

# HOUSE BILL 68

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11r0938  
CF 11r0939

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By: **The Speaker (By Request – Department of Legislative Services)**

Introduced and read first time: January 20, 2011

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration**  
3 **Contractors – Sunset Extension and Program Evaluation**

4 FOR the purpose of continuing the State Board of Heating, Ventilation,  
5 Air-Conditioning, and Refrigeration Contractors in accordance with the  
6 provisions of the Maryland Program Evaluation Act (sunset law) by extending  
7 to a certain date the termination provisions relating to the statutory and  
8 regulatory authority of the Board; requiring the Board to submit a certain  
9 report to certain committees of the General Assembly on or before a certain  
10 date; and generally relating to the State Board of Heating, Ventilation,  
11 Air-Conditioning, and Refrigeration Contractors.

12 BY repealing and reenacting, with amendments,  
13 Article – Business Regulation  
14 Section 9A-602  
15 Annotated Code of Maryland  
16 (2010 Replacement Volume and 2010 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – State Government  
19 Section 8-403(a)  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume and 2010 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article – State Government  
24 Section 8-403(b)(28)  
25 Annotated Code of Maryland  
26 (2009 Replacement Volume and 2010 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Business Regulation**

4 9A–602.

5 Subject to the evaluation and reestablishment provisions of the Maryland  
6 Program Evaluation Act, this title and all regulations adopted under this title shall  
7 terminate and be of no effect after July 1, [2013] **2023**.

8 **Article – State Government**

9 8–403.

10 (a) On or before December 15 of the 2nd year before the evaluation date of a  
11 governmental activity or unit, the Legislative Policy Committee, based on a  
12 preliminary evaluation, may waive as unnecessary the evaluation required under this  
13 section.

14 (b) Except as otherwise provided in subsection (a) of this section, on or before  
15 the evaluation date for the following governmental activities or units, an evaluation  
16 shall be made of the following governmental activities or units and the statutes and  
17 regulations that relate to the governmental activities or units:

18 (28) Heating, Ventilation, Air–Conditioning, and Refrigeration  
19 Contractors, State Board of (§ 9A–201 of the Business Regulation Article: July 1,  
20 [2012] **2022**);

21 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,  
22 2012, the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration  
23 Contractors shall submit a report to the Senate Education, Health, and  
24 Environmental Affairs Committee and the House Economic Matters Committee, in  
25 accordance with § 2–1246 of the State Government Article, that:

26 (a) assesses the feasibility of requiring counties to enforce the State  
27 mechanical code;

28 (b) states whether the Board has adopted a regulation exempting individuals  
29 who install thermostats or switches under the PeakRewards program from licensing  
30 requirements;

31 (c) if the Board has adopted a regulation exempting individuals who install  
32 thermostats or switches under the PeakRewards program from licensing  
33 requirements;

1           (1)    states whether the Board has verified that a public utility company  
2 or a designee of a utility has provided training and oversight to ensure that all  
3 unlicensed PeakRewards program work is performed in a safe manner;

4           (2)    summarizes complaints received by the Board related to the  
5 improper installation of thermostats or switches under the PeakRewards program;  
6 and

7           (3)    summarizes the Board's efforts to address:

8                   (i)    complaints received by the Board related to the improper  
9 installation of thermostats or switches under the PeakRewards program; and

10                   (ii)   the problems underlying the complaints;

11           (d)    states whether, after consulting with the Department of Budget and  
12 Management, the Department of Labor, Licensing, and Regulation is able to identify  
13 additional ways of enhancing the efficient resolution of consumer complaints; and

14           (e)    states whether the Board has:

15                   (1)    filled the final vacant consumer and industry member positions;  
16 and

17                   (2)    provided full geographic representation on the Board.

18           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 2011.