

HB1309/613995/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1309
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Remediation” insert “Services”; in line 5, strike “Secretary” and substitute “Commission”; in line 7, after “in” insert “certain”; in line 10, after “Commission” insert “under this Act”; in the same line, strike “certain”; in line 11, strike “general liability”; in the same line, after “insurance;” insert “providing that licensees are not required to pay certain assessments;”; strike beginning with “providing” in line 11 down through “technicians;” in line 12 and substitute “establishing certain application procedures;”; in line 13, strike “and renewal”; in line 14, strike “Secretary” and substitute “Commission”; in line 15, strike “refuse to renew a license;”; strike beginning with “for” in line 17 down through “supervisors” in line 18; strike beginning with “employing” in line 18 down through “from” in line 19; strike beginning with “criminal” in line 19 down through “and” in line 20; and in line 20, strike “persons performing” and substitute “companies or firms providing”.

On page 2, after line 5, insert:

“BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 8-701 and 8-702 to be under the amended subtitle “Subtitle 8. Short

Title; Termination of Title”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 2, strike “**PERFORM OR ASSIST IN PERFORMING**” and substitute “**A COMPANY OR FIRM TO PROVIDE**”; strike beginning with “**AND**” in line 2 down through “**LICENSE**” in line 5; after line 20, insert:

(Over)

“(1) THE PERFORMANCE OF MOLD REMEDIATION ON NONRESIDENTIAL PROPERTY;”;

and in lines 21, 23, and 24, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively.

On page 4, in line 16, strike “INDIVIDUALS WHO PERFORM OR ASSIST IN PERFORMING” and substitute “COMPANIES AND FIRMS THAT PROVIDE”; and in line 22, after “POWERS” insert “AND DUTIES”.

On page 5, in line 1, strike “SUBSECTIONS (B) AND (C)” and substitute “SUBSECTION (B)”; strike beginning with “EXCEPT” in line 3 down through “REVENUES” in line 4 and substitute “REVENUES”; in line 9, strike “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A” and substitute “A”; in line 11, strike “ENGAGE IN THE BUSINESS OF” and substitute “PROVIDE”; in line 12, strike “GENERAL LIABILITY”; strike beginning with “A” in line 17 down through “FIRM” in line 20 and substitute “A PERSON LICENSED TO PROVIDE MOLD REMEDIATION SERVICES UNDER THIS SUBTITLE IS NOT REQUIRED TO PAY ASSESSMENTS TO THE FUND UNDER SUBTITLE 4 OF THIS TITLE”; strike beginning with “AN” in line 22 down through “INDIVIDUAL” in line 23 and substitute “A COMPANY OR FIRM”; in line 24, strike “INDIVIDUAL PERFORMS OR ASSISTS IN PERFORMING” and substitute “COMPANY OR FIRM PROVIDES”; and in lines 28, 29, and 30, in each instance, before “FIRM” insert “COMPANY OR”.

On pages 5 and 6, strike in their entirety the lines beginning with line 31 on page 5 through line 15 on page 6, inclusive.

On page 6, in line 17, strike “(A)”; strike beginning with “OF” in line 22 down through “REMEDIATOR” in line 23 and substitute “THAT EACH OF ITS EMPLOYEES”

WHO PROVIDES MOLD REMEDIATION SERVICES IS CERTIFIED BY AN ACCREDITATION BODY AS A MICROBIAL REMEDIATION SUPERVISOR OR MICROBIAL REMEDIATION TECHNICIAN"; in line 25, strike "IF APPLYING FOR A FIRM LICENSE,"; and in line 26, strike "GENERAL LIABILITY".

On page 7, strike in their entirety lines 3 through 10, inclusive; and in line 21, strike "WILL" and substitute "SHALL".

On page 8, in line 5, strike ", IF APPLICABLE"; strike beginning with "OF" in line 8 down through "REMEDIATOR" in line 10 and substitute "THAT EACH OF THE LICENSEE'S CURRENT EMPLOYEES WHO PROVIDES MOLD REMEDIATION SERVICES HOLDS AN ACTIVE CERTIFICATION FROM AN ACCREDITATION BODY AS A MICROBIAL REMEDIATION SUPERVISOR OR MICROBIAL REMEDIATION TECHNICIAN"; in line 21, strike "THE" and substitute "SUBJECT TO THE HEARING PROVISIONS OF § 8-712 OF THIS SUBTITLE, THE"; strike beginning with "AFTER" in line 22 down through "TITLE," in line 24; and in line 24, strike "INDIVIDUAL" and substitute "APPLICANT OR LICENSEE".

On page 9, in line 17, strike "VIOLATES" and substitute "VIOLATED"; and in line 18, strike "TITLE" and substitute "SUBTITLE".

On page 10, in line 6, strike "PERFORM" and substitute "PROVIDE"; in line 11, strike "SUBSECTION" and substitute "SECTION"; and in lines 15 and 23, in each instance, strike "INDIVIDUAL" and substitute "PERSON".

On page 11, in line 1, strike "LICENSED MOLD REMEDIATION SUPERVISOR OR TECHNICIAN" and substitute "LICENSEE"; in line 6, strike "PERFORMING" and substitute "PROVIDING"; strike beginning with "HOLDER" in line 12 down through "PERFORMING" in line 14 and substitute "PERSON MAY NOT PROVIDE"; in line 15, strike "INDIVIDUAL" and substitute "PERSON"; strike beginning with the first

(Over)

“LICENSED” in line 16 down through “SUPERVISOR” in line 17 and substitute “LICENSEE”; in line 18, in each instance, strike “PERFORM” and substitute “PROVIDE”; strike beginning with “THAT” in line 19 down through “SUPERVISOR” in line 20 and substitute “OR COMPANY OR ITS EMPLOYEES”; strike beginning with the first “LICENSED” in line 24 down through “SUPERVISOR” in line 26 and substitute “LICENSEE’S FIRM OR COMPANY OR ITS EMPLOYEES”; and in line 33, strike “PERFORM OR TO ASSIST IN PERFORMING” and substitute “PROVIDE”.

AMENDMENT NO. 3

On page 12, after line 8, insert:

“Subtitle [7.] 8. Short Title; Termination of Title.

[8-701.] 8-801.

This title is the Maryland Home Improvement Law.

[8-702.] 8-802.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate on October 1, 2012.”.

AMENDMENT NO. 4

On page 12, in line 8, strike “2013” and substitute “2015”; in line 20, strike “2012” and substitute “2015”; in line 21, strike “January” and substitute “June”; and in line 22, strike “person performing” and substitute “company or firm providing”.