

SENATE BILL 149

C2

0lr1376
CF HB 136

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

Introduced and read first time: January 18, 2010

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 19, 2010

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 8–403(b)(51)
2 Annotated Code of Maryland
3 (2009 Replacement Volume)

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

6 **Article – Business Occupations and Professions**

7 12–702.

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

11 **Article – State Government**

12 8–403.

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

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

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,
24 2011, the Department of Labor, Licensing, and Regulation shall submit a report to the
25 Senate Education, Health, and Environmental Affairs Committee and the House
26 Economic Matters Committee, in accordance with § 2–1246 of the State Government
27 Article, on:

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

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.