



*Maryland Society of Professional Engineers*

- **Hubble Mod Program Topic for Annual Meeting at Goddard Space Flight Center on May 31**
- **Legislature Fixes Certificate of Merit Law, Survey Statute of Repose**
- **Mechanic's Lien Bill Dies in Senate Committee**
- **Legislature Toughens Law on Disciplinary Actions for Design Professions**
- **State Senate Approves 2 New Members for State P.E. Board**
- **Professional Development Workshops at Catonsville on June 27**
- **MDSPE Officers Chosen for 2005-2006**

## **Hubble Mod Program Topic for MDSPE Annual Meeting at Goddard May 31**

With a new space shuttle mission to service the Hubble Space Telescope now a distinct possibility, MDSPE members will hear plans for the mission at our annual meeting on May 31 from Wayne Burdick, Lockheed Martin's Ground Systems Program manager for the Hubble program. The presentation will follow a networking social hour and dinner at Goddard Space Flight Center, Greenbelt. The evening will be capped off with the installation of officers and directors for the society's 2005-06 year.

Michael D. Griffin, P.E., who took over the National Aeronautics and Space Administration only a month ago, told a Senate hearing yesterday that he is willing to pull money out of the research program for the space station to pay for a potential shuttle mission to service the Hubble. Although his predecessor, Sean O'Keefe, canceled a fifth and final shuttle servicing mission to the popular telescope early last year, Griffin has not only opened the door to such a trip but told engineers at Goddard Space Flight Center in Greenbelt to start planning it, according to a report in last Friday's *Baltimore Sun*.

Without this scheduled servicing, the Hubble will cease to operate. Last month MDSPE members had the opportunity to hear about the scientific and engineering challenges that have already surfaced at a meeting sponsored by the Baltimore Chapter at the Space Telescope Science Institute on the campus of the Johns Hopkins University. There they were addressed by the Hubble Science and Operations Center Mission Manager and Associate Director for Science. They also saw a presentation on the proposed robotic servicing option and got an inside view of the Hubble Control Room with guided tours.

Goddard is home to the Nation's largest organization of combined scientists and engineers dedicated to learning and sharing their knowledge of the Earth, solar system, and Universe. The mission of the Goddard center is to expand knowledge of the Earth and its environment, the solar system and the universe through observations from space.

Reservations for the meeting must be received by Friday, May 27. Only U.S. citizens may participate.

## **Legislature Fixes Certificate of Merit Law, Survey Statute of Repose**

The General Assembly has amended the statute requiring a certificate of merit before the filing of a lawsuit against a design professional to include corporations, partnerships or other entities through which a licensed design professional works. The amendment overrides a decision by the Court of Appeals that interpreted the law as applying only to individuals. MDSPE supported the amendment with testimony before a Senate Committee.

The legislature also amended the Courts & Judicial Proceedings Article by reducing the time in which a person may seek recovery for damages incurred for an error in a survey of land from 20 to 15 years after the survey, or within years after the discovery of the error, whichever comes first. The statute of repose for architects and professional engineers is 10 years from the date the improvement becomes available for its intended use. MDSPE also supported the amendment with testimony before a Senate Committee.

## **Mechanic's Lien Bill Dies in Senate Committee**

A bill that would have clarified the application of the mechanic's liens law for professional engineers, landscape architects and surveyors passed the House of Delegates but failed to come out of the Senate committee. It had been opposed on the basis that it expanded the law with respect to the precise scope of services covered.

Delegate Chris Shank, the bill's sponsor, sought the opinion from the Attorney General's Office of Counsel to the General Assembly.

### **Mechanic's Lien Bill Dies in Senate Committee** (continued)

Assistant Attorney General Kathryn M. Rowe told Delegate Shank that an architect or engineer who under a contract prepares plans for a building which are used in that building is within the literal coverage of Code Article 63 § 1, which gives a lien on a building for payment of all debts contracted for work done for or about the same. Preparation of plans used in the erection of a building literally is work done for the building.

Ms. Rowe wrote that case law makes it clear that architectural and similar services are included within the mechanic's lien law, but leave the exact services that fall within the scope of "work done for or about the building and for materials furnished for or about the building" somewhat uncertain.

With the opinion, Del. Shank says he intends to introduce the bill again next year.

### **Legislature Toughens Law on Disciplinary Actions for Design Professions**

Gov. Ehrlich has signed a bill that lowers the standard for specified disciplinary actions against applicants, licensees, and certificate holders for the PE Board and the four other design professional boards. The act removes the requirement that an individual "knowingly" committed a violation. It also broadens the scope of violations for which the boards may take a disciplinary action against these individuals by making a violation of any regulation, adopted by each regulated profession's respective board, including the code of ethics, to be the basis for a disciplinary action." "Knowingly" has been interpreted as meaning "consciously and intentionally."

### **State Senate Approves 2 New Members for State P.E. Board**

MDSPE Member Pastor Farinas, P.E., and Bowie area resident Sandra Murphy have been approved by the State Senate as new members of the Maryland State Board for Professional Engineers and will assume their seats on July 1. Farinas, an electrical engineer, was appointed by the Governor to succeed Board Chair Mel Hotz, P.E., also an MDSPE member, who has served three 5-year terms on the Board. Murphy will assume the seat of public member Michael Howard.

### **June 27 & 28 Dates for Three MDSPE Professional Development Workshops**

MDSPE will conduct three professional development workshops in late June on the Catonsville campus of the Community College of Baltimore County.

- **June 27 – Design; and Construction of Bioretention Systems**, conducted by Michael Clar, P.E. and Derek Winogradoff
- **June 27 – Legal Research for Boundary Surveys** (morning session) and **Extrinsic Evidence for Land Surveyors**, conducted by Joel Leininger
- **June 27-28 – Highway Geometric Design with Extensive Coverage of the AASHTO Green Book**, conducted by Manoj Jha, P.E., PhD.

### **Officers to Be Installed for 2005-2006**

**John A. Rutt, P.E.** heads the MDSPE slate of officers to be installed for our 2005-2006 fiscal year at the annual meeting on May 31. Mr. Rutt, principal engineer with SMECO in Hughesville, has served as president-elect for the past year.

**Manoj K. Jha, P.E., PhD**, will move up from vice president to president-elect. Dr. Jha is an assistant professor in the department of civil engineering at Morgan State University. **Issa Khozeimeh, P.E., PhD**, will serve a second term as vice president. He is a division manager with the Metropolitan Washington Airport Authority. **David Thaler, P.E., FNSPE**, will join the officer ranks as a vice president. He is president of D.S. Thaler & Associates, a civil engineering firm specializing in land development issues. **Wallace S. North, Jr., P.E.**, will continue to serve as treasurer and **Eduardo Acevedo, P.E.**, will continue to serve as secretary. Mr. North is a civil engineer with the Hunt Valley office of George Miles & Buhr and Mr. Acevedo is retired.

### **Our Apologies**

We apologize to our members and others who received our recent mailing promoting the Land Development Conference in Baltimore after the conference ended. Two foul-ups occurred at the mailing house. First, they should have enclosed the flyer in an earlier mailing. Second, they agree to do a second mailing, which went out much later than promised *and* bulk rate instead of first class. Obviously we will not be using that mailing house again, and no, they're not being paid for the service or the postage expense.