

# HOUSE BILL 1533

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By: **Delegate Clark**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2020

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

1 AN ACT concerning

2 **Marine Contractor License – Performance of Services ~~Without a License~~**  
3 **~~Authorization~~ – Licensing Requirements and Fees**

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

11 BY repealing and reenacting, with amendments,  
12 Article – Environment  
13 Section 17–301  
14 Annotated Code of Maryland  
15 (2014 Replacement Volume and 2019 Supplement)

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

18 **Article – Environment**

19 17–301.

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

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

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

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

7 (c) An individual who is employed by an agency of the federal government ~~for~~,  
 8 ~~the State, OR A COUNTY OR MUNICIPALITY IN THE STATE~~ may perform marine  
 9 contractor services while in the performance of the duties of their employment without  
 10 having to obtain a license from the Board under this title.

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

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

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

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

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

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

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

27 **(II) THE ROUTINE MAINTENANCE, REPAIR, OR REPLACEMENT**  
 28 **OF A TIDAL IMPOUNDMENT DIKE, AN AGRICULTURAL DRAINAGE DITCH, A HIGHWAY**  
 29 **DRAINAGE DITCH, A ROADSIDE DRAINAGE DITCH, OR AN OUTLET FOR A ROADSIDE**  
 30 **DRAINAGE DITCH; OR**

1                                    (III) ANY OTHER MARINE CONTRACTOR SERVICE THAT THE  
2 BOARD DETERMINES WOULD PRESENT A DE MINIMIS RISK TO HUMAN HEALTH OR  
3 THE ENVIRONMENT.

4                    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5                    October 1, 2020.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.