

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2021

CHAPTER _____

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:

20 **Article – Environment**

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 17-301.

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

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

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

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

8 (c) An individual who is employed by an agency of the federal government ~~for the~~
9 State~~]~~ may perform marine contractor services while in the performance of the duties of
10 their employment without 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 SUBSECTION APPLIES TO AN INDIVIDUAL WHO IS**
15 **EMPLOYED BY AN AGENCY OF THE STATE OR A COUNTY OR MUNICIPALITY IN THE**
16 **STATE.**

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

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

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

22 **(3) (I) ~~AN~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
23 **PARAGRAPH, AN INDIVIDUAL MAY PERFORM MARINE CONTRACTOR SERVICES**
24 **WHILE IN THE PERFORMANCE OF THE DUTIES OF THEIR EMPLOYMENT WITHOUT**
25 **HAVING TO OBTAIN A LICENSE FROM THE BOARD UNDER THIS TITLE IF THE**
26 **INDIVIDUAL IS PERFORMING MARINE CONTRACTOR SERVICES FOR:**

27 **~~(I) THE CONSTRUCTION OF A TIDE GATE DESIGNED TO~~**
28 **~~PREVENT THE ENCROACHMENT OF SALTWATER;~~**

29 **~~(II) 1. THE ROUTINE MAINTENANCE, OR REPAIR, OR~~**
30 **~~REPLACEMENT OF A TIDAL IMPOUNDMENT DIKE, AN AGRICULTURAL DRAINAGE~~**
31 **~~DITCH, A HIGHWAY DRAINAGE DITCH, A ROADSIDE DRAINAGE DITCH, OR AN OUTLET~~**
32 **~~FOR A ROADSIDE DRAINAGE DITCH; OR~~**

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

4 **(II) IF AN INDIVIDUAL IS PERFORMING MARINE CONTRACTOR**
5 **SERVICES FOR THE ROUTINE MAINTENANCE OR REPAIR OF AN EXISTING SHORE**
6 **EROSION CONTROL STRUCTURE, THE INDIVIDUAL SHALL OBTAIN A LICENSE FROM**
7 **THE BOARD UNDER THIS TITLE.**

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.