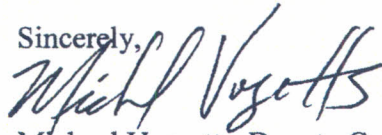


Dear Chair Conway and Chairman Davis:

I herewith transmit on behalf of the Department of Labor, Licensing and Regulation and the State Board of Master Electricians, the follow up report required by Chapter 201 of 2011 and specified in the 2010 *Sunset Review: Evaluation of the State Board of Master Electricians* published October 29, 2010.

Should you or any of your committee members have any follow-up questions or concerns regarding the report, please do not hesitate to contact me directly. I can be reached by telephone at (410) 230-6225 or by e-mail at [mvorgetts@dllr.state.md.us](mailto:mvorgetts@dllr.state.md.us).

Sincerely,



Michael Vorgetts, Deputy Commissioner

cc: Scott R. Jensen, Interim Secretary  
Harry Loleas, Commissioner  
Frank Mancini, Chair  
Steven Smitson, Assistant Commissioner  
Jill Porter, Legislative Director  
Laura McCarty, Senior Manager  
Michael Rubenstein, Principal Policy Analyst  
Sara Fidler, Committee Analyst  
Laura Atas, Committee Analyst

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**FOLLOW-UP REPORT TO THE SENATE EDUCATION, HEALTH, AND  
ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC  
MATTERS COMMITTEE**

Uncodified language included in Chapter 201 of 2011 required the State Board of Master Electricians, in conjunction with the Department of Labor, Licensing and Regulation (DLLR), to submit a follow-up report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee by October 1, 2012, to address several issues identified in the 2010 Sunset Evaluation of the State Board of Master Electricians conducted by the Department of Legislative Services. Specifically, Chapter 201 required the Board and DLLR to report on the following issues:

1. the enforcement of the reporting requirements established under Chapter 163 of 2002;
2. the implementation of continuing education requirements for master electricians;
3. the findings of DLLR's Division of Occupational and Professional Licensing regarding the appropriate membership of the Board, including whether it remains feasible to have three consumer member positions; and
4. whether to limit the number of employees that may work under a qualified license.

DLLR and the Board have submitted the following comments regarding the issues raised in the 2010 sunset evaluation.

**1. Enforcement of reporting requirement established under Chapter 163 of 2002.**

Chapter 163 of 2002 required, among other things, that by December 1 of each year, each licensing jurisdiction submit to the Board the number of complaints against master electricians who are licensed in the local jurisdiction. The 2010 sunset review found that reporting by local jurisdictions has been sparse Chapter 163 took effect in 2002.

The Division of Occupational and Professional Licensing acknowledges the importance of information sharing between State and local regulators. Since the 2010 sunset review Board members and Department staff have continued to participate with the Maryland Uniform Electric Licensing Exam Committee (MUELEC) and regularly communicate with local officials. The Board is currently recruiting for a vacant executive director position; once this position is filled, communication with local regulators will improve.

**2. Implementation of continuing education requirements.**

Chapter 201 of 2011 required individuals licensed with the Board to meet continuing education requirements as a condition of license renewal; the Board is required to adopt specific continuing education requirements for licensed electricians by regulation.

The Board approved language for proposed regulations related to the continuing education requirement. The proposed action is currently being reviewed internally by the Department and it is expected to be submitted to the Joint Committee on Administrative, Executive and Legislative Review by the end of calendar 2012.

### **3. Appropriate membership of the Board.**

The Board consists of nine members appointed by the Governor with the advice and consent of the Senate. Six represent the industry and must hold an active State master electrician's license. The remaining three members represent consumer interests. To ensure statewide representation on the Board, each industry member must represent one of six geographical regions designated in statute. A provision prohibiting consumer members from residing in the same county as another member of the Board is intended to ensure additional geographical distribution of membership. Board members serve three-year staggered terms and may not be reappointed for more than two consecutive terms.

Currently, all of the industry seats on the Board are filled while the three consumer member positions are vacant. The Board has not had a consumer representative since May 2010.

The requirement for three consumer seats on the Board is not in line with the composition of two similar boards: the State Board of Plumbing and the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors. These two boards have the same total number of members as the Board, but only two seats on are required to be consumer members. Given this inconsistency and the fact that the Board only issues "passport" licenses and, thus, receives very few complaints, the Department advises that reducing the number of consumer seats on the Board would not be inappropriate or out of line with the structure of similar boards.

### **4. Limitation of the number of employees who may work under a qualified license.**

The Board licenses only master electricians and offers three categories of this license: active, inactive, and qualified agent. There are approximately 2,700 qualified agents licensed with the Board as of September 2012. Qualified agents assign their license to a person who provides electrical services. Under the exemptions provided by law, individuals working for the company may conduct electrical work, and the qualified agent assumes responsibility for that work. State law does not limit the number of electricians who may work under the authority of a qualified agent. Nevertheless, all electrical work requiring a permit must occur under the supervision of an active master electrician.

The Board has not formally discussed or contemplated taking action to limit the number of individuals who may work under a qualified license. Moreover, electricians in Maryland must have a license issued by a local jurisdiction in order to practice. Local

jurisdictions may take action to limit the number of individuals who work under a license.