

Chapter 126

(House Bill 84)

AN ACT concerning

State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors – Membership

FOR the purpose of increasing the number of members of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; and generally relating to the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A-202
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

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

Article – Business Regulation

9A-202.

- (a) (1) The Board consists of [7] 9 members.
- (2) Of the [7] 9 Board members:
 - (i) [3] 5 shall be master heating, ventilation, air-conditioning, and refrigeration contractors licensed in the State, a subdivision of the State, or another state provided that state has licensing requirements equivalent to the licensing requirements of this title;
 - (ii) 1 shall be a master electrician;
 - (iii) 1 shall be a master plumber; and
 - (iv) 2 shall be consumer members.
- (3) The Governor shall appoint the members of the Board with the advice of the Secretary and with the advice and consent of the Senate.

(b) Except for the initial members of the Board, of the members appointed under subsection (a)(2)(i), (ii), and (iii) of this section:

(1) 1 shall be from the area that consists of Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties;

(2) 1 shall be from the area that consists of Baltimore City, and Baltimore, Cecil, and Harford counties;

(3) 1 shall be from the area that consists of Anne Arundel, Calvert, Charles, and St. Mary's counties;

(4) 1 shall be from the area that consists of Howard, Montgomery, and Prince George's counties; and

(5) 1 shall be from the area that consists of Allegany, Carroll, Frederick, Garrett, and Washington counties.

(c) [(1) Two members of the Board may not be residents of the same city, county, or other political subdivision.

(2)] Each member of the Board shall be:

[(i)] (1) a citizen of the United States; and

[(ii)] (2) a resident of the State.

(d) (1) Each member appointed under subsection (a)(2)(i), (ii), and (iii) of this section:

(i) shall be an active contractor;

(ii) shall hold a current active license under this title or under a licensing program in a subdivision of the State; and

(iii) shall have provided services as a contractor for not less than 5 consecutive years immediately prior to the date of appointment.

(2) The master electrician member of the Board:

(i) shall be actively engaged in the electrical contracting business as a master electrician;

(ii) shall hold a current active license under this article; and

(iii) shall have been engaged in business as a master electrician for not less than 5 consecutive years immediately prior to the date of appointment.

(3) The master plumber member of the Board:

(i) shall be actively engaged in the plumbing contracting business as a master plumber;

(ii) shall hold a current active license under this article; and

(iii) shall have been engaged in business as a master plumber for not less than 5 consecutive years immediately prior to the date of appointment.

(e) Each consumer member of the Board:

(1) shall be a member of the general public;

(2) may not be a licensee or otherwise be subject to the regulation of the Board; and

(3) may not have had within 1 year before appointment a financial interest in or have received compensation from a person regulated by the Board.

(f) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(g) (1) The term of a member is 3 years.

(2) The terms of members are staggered as required by the terms provided for members of the Board on January 1, 1993.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) Board members are eligible for reappointment, but may not serve more than 2 consecutive terms.

(6) The Governor may remove a member for incompetence or misconduct.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010.

Approved by the Governor, April 13, 2010.