

# HOUSE BILL 136

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CF SB 149

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

Introduced and read first time: January 18, 2010

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Plumbing – Sunset Extension and Program Evaluation**

3 FOR the purpose of continuing the State Board of Plumbing in accordance with the  
4 provisions of the Maryland Program Evaluation Act (sunset law) by extending  
5 to a certain date the termination provisions relating to the statutory and  
6 regulatory authority of the Board; requiring that an evaluation of the Board and  
7 the statutes and regulations that relate to the Board be performed on or before  
8 a certain date; requiring the Department of Labor, Licensing, and Regulation to  
9 submit a certain report on or before a certain date; and generally relating to the  
10 State Board of Plumbing.

11 BY repealing and reenacting, with amendments,  
12 Article – Business Occupations and Professions  
13 Section 12–702  
14 Annotated Code of Maryland  
15 (2004 Replacement Volume and 2009 Supplement)

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

21 BY repealing and reenacting, with amendments,  
22 Article – State Government  
23 Section 8–403(b)(51)  
24 Annotated Code of Maryland  
25 (2009 Replacement Volume)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **Article – Business Occupations and Professions**

2   12–702.

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

6                   **Article – State Government**

7   8–403.

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

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

16                   (51)   Plumbing, State Board of (§ 12–201 of the Business Occupations  
17 and Professions Article: July 1, **[2012] 2022**);

18           SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,  
19 2011, the Department of Labor, Licensing, and Regulation shall submit a report to the  
20 Senate Education, Health, and Environmental Affairs Committee and the House  
21 Economic Matters Committee, in accordance with § 2–1246 of the State Government  
22 Article, on:

23                   (1)    the status of efforts to restructure the Division of Occupational and  
24 Professional Licensing to better serve the day–to–day operations of the State Board of  
25 Plumbing, particularly related to the Board’s complaint backlog and other  
26 responsibilities;

27                   (2)    the Board’s disposition of consumer complaints going back to at  
28 least fiscal year 2006, including the Board’s effectiveness in resolving complaints in a  
29 timely manner;

30                   (3)    the imposition of fines on licensees or individuals who engage in  
31 malpractice, in particular the frequency and average amount of such fines and  
32 whether or not industry regulation and consumer protection would benefit from  
33 increasing fine amounts;

1                   (4)    the size of the Board's fiscal year 2010 surplus or funding gap  
2 following the restructuring of the Division of Occupational and Professional Licensing  
3 and any changes to the Board's staffing or fees necessary to address the Board's fiscal  
4 status; and

5                   (5)    whether the Board has been successful in filling the vacant  
6 consumer member seat.

7                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 2010.