

HOUSE BILL 333

M3
HB 1533/20 – ENT

(PRE-FILED)

1lr1009

By: **Delegate Clark**

Requested: October 16, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Marine Contractor License – Performance of Services – Licensing Requirements**
3 **and Fees**

4 FOR the purpose of altering the circumstances under which an individual who is employed
5 by an agency of the State is authorized to perform marine contractor services without
6 having to obtain a marine contractor license; authorizing an individual who is
7 employed by a county or municipality in the State to perform marine contractor
8 services while in the performance of the duties of their employment without having
9 to obtain a marine contractor license under certain circumstances; exempting certain
10 individuals who perform marine contractor services while in the performance of the
11 duties of their employment from paying certain fees; and generally relating to
12 marine contractor licenses and fees.

13 BY repealing and reenacting, with amendments,
14 Article – Environment
15 Section 17–301
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2020 Supplement)

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

Article – Environment

20 17–301.

22 (a) Except as otherwise provided in this title, a person shall be licensed by the
23 Board as a marine contractor or be employed by an individual or entity that is licensed as
24 a marine contractor before the person may:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Perform marine contractor services in the State; or

2 (2) Solicit to perform marine contractor services in the State.

3 (b) An individual or an entity may qualify for a license.

4 (c) An individual who is employed by an agency of the federal government [or the
5 State] may perform marine contractor services while in the performance of the duties of
6 their employment without having to obtain a license from the Board under this title.

7 (d) A residential or commercial property owner may perform marine contractor
8 services on the property owner's own property without having to obtain a license from the
9 Board under this title.

10 **(E) (1) THIS SECTION APPLIES TO AN INDIVIDUAL WHO IS EMPLOYED BY**
11 **AN AGENCY OF THE STATE OR A COUNTY OR MUNICIPALITY IN THE STATE.**

12 **(2) AN INDIVIDUAL WHO PERFORMS MARINE CONTRACTOR SERVICES**
13 **WHILE IN THE PERFORMANCE OF THE DUTIES OF THEIR EMPLOYMENT IS NOT**
14 **REQUIRED TO PAY A FEE FOR:**

15 **(I) THE ISSUANCE OR RENEWAL OF A LICENSE; OR**

16 **(II) A TEST ADMINISTERED BY THE BOARD.**

17 **(3) AN INDIVIDUAL MAY PERFORM MARINE CONTRACTOR SERVICES**
18 **WHILE IN THE PERFORMANCE OF THE DUTIES OF THEIR EMPLOYMENT WITHOUT**
19 **HAVING TO OBTAIN A LICENSE FROM THE BOARD UNDER THIS TITLE IF THE**
20 **INDIVIDUAL IS PERFORMING MARINE CONTRACTOR SERVICES FOR:**

21 **(I) THE CONSTRUCTION OF A TIDE GATE DESIGNED TO**
22 **PREVENT THE ENCROACHMENT OF SALTWATER;**

23 **(II) THE ROUTINE MAINTENANCE, REPAIR, OR REPLACEMENT**
24 **OF A TIDAL IMPOUNDMENT DIKE, AN AGRICULTURAL DRAINAGE DITCH, A HIGHWAY**
25 **DRAINAGE DITCH, A ROADSIDE DRAINAGE DITCH, OR AN OUTLET FOR A ROADSIDE**
26 **DRAINAGE DITCH; OR**

27 **(III) ANY OTHER MARINE CONTRACTOR SERVICE THAT THE**
28 **BOARD DETERMINES WOULD PRESENT A DE MINIMIS RISK TO HUMAN HEALTH OR**
29 **THE ENVIRONMENT.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2021.