

Subsection (a) of this section is revised to clarify the authority of the Board -- under its broad rulemaking powers -- to set reasonable fees for its various services, in addition to those stated expressly in the present law.

As to subsection (b) of this section, the third sentence of present Art. 43, § 726(d)(7), which requires that disbursement of funds be in accordance with Art. III, §§ 32 and 52 of the State Constitution and Art. 15A, §§ 1 through 15 of the Code, which relate to disbursement from the General Fund of this State, is deleted as implicit in the requirement that funds are part of the General Fund of this State.

### SUBTITLE 3. CERTIFICATION.

#### 17-301. CERTIFICATION REQUIRED.

AN INDIVIDUAL SHALL BE CERTIFIED AS A REGISTERED SANITARIAN BY THE BOARD BEFORE THE INDIVIDUAL MAY:

- (1) USE THE TITLE "REGISTERED SANITARIAN";
- (2) USE THE INITIALS "R.S." AFTER THE NAME OF THE PERSON; OR
- (3) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS A REGISTERED SANITARIAN.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, §§ 735 and 736(a).

This title varies significantly from most of the other titles of this article with respect to the nature of the rights and privileges that it addresses. This title does not regulate the practice of sanitation -- it does not even define that term -- but it does prohibit the use of the title "registered sanitarian", the use of the initials "R.S.", and certain representations by an individual who is not certified under this title. Therefore, the terms "certified" and "certification" are used to describe the rights and privileges that the Board may grant under this title and to distinguish that grant from a "license", which conveys a right or privilege to practice. See Pitts v. State Board of Examiners of Psychologists, 222 Md. 224 (1960).

It is called to the attention of the General Assembly that there is no statutory prohibition against representing oneself as a sanitarian in training.