



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

January 15, 2021

The Honorable Kumar Barve
Chair, Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401

The Honorable Dana Stein
Vice Chair, Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401

Re: Letter of Information – House Bill 333 – Marine Contractor License – Performance of Services – Licensing Requirements and Fees

Dear Chair, Vice Chair and Committee Members,

House Bill 333, a reintroduction of HB 1533 of the 2020 Legislative Session, seeks to allow counties and municipalities increased flexibility to perform a limited subset of marine work without employees needing a Marine Contractors License. This exemption would apply to the construction of tide gates, the maintenance or repair of drainage ditches, or other work the Maryland Marine Contractors Licensing Board determines would present a “de minimis” risk to human health or the environment.

However, as quietly amended during the 2020 Legislative Session and reintroduced for the 2021 Legislative Session, HB 333 contains a highly problematic and unjustified change in the status quo for marine work performed by DNR and our sister agencies. Rather than retaining the current ability to perform activities such as routine maintenance on public assets as well as sunken and abandoned vessel removal, multiple entities in the department are required to maintain a Marine Contractors License. Due to the rigours of the license requirements and the size of the impacted workforce, the department would be unable to sustain its current level of service, thereby risking the health and safety of our fellow Marylanders.

An alternative for the department to comply with HB 333 while attempting to meet our current level of service would be for all necessary marine work to be contracted out. While the department does rely on private marine contractors on specific occasions, their exclusive use to meet our mission would be far more expensive than can be done in-house and much slower given procurement process requirements. The State would be spending more taxpayer dollars to achieve fewer projects for the public.

Contact: James W. McKittrick, Director, Legislative and Constituent Services
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The department thanks the bill's sponsor for recognizing HB 333's unjustified impact on safe navigation, marinas, fish hatcheries, boat ramps, and fishing piers -- not to mention the legal ambiguities raised by the Maryland Department of the Environment. We fully support his amendment to remove the State from the provisions of the bill.

Respectfully submitted,

James W. McKitrick
Director, Legislative and Constituent Services

cc: The Honorable Jerry Clark