

SENATE BILL 92

C2

11r0939
CF HB 68

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

Introduced and read first time: January 21, 2011

Assigned to: Education, Health, and Environmental Affairs

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)

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.