

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1452

(Chair, Economic Matters Committee)(By Request -
Departmental - Labor, Licensing and Regulation)

Economic Matters

Education, Health, and Environmental Affairs

**Waiver of Examination Requirements - BRAC - Stationary Engineers, Plumbers,
Gas Fitters, and Heating, Ventilation, Air-Conditioning, and Refrigeration
Contractors**

This departmental bill exempts individuals licensed as stationary engineers; plumbers; gas fitters; and heating, ventilation, air-conditioning and refrigeration (HVACR) contractors in specified jurisdictions outside the State from the State's licensing examinations in those trades, if these individuals have relocated to the State because of a family member's reassignment due to the Base Realignment and Closure (BRAC) process. The request for a waiver must be made before July 1, 2012.

Fiscal Summary

State Effect: None. Individuals who relocate to Maryland because of BRAC and work in these trades will likely seek licensure anyway to maintain their businesses or employability. Therefore, potential increases in revenues from licensing fees are not necessarily a result of the bill.

Local Effect: None.

Small Business Effect: The Department of Labor, Licensing, and Regulation (DLLR) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Bill Summary: In general, if an individual from Virginia or New Jersey holds a stationary engineer's license or master plumber's license issued by those states, or for stationary engineers, by a locality in those states, and meets certain criteria established by the bill, that person is exempt from the applicable licensing examination to be licensed in Maryland.

If an individual from Virginia is licensed as a journey plumber, journey natural gas fitter, or holds an HVACR license, then the individual is also eligible for a waiver of the examination requirements to be licensed in the State, if certain criteria are met.

The criteria that applicants must meet to receive a waiver of examination requirements in each of these professional areas includes payment of a license application fee, proving requisite experience in the profession, demonstrating an intention to relocate permanently to the State, and a requirement that the out-of-state license be in good standing. Each State board must also require applicants seeking to waive the examination requirement based on relocation to the State through the BRAC process to provide documentation verifying that their relocation to the State is a direct result of a family member's involvement in the BRAC process.

Current Law: DLLR oversees licensing boards for stationary engineers, plumbers and gas fitters, and HVACR contractors in the State. Each board establishes standards for the industry. A State license for stationary engineers, plumbers, gas fitters, or HVACR contractors authorizes work throughout the State, with some exceptions.

The corresponding boards for stationary engineers, plumbers, and HVACR contractors have established requirements for waivers of examination requirements for individuals with licenses from other states. Gas fitters have no such waiver requirement under current law. In cases where waivers are available, they are contingent on the individual being licensed in a state that provides a professional courtesy to holders of a Maryland license who seek licensure in that state. In general, the current waiver requirements are more stringent than the requirements included in the bill.

Background: DLLR advises that it conducted an assessment of the opportunities for and impediments to employment in the State posed by occupational and professional licensing statutes for individuals and their family members required to move to Maryland as a result of BRAC. DLLR determined that there were impediments to licensure (and thus, employment) for affected individuals from Virginia and/or New Jersey for the occupations referenced in the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Labor, Licensing, and Regulation; Department of Legislative Services

Fiscal Note History: First Reader - March 23, 2009
ncs/mcr Revised - House Third Reader - April 9, 2009

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Waiver of Examination Requirements – Stationary Engineers, Plumbers,
Gas Fitters, and Heating, Ventilation, Air-Conditioning, and Refrigeration
Contractors

BILL NUMBER: HB 1452

PREPARED BY: Department of Labor, Licensing and Regulation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.