

# SENATE BILL 92

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11r0939  
CF HB 68

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

Introduced and read first time: January 21, 2011

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 15, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration**  
3 **Contractors – Sunset Extension and Program Evaluation**

4 FOR the purpose of continuing the State Board of Heating, Ventilation,  
5 Air-Conditioning, and Refrigeration Contractors in accordance with the  
6 provisions of the Maryland Program Evaluation Act (sunset law) by extending  
7 to a certain date the termination provisions relating to the statutory and  
8 regulatory authority of the Board; requiring the Board to submit a certain  
9 report to certain committees of the General Assembly on or before a certain  
10 date; and generally relating to the State Board of Heating, Ventilation,  
11 Air-Conditioning, and Refrigeration Contractors.

12 BY repealing and reenacting, with amendments,  
13 Article – Business Regulation  
14 Section 9A-602  
15 Annotated Code of Maryland  
16 (2010 Replacement Volume and 2010 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – State Government  
19 Section 8-403(a)  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume and 2010 Supplement)

22 BY repealing and reenacting, with amendments,

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**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 Article – State Government  
 2 Section 8–403(b)(28)  
 3 Annotated Code of Maryland  
 4 (2009 Replacement Volume and 2010 Supplement)

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

7 **Article – Business Regulation**

8 9A–602.

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

12 **Article – State Government**

13 8–403.

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

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

22 (28) Heating, Ventilation, Air–Conditioning, and Refrigeration  
 23 Contractors, State Board of (§ 9A–201 of the Business Regulation Article: July 1,  
 24 [2012] **2022**);

25 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,  
 26 2012, the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration  
 27 Contractors shall submit a report to the Senate Education, Health, and  
 28 Environmental Affairs Committee and the House Economic Matters Committee, in  
 29 accordance with § 2–1246 of the State Government Article, that:

30 (a) assesses the feasibility of requiring counties to enforce the State  
 31 mechanical code;

32 (b) states whether the Board has adopted a regulation exempting individuals  
 33 who install thermostats or switches under ~~the Peak Rewards program~~ public service  
 34 company demand response programs from licensing requirements;

1 (c) if the Board has adopted a regulation exempting individuals who install  
2 thermostats or switches under ~~the PeakRewards program~~ public service company  
3 demand response programs from licensing requirements:

4 (1) states whether the Board has verified that a public ~~utility~~ service  
5 company or a designee of a ~~utility~~ public service company has provided training and  
6 oversight to ensure that all unlicensed ~~PeakRewards~~ demand response program work  
7 is performed in a safe manner;

8 (2) summarizes complaints received by the Board related to the  
9 improper installation of thermostats or switches under ~~the PeakRewards program~~  
10 public service company demand response programs; and

11 (3) summarizes the Board's efforts to address:

12 (i) complaints received by the Board related to the improper  
13 installation of thermostats or switches under ~~the PeakRewards program~~ public service  
14 company demand response programs; and

15 (ii) the problems underlying the complaints;

16 (d) states whether, after consulting with the Department of Budget and  
17 Management, the Department of Labor, Licensing, and Regulation is able to identify  
18 additional ways of enhancing the efficient resolution of consumer complaints; and

19 (e) states whether the Board has:

20 (1) filled the final vacant consumer and industry member positions;

21 and

22 (2) provided full geographic representation on the Board.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July 1, 2011.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.