

**SB 454 - Favorable - St. Mary's County.pdf**

Uploaded by: Randy Guy

Position: FAV

ST. MARY'S COUNTY GOVERNMENT  
**COMMISSIONERS OF  
ST. MARY'S COUNTY**



James R. Guy, President  
Eric Colvin, Commissioner  
Michael L. Hewitt, Commissioner  
Todd B. Morgan, Commissioner  
John E. O'Connor, Commissioner

**Senate Bill 454**  
Marine Contractor License - Performance of Services –  
Licensing Requirements and Fees

**SUPPORT**

February 1, 2022

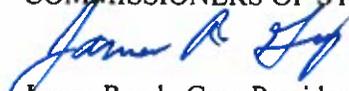
Maryland Senate Education, Health & Environmental Affairs Committee  
Senator Paul G. Pinsky, Chair  
Miller Senate Office Building, 2 West  
11 Bladen St.  
Annapolis, MD 21401

Dear Chairman Pinsky:

The Commissioners of St. Mary's County **SUPPORT** SB 454 Marine Contractor License - Performance of Services – Licensing Requirements and Fees which will be heard in the Education, Health & Environmental Affairs Committee.

We support SB 454 and request a favorable report. We appreciate the introduction of this legislation and believe this legislation will benefit the citizens of St. Mary's County. We look forward to working with you on this and other initiatives throughout the session.

Sincerely,  
COMMISSIONERS OF ST. MARY'S COUNTY

  
James Randy Guy, President

CSMC/AB/sf  
T:/Consent/2022/028

Cc: Senator Jack Bailey  
Delegate Matthew Morgan  
Delegate Gerald Clark  
Delegate Brian Crosby  
Commissioner Eric Colvin  
Commissioner Michael Hewitt  
Commissioner Todd Morgan  
Commissioner John O'Connor  
Catherine Pratson, Acting Co-County Administrator  
David Weiskopf, Acting, Co-County Administrator

# **MACPRA Position SB454 Marine Contractor Licensing**

Uploaded by: Steve Miller

Position: FAV



MARYLAND ASSOCIATION OF COUNTY  
PARK & RECREATION ADMINISTRATORS  
(MACPRA)

**SB454 Marine Contractor License – Performance of Services – Licensing  
Requirements and Fees**

February 4, 2022

To: Senate Education, Health and Environmental Affairs

From: The Maryland Association of County Park & Recreation Administrators (MACPRA)

**MACPRA Position: SUPPORT**

This bill is a logical administrative fix that allows local governments' public works and park maintenance crews to perform routine repairs to public access facilities on or over public waterways, and to ditching and related structures directing water flow. Their performance is supervised, in state and local permit compliance and presents a "*de minimis*" risk to human health or the environment.

The bill proposes the elimination of the certification *fee* for county and municipal government operators, but still requires the license certification and the practical experience associated with said certification for marine contractor services that fall outside of the conventional maintenance and operation services prescribed in the bill (tide dikes, roadside ditch repair, agricultural drainage ditch). It reconciles a local government disparity that hampers the efforts of capable crews to accomplish routine repairs without the time and cost of the marine contractor license. This drives up local government costs and slows project progress.

We urge the committee's favorable report to this bill. Thank you for your consideration.

*The Maryland Association of County Park & Recreation Administrators (MACPRA) is an affiliate of the Maryland Association of Counties and represents the Parks and Recreation departments of all 23 counties and Baltimore City – the professionals engaged in the delivery of Parks and Recreation services throughout Maryland.*

**SB0454-503325-01.pdf**

Uploaded by: Jack Bailey

Position: FWA



SB0454/503325/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

03 FEB 22  
13:48:39

BY: Senator Bailey  
(To be offered in the Education, Health, and Environmental  
Affairs Committee)

AMENDMENTS TO SENATE BILL 454

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Performance of Services – Licensing**” and substitute “**Authorization**”; in the same line, after “**Requirements**” insert a comma; and in line 4, after “of” insert “authorizing a unit of local government to qualify for a marine contractor license”.

AMENDMENT NO. 2

On page 2, in line 2, strike “or” and substitute a comma; in the same line, after “entity” insert “, OR A UNIT OF LOCAL GOVERNMENT”; strike beginning with “FOR” in line 20 down through “WOULD” in line 26 and substitute “**THAT:**”

**1. WOULD**;

and in line 27, after “ENVIRONMENT” insert “;

**2. DO NOT REQUIRE A FEDERAL OR STATE PERMIT;**

**AND**

**3. IF THE MARINE CONTRACTOR SERVICES INVOLVE AN EXISTING STRUCTURE, DO NOT INCREASE THE FOOTPRINT OF THE STRUCTURE**”.

**SenatorBailey\_FWA\_SB454.pdf**

Uploaded by: Jack Bailey

Position: FWA

JACK BAILEY  
*Legislative District 29*  
Calvert and St. Mary's Counties

Judicial Proceedings Committee



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

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410-841-3673 · 301-858-3673  
800-492-7122 Ext. 3673  
Jack.Bailey@senate.state.md.us

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Dorsey Professional Park  
23680 Three Notch Road, Unit 101  
Hollywood, Maryland 20636  
240-309-4238

February 8, 2022

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

Dear Chairman Pinsky and Members of the Committee:

I am writing to introduce Senate Bill 454 - Marine Contractor License - Performance of Services - Licensing Requirements and Fees. This bill authorizes an individual who is employed by a county or municipality in the State to perform specified marine contractor services within the scope of their employment without having to obtain a license. The bill also exempts a local government employee who performs marine contractor services within the scope of their employment who must be licensed from paying license or testing fees.

State and Federal employees are already exempted from the requirement to be licensed to perform these services. However, counties and municipalities do not currently have this same exemption, and so they are required to hire licensed marine contractors for relatively minor maintenance and repair projects that could otherwise be handled by individuals who are already employed by the county or municipality. This leads to increased costs and requires more taxpayer money to be spent on these projects.

I am also submitting an amendment to this bill that is the result of discussions between the House sponsor and those who had concerns about the bill following the House hearing. With this amendment, the exemption from licensure in this bill only applies if the project presents a de minimis risk to human health or the environment, does not require a federal or State permit, and if the marine contractor services do not increase the footprint of an existing structure if the project involves an existing structure. For other services that would still require a county or municipal employee to be licensed, the bill exempts them from having to pay licensing or testing fees to receive their license.

I respectfully request a favorable report with amendments on Senate Bill 454. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey  
District 29  
Calvert and St. Mary's Counties

**SB0454. LOI docx.pdf**

Uploaded by: Tyler Abbott

Position: INFO



# 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).

Page 2

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