subtitle for a
9	8-307.			
10 11	(b) certificate ho			before the certificate expires, the Board shall mail to the nown address of the certificate holder:
12		(3)	the amo	unt of the [renewal] CERTIFICATE fee.
13 14				cate expires, the certificate holder periodically may renew n, if the certificate holder:
15		(2)	pays to	the Board a [renewal] CERTIFICATE fee set by the Board;
16	8-309.			
17 18				the certificate of an interior designer who has failed to eason if the interior designer:
19 20	fee,] under §	(1) 8-307 o		ne renewal requirements[, including payment of a renewal title;
21		(2)	pays to	the Board the reinstatement fee as set by the Board;
22 23	the Board pr	(3) ovides; a		to the Board a reinstatement application on the form that
24 25	Board in a 2-	(4) -year per		o continuing education units in courses approved by the ediately preceding the request for reinstatement.
26	9-101.			
27	(a)	In this ti	tle the fo	llowing words have the meanings indicated.
28	(b)	"Board"	means th	ne State Board of Examiners of Landscape Architects.
	(c) provided by article.	_		ation" means the review and coordination of services and or certified under Titles 3, 8, 9, 14, and 15 of this



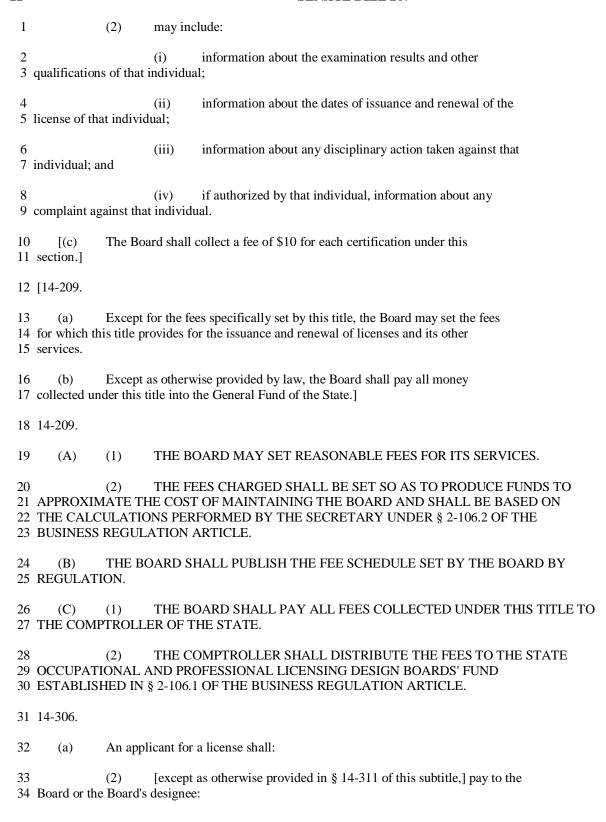
1 2	environmental studies, and cos	5. st estimate	preparation of feasibility and site selection studies, e reports; and			
	erosion and sediment control s systems; and	6. ystems, a	design and analysis of grading and drainage, irrigation, and pedestrian and vehicular circulation			
6 7	(iii) the following:	in conju	nction with site plan preparation, the performance of			
8		1.	determining a grade;			
9		2.	determining drainage; and			
10 11	3. preparing and designing stormwater drainage systems provided that the preparation and design:					
12 13	standards accepted by the Stat	A. te or local	are in accordance with design manuals, details, and authorities; and			
14 15	components.	B.	do not require a hydraulic or structural design of system			
	[(i)] (K) "Responsible charge" means direct control and personal supervision of landscape architecture services that requires initiative, professional skill, and independent judgment.					
19	9-207.					
20 21	(a) The Board [shall of licenses and permits] ITS S		et reasonable fees for [the issuance and renewal cs.			
24 25	Fund of the State] THE FEES APPROXIMATE THE COST	CHARG OF MA ORMED	noney collected under this title into the General ED SHALL BE SET SO AS TO PRODUCE FUNDS TO INTAINING THE BOARD AND SHALL BE BASED ON BY THE SECRETARY UNDER § 2-106.2 OF THE E.			
	(C) THE BOARD SI REGULATION.	HALL PU	JBLISH THE FEE SCHEDULE SET BY THE BOARD BY			
29 30	(D) (1) THE BO THE COMPTROLLER OF T		HALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO IE.			
	OCCUPATIONAL AND PRO	OFESSIO	DLLER SHALL DISTRIBUTE THE FEES TO THE STATE NAL LICENSING DESIGN BOARDS' FUND E BUSINESS REGULATION ARTICLE.			

1	9-304.			
2	An appl	icant for	a license	shall:
3	provides; and	(1) d	submit t	o the Board an application on the form that the Board
5 6	the Board's d	(2) lesignee:	[except a	as provided in § 9-306 of this subtitle,] pay to the Board or
7			(I)	A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD;
8 9	the cost of th	e require	(II) d examin	an examination fee set by the Board in an amount not to exceed action.
10	9-306.			
11	(b)	The Boa	ırd may g	grant a waiver under this section only if the applicant:
12		(1)	pays TO	THE BOARD:
13 14	exceeding \$	50]; and	(I)	the NONREFUNDABLE application fee set by the Board [not
15			(II)	THE LICENSE FEE SET BY THE BOARD; AND
16	9-309.			
17 18	(b) licensee, at t			before a license expires, the Board shall mail to the licensee:
19		(2)	a notice	that states:
20			(i)	the date on which the current license expires;
21 22	application t	for the rea	(ii) newal to	the date by which the Board must receive the renewal be issued and mailed before the license expires; and
23			(iii)	the amount of the [renewal] LICENSE fee.
24 25	(c) additional 2-			expires, the licensee periodically may renew it for an icensee:
26		(2)	pays to t	the Board the [renewal] LICENSE fee set by the Board; and
27	9-310.			
			itive vote	to the hearing provisions of § 9-312 of this subtitle, the of a majority of its members then serving, may deny a mand any licensee, or suspend or revoke a license if:

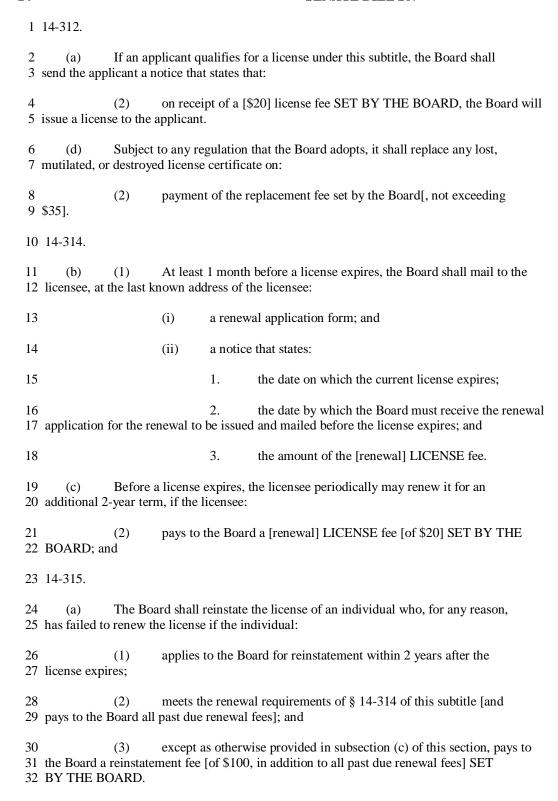
3		y revocati	ion or sus	the applicant or licensee has had a license to practice landscape voked or suspended by the other state for a cause that spension under this title, except for the failure to pay a e;
5	9-313.			
6	(b)	A licens	se may be	reinstated under this section only on:
7 8	BOARD.	(2)	paymen	t to the Board of a reinstatement fee [of \$100] SET BY THE
9	9-314.			
10 11	()			reinstate the license of an individual who, for any reason, e, if the individual:
12 13	license expi	(1) res;	applies t	to the Board for reinstatement within 2 years after the
14 15	to the Board	(2) I all past		ne renewal requirements of § 9-309 of this subtitle [and pays wal fees]; and
16 17	due renewal	(3) fees] SE		the Board a reinstatement fee [of \$100, in addition to all past HE BOARD.
	(-)		for reinsta	lividual has failed to renew a license for any reason and then atement more than 2 years after the license has
21 22	manner that	an appli	(i) cant appli	require the individual to reapply for a license in the same ies for an original license under this subtitle; or
23			(ii)	subject to paragraph (2) of this subsection, reinstate the license.
24 25	subsection,	(2) if the ind		ard may reinstate a license under paragraph (1)(ii) of this
26 27	pays to the l			meets the renewal requirements of § 9-309 of this subtitle [and renewal fees];
28 29	should be gr	ranted; ar	(ii) nd	if required by the Board, states reasons why reinstatement
30 31	past due ren	ewal fees	(iii) s required	pays to the Board a reinstatement fee [of \$100, in addition to all SET BY THE BOARD.
32	9-405.			
33	(a)	An appl	icant for	a permit shall:

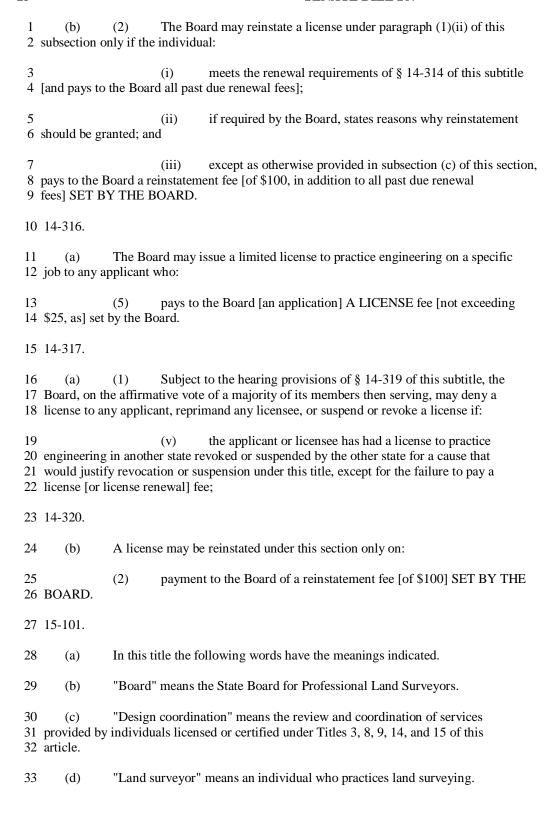


	[(f)] (G) work the performance application of:	(1) e of which	"Practice engineering" means to provide any service or creative in requires education, training, and experience in the			
4 5	engineering sciences;	(i) and	special knowledge of the mathematical, physical, and			
6		(ii)	the principles and methods of engineering analysis and design.			
	(2) process, works, systemicludes:		d to a building or other structure, machine, equipment, t, or public or private utility, "practice engineering"			
10		(i)	consultation;			
11		(ii)	design;			
12		(iii)	evaluation;			
13 14	specifications and dr	(iv) awings;	inspection of construction to ensure compliance with			
15		(v)	investigation;			
16		(vi)	planning; and			
17		(vii)	design coordination.			
18 19	(3) performance of nonte		e engineering" does not include the exclusive and sole management activities.			
20 21			sional engineer" means, unless the context requires otherwise, y the Board to practice engineering.			
	[(h)] (I) (1) "Responsible charge" means direct control and personal supervision of engineering that requires initiative, professional skill, and independent judgment.					
25	(2)	"Respon	sible charge" includes responsible engineering teaching.			
26	14-207.					
		ne Board	y person and payment of a VERIFICATION fee [of \$10] SET shall certify the licensing status and qualifications of any of the request.			
30	(b) Each ce	rtification	n under this section:			
31 32	(1) is the subject of the r		clude a statement of the licensing status of the individual who and			



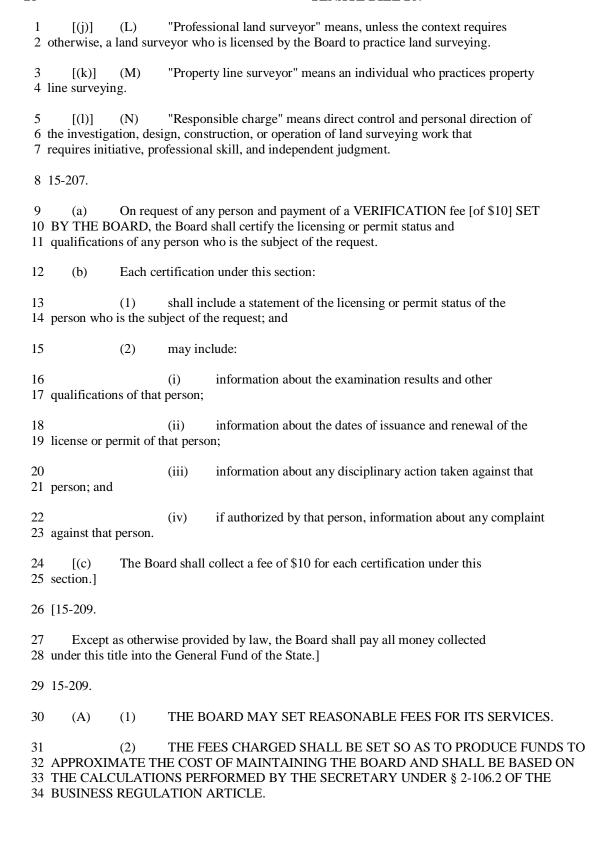
1 2	AND	(I)	A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD;
3 4	the cost of the requir	(II) red exami	an examination fee set by the Board in an amount not to exceed nations.
5	14-310.		
6	(c) (1)	An app	licant for early examination shall:
7 8	provides; and	(i)	submit to the Board an application on the form that the Board
9		(ii)	pay to the Board or the Board's designee:
10 11	BOARD; AND		1. A NONREFUNDABLE APPLICATION FEE SET BY THE
12 13	exceed the cost of the	ne examin	2. an examination fee set by the Board in an amount not to action.
	(e) under this section as the Board shall:		dividual passes a fundamentals of engineering examination are Board a certification fee [of \$15] SET BY THE BOARD,
17	(1)	keep a	record that the individual passed the examination; and
	(2) an engineer-in-train sets forth:		the individual a certificate that states that the individual is se the individual has passed the examination and that
21		(i)	the full name of the individual;
22 23	and	(ii)	a certificate number assigned by the Board to the individual;
24 25	under seal of the Bo	(iii) oard.	the signatures of the chairman and secretary of the Board,
26	14-311.		
27	(b) The Bo	oard may	issue a license under this section only if the applicant:
28	(2)	pays to	the Board:
29 30	AND	(I)	A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD;
31 32	of this subtitle] SET	(II) BY THE	a license fee [of \$100 in lieu of any fee required under § 14-312 EBOARD; and

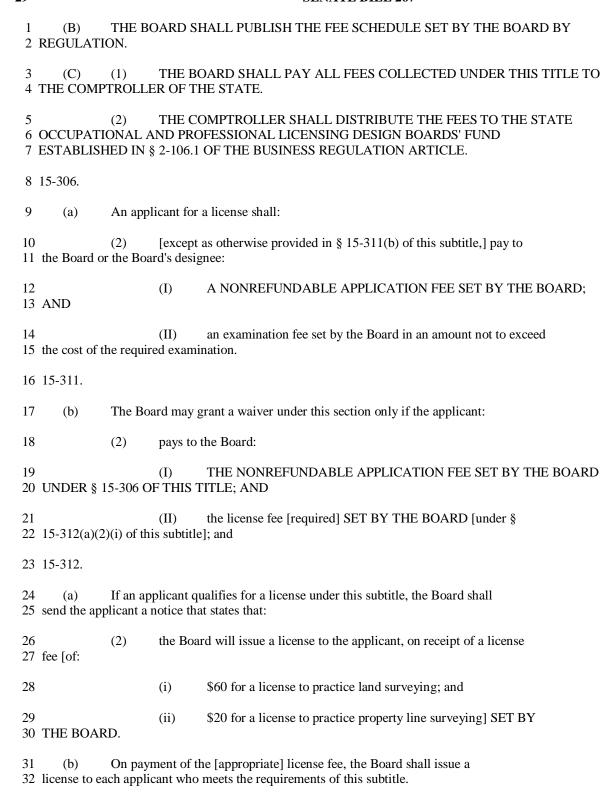




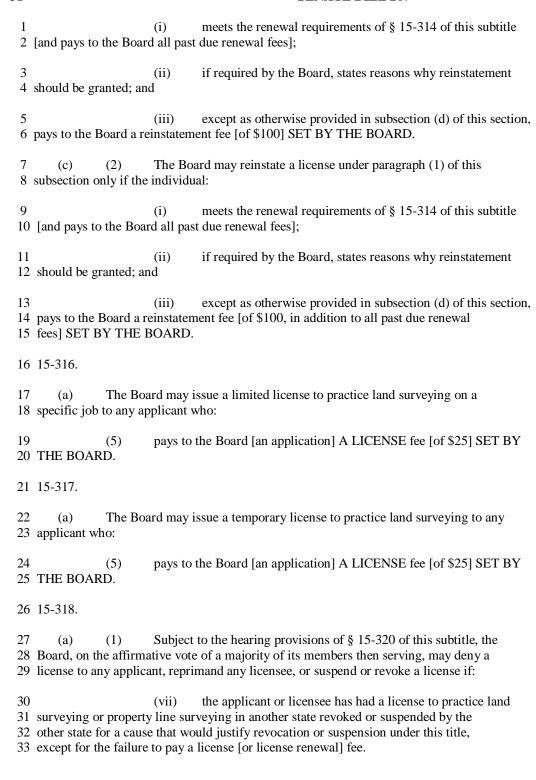
1 2	(e) issued by the	(1) Board to			unless the context requires otherwise, a license
3			(i)	land surv	reying; or
4			(ii)	property	line surveying.
5		(2)	"License	e" include	s, unless the context requires otherwise:
6			(i)	a license	to practice land surveying;
7			(ii)	a license	to practice property line surveying;
8			(iii)	a limited	license issued under § 15-316 of this title; and
9			(iv)	a tempor	ary license issued under § 15-317 of this title.
		ISSUAN	CE AND	RENEW	, AS APPLICABLE, THE FEE PAID IN CONNECTION VAL OF A LICENSE AND THE ISSUANCE OF A LIMITED AND RECIPROCAL LICENSE.
	- (/ -				y line surveyor" means, unless the context requires is licensed by the Board to practice property
	issued by the		o allow a	corporati	unless the context requires otherwise, a permit on or partnership to operate a business ce land surveying or property line surveying.
19 20	()				AS APPLICABLE, THE FEE PAID IN CONNECTION VAL OF A PERMIT.
23	application of	of special	knowled	e perform ge of the	land surveying" means any service, work, ance or preparation of which requires the principles of mathematics, the related physical nts of the relevant law, as applied to:
27		the beds	s of bodie	the air, or es of wate	ig, platting, and locating lines, angles, elevations, in the surface of the earth, in underground if for the purpose of determining and reporting es;
	locating or real property			g or reset	ng or replatting, establishing or reestablishing, ting the monumentation for boundaries of ay;
32 33	drawings, in	cluding:	(iii)	platting,	layout, and preparation of surveys, plats, plans, and
34				1.	site plans;

1			2.	subdivision plans;
2			3.	subdivision plats;
3			4.	condominium plats;
4			5.	right-of-way and easement plats; and
5			6.	other recordable plats;
	stake-out of proposed as-constructed survey			ing horizontal and vertical control surveys, layout or the preparation and platting of
11		or simila	oning sys r technol	measurement devices or systems, such as aerial stems, land information systems, geographic ogy for evaluation or location of boundaries of vay; and
15		n are in a	plans for accordance	nction with the site development or subdivision of land, the following projects, provided that such ce with design manuals, details, and lauthority:
17			1.	road and street grades;
18			2.	sediment and erosion control measures;
19 20	management systems	; and	3.	nonpressurized closed storm drainage and stormwater
21 22	management systems		4.	open conduit storm drainage and stormwater
23 24	(2) specifications for:	"Practic	e land su	rveying" does not include the design, preparation, or
25 26	distribution systems;	(i)	commur	nity water or wastewater treatment collection or
27		(ii)	commun	nity pumping or lift stations; or
28 29	control or stormwater	(iii) r manage		nical or structural design components of sediment ads or basins.
30 31	[(i)] (K) surveying, except for	(1) the servi		e property line surveying" means to practice land ided under paragraph (2) of this subsection.
32 33	(2) of the services descri			y line surveying" does not include the performance [(h)(1)(vi)] (J)(1)(VI) of this section.





1 2	(d) Su mutilated, or de			hat the Board adopts, it shall replace any lost, ee on:	
3	(1)) req	uest of the lice	ensee; and	
4 5	\$35].) pay	ment of the re	eplacement fee set by the Board[, not exceeding	
6	15-314.				
7 8	(b) (1) licensee, at the l			before a license expires, the Board shall mail to the e licensee:	
9		(i)	a renewa	al application form; and	
10		(ii)	a notice	that states:	
11			1.	the date on which the current license expires;	
12 13	application for	the renew	2. al to be issued	the date by which the Board must receive the renewa and mailed before the license expires; and	
14			3.	the amount of the [renewal] LICENSE fee.	
15 16	5 (c) Before a license expires, the licensee periodically may renew it for an 6 additional 2-year term, if the licensee:				
17	(2) pay	s to the Board	a [renewal] LICENSE fee [of:	
18		(i)	\$60 for a	a license to practice land surveying; or	
19 20	THE BOARD;	(ii) and	\$40 for a	a license to practice property line surveying] SET BY	
21	15-315.				
22 23	(a) The has failed to rea			he license of an individual who, for any reason, lividual:	
24 25	(1) license expires;		olies to the Boa	ard for reinstatement within 2 years after the	
26 27	pays to the Boa			l requirements of § 15-314 of this subtitle [and rees]; and	
	the Board a rein	nstatemen		se provided in subsection (d) of this section, pays to in addition to all past due renewal fees] SET	
31 32	(b) (2) subsection only			einstate a license under paragraph (1) of this	



1	15-321.				
2	(b)	A licens	e may be	reinstated under this section only on:	
3	serving; and	(1)	the affir	mative vote of a majority of the members of the Board then	
5 6	BOARD.	(2)	paymen	t to the Board of a reinstatement fee [of \$100] SET BY THE	
7	15-403.				
8	An appl	icant for a permit shall:			
9 10	provides; an	(1) d	submit t	o the Board an application on the form that the Board	
11 12	SET BY TH	(2) E BOAR		ne Board [an] A NONREFUNDABLE application fee [of \$150]	
13	15-404.				
14 15	The Board shall issue a permit to each applicant who meets the requirements of this subtitle AND PAYS TO THE BOARD A PERMIT FEE SET BY THE BOARD.				
16	15-406.				
17 18	(b) At least 1 month before a permit expires, the Board shall mail to the permit holder, at the last known address of the holder:				
19		(2)	a notice	that states:	
20			(i)	the date on which the current permit expires;	
21 22	application f	for the rea	(ii) newal to	the date by which the Board must receive the renewal be issued and mailed before the permit expires; and	
23			(iii)	the amount of the [renewal] PERMIT fee.	
24 25	(c) Before a permit expires, the permit holder periodically may renew it for an additional 2-year term, if the holder:				
26 27	BOARD.	(2)	pays to	the Board a [renewal] PERMIT fee [of \$150] SET BY THE	
30 31 32	SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of Certified Interior Designers shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee on or before October 1, 2003, in accordance with § 2-1246 of the State Government Article, on the implementation of the recommendations of the Department of Legislative Services contained in the sunset evaluation report dated October 2002.				

- 1 SECTION 4. AND BE IT FURTHER ENACTED, That any member of the State
- 2 Board of Certified Interior Designers who has served more than two consecutive
- 3 terms may continue to serve the remainder of the term, or until the member's
- 4 successor is appointed. On the expiration of two consecutive full terms the member
- 5 shall be ineligible, for one year thereafter, for reappointment to the Board.
- 6 SECTION 5. AND BE IT FURTHER ENACTED, That any officer of the State
- 7 Board of Certified Interior Designers who has served more than three consecutive
- 8 years may continue to serve the remainder of the term, or until the officer's successor
- 9 is appointed. On the expiration of three consecutive years the member shall be
- 10 ineligible, for one year thereafter, for reappointment as an officer of the Board.
- 11 SECTION 6. AND BE IT FURTHER ENACTED, That the State Board of
- 12 Architects, the State Board of Certified Interior Designers, the State Board of
- 13 Examiners of Landscape Architects, the State Board for Professional Engineers, and
- 14 the State Board for Professional Land Surveyors shall report, in accordance with §
- 15 2-1246 of the State Government Article, on or before:
- 16 (1) June 1, 2003, to the Senate Budget and Taxation Committee, the
- 17 House Appropriations Committee, and the Legislative Auditor on the accuracy and
- 18 completeness of the direct costs allocated to the design boards; and
- 19 (2) October 1, 2004, and by October 1 of each subsequent year, to the
- 20 Senate Budget and Taxation Committee, the Senate Education, Health, and
- 21 Environmental Affairs Committee, the House Appropriations Committee, and the
- 22 House Economic Matters Committee on the implementation of the Occupational and
- 23 Professional Licensing Design Boards' Fund established under Section 2 of this Act.
- 24 SECTION 7. AND BE IT FURTHER ENACTED, That any fees repealed under
- 25 this Act shall remain in full force and effect until the fees authorized to be set in
- 26 accordance with Section 2 of this Act are adopted and made effective.
- 27 SECTION 8. AND BE IT FURTHER ENACTED, That Sections 2, 6, and 7 of
- 28 this Act shall remain effective for a period of 5 years and 1 month and, at the end of
- 29 June 30, 2008, with no further action required by the General Assembly, these
- 30 sections shall be abrogated and of no further force and effect.
- 31 SECTION 9. AND BE IT FURTHER ENACTED, That Sections 1, 3, 4, and 5 of
- 32 this Act shall take effect July 1, 2003.
- 33 SECTION 10. AND BE IT FURTHER ENACTED, That, except as provided in
- 34 Section 9 of this Act, this Act shall take effect June 1, 2003.