

***MARINE CONTRACTORS LICENSING BOARD***

***c/o Maryland Department of the Environment***

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**MARINE CONTRACTORS LICENSING BOARD**

**MEETING NOTES – November 14, 2016**

**Location:** DNR Critical Area Commission Meeting Room, Annapolis, MD

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| **BOARD MEMBERS PRESENT** | **OTHERS PRESENT** |
| Milton Rehbein, Chairman | Thomas Blair, Board Administrator |
| Robert Murtha, SoMD Rep Designee |  |
| Douglas Suess, At Large Member |  |

**CALL TO ORDER**

Board Chairman, Milton Rehbein called the meeting to order at 10:05 a.m. at DNR Critical Area Commission Meeting Room in Annapolis, MD. Three Board members (including Southern MD Representative Designee Robert Murtha), and the Board’s Administrator were present.

**AGENDA REVIEW**

The Board reviewed the agenda for the meeting which included review of minutes from the October 13, 2016, meeting, review of testing dates, applications received to date, format of license document and license fee remittance form, status of draft regulations, inquiry by Sen. Simonaire, inquiry by non-profit seeking licensing waiver, and delegation agreement with OAH.

**REVIEW OF PRIOR MEETING MINUTES**

Board Members reviewed the draft minutes of the October 13, 2016 meeting; due to lack of a quorum a vote on approval of the meeting minutes was held over to the next meeting.

**OLD BUSINESS**

**OAH Delegation of MCLB Contested Case Hearings -** Mr. Blair stated that the letter from the Board to the Office of Administrative Hearings signed by Mr. Rehbein was sent to OAH and is ready to be used if a case comes before the MCLB.

**Draft Marine Contractor Regulations**

The status of the draft regulations was briefly discussed. Mr. Blair stated that the draft regulations have been forwarded to the MDE Secretary’s office. Matthew Standeven, Board Council stated in an email that the draft regulations were currently being reviewed by the MDE Secretary’s office concerning the fees being charged by the MCLB relative to other Environmental Boards. A suggestion was made by Board members that if there was concern about the fees, they could be adjusted to a $300 fee for a two year license. The Board members agreed to wait for the Secretary’s opinion before making any changes in the fee structure.

**License Format/Fee Letters** – Mr. Blair showed a copy of the final draft license format that will be sent to all licensees in December. The Board members agreed that the license was acceptable without comment. The Board was updated on the testing performed to date and feedback he has received from the applicants. Mr. Blair stated that 127 applicants have been tested during 6 test sessions. All applicants who have taken the test have passed. Mr. Blair noted that there are about 150 applicants out of 195 who have tested or have signed up for testing. An email was sent to all applicants that have not paid the test fee and/or haven’t registered for testing. A letter was sent to all registrants that have not applied for licensure yet, there have been about 10 who have applied for licensing due to the letter.

Mr. Blair stated that the license fee remittance form was sent to all applicants that have passed the test (127 applicants). There was a suggestion to reduce the fee by 10% if the fee was paid in a timely manner. No action was taken on the suggestion.

**NEW BUSINESS**

**Communications with Senator Simonaire** - MDE staff and the Maryland Marine Contractors Association have been contacted by Sen. Simonaire requesting information on the licensing program. Sen. Simonaire has apparently been contacted by a constituent marine contractor who has concerns about being able to pass the licensing test. Sen. Simonaire is considering introducing a bill in the legislature to “grandfather” contractors based on experience and not require testing for experienced contractors. Mr. Rehbein stated that he had discussed this concern with the Senator several months ago and thought that the Senator was satisfied with the licensing program. Board members agreed that the Board should reach out the Senator’s office and advise the senator of the number of contractors that have taken the test and that grandfathering a number of contractors at this point would be counterproductive.

**Recent MES Invoice for Services** – Mr. Blair stated he had received an invoice from MES for work done in August as part of their contract. Mr. Blair stated that the contract had been closed out in July and he had sent an email to that effect to the MES representative. No payment will be made for the August billing.

**Recent letter from Non-Profit Organization –** Mr. Blair circulated a letter from a representative of Chesapeake Wildlife Heritage. The letter requests waiver of the licensing requirements due to the minor scope of work that Chesapeake Wildlife Heritage performs in tidal wetlands specifically installation of 2 inch poles for support of Osprey nesting boxes. The Board discussed the matter with no resolution. Some on the Board feel that if the work is minimally invasive with little impact that the work may not require licensure. Mr. Rehbein suggested that Mr. Standeven, Board Council review the matter relative to the law and draft regulations and respond to the letter.

**ADJOURNMENT**

Mr Rehbein requested adjournment of the meeting at 11:30 AM. The meeting was adjourned with no vote due to lack of quorum.