By: Delegate Clark
Requested: October 16, 2020
 Introduced and read first time: January 13, 2021
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Marine Contractor License – Performance of Services – Licensing Requirements and Fees

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

BY repealing and reenacting, with amendments,
Article – Environment
Section 17–301
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)
(1) Perform marine contractor services in the State; or

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

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

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

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

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

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

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

(II) A TEST ADMINISTERED BY THE BOARD.

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 202