



# Maryland

## Department of the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

February 8, 2022

The Honorable Paul G. Pinsky, Chair  
Education, Health, and Environmental Affairs Committee  
Miller Senate Office Building, Suite 2W  
Annapolis, Maryland 21401

### **Re: Senate Bill 454 - Marine Contractor License - Performance of Services - Licensing Requirements and Fees**

Dear Chair Pinsky and Members of the Committee:

The Maryland Department of the Environment (Department or MDE) has reviewed SB 454, entitled *Marine Contractor License - Performance of Services - Licensing Requirements and Fees*, and would like to share some information regarding this legislation.

Though SB 454 is similar to HB 333 from the 2021 legislative session, there are some substantive differences. HB 333 proposed to remove the existing blanket exemption to the license requirement for state employees in §17-301 of the Environment Article, while SB 454 reinstates this exemption. The bill does provide a narrow exemption for an individual employed by a county or municipality in the state to perform a limited subset of marine contractor services without a license. This exemption would apply to the routine maintenance or repair of a tidal impoundment dike, an agricultural drainage ditch, a highway drainage ditch, a roadside drainage ditch, an outlet for a roadside ditch or other work the Marine Contractors Licensing Board (Board or MCLB) determines would present a “de minimis” risk to human health or the environment. Work outside this scope would require an individual employed by a county or municipality to obtain a marine contractors license. However, this bill does not require counties and municipalities to pay the fee for both the issuance or renewal of a license or the test material, which is currently required by law.

Licensing and testing fees are deposited into a Special Fund, which are then used by the MCLB for the cost of the operations. There will potentially be a decrease in revenue to the Special Fund from these payments, which comprise the MCLB’s sole funding source. While MDE is not certain of the extent of fiscal impact, MDE suggested the bill be amended to remove at minimum the exemption for charges for the testing material from the list of items not requiring payment.

Thank you for considering the Department’s concerns regarding this legislation. We will continue to monitor SB 454 during the Committee’s deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or [tyler.abbott@maryland.gov](mailto:tyler.abbott@maryland.gov).

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Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Abbott". The signature is written in a cursive style with a long horizontal line extending to the left.

Tyler Abbott

cc: The Honorable Jack Bailey  
Lee Currey, Director, Water and Science Administration