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PRESIDENT'S MESSAGE

by George Wirth, PE

The American Reinvestment and Recovery Act (ARRA or stimulus package) resulted in \$434 million for Maryland highway infrastructure improvements with \$170 million of that going to Maryland counties. The money had to be obligated within 90 days of the signing of the bill, which necessitated projects to be "shovel ready". The SHA projects have been predominately resurfacing and safety improvements that need little to no design to be advertised for construction. Some work has come to consultants through construction inspection assignments, however, overall the ARRA has been a disappointment with regard to providing jobs to the engineering community.

On April 26th, during the ACEC Annual Convention in Washington, D.C., a dozen ACEC/MD member firm representatives visited our congressional representatives' offices on Capitol Hill. One of the points we made during these visits was that the ARRA did not provide work for design engineers, and much more funding is needed to address the significant backlog of transportation improvement projects.

The SAFETEA-LU authorization expires on September 30, 2009, and the new authorization bill will set funding levels and program priorities for the next six years. Congress needs to reauthorize highway, safety and transit pro-



grams before the current bill expires. An extension of SAFETEA-LU at current levels is far short of the funding needed for the transportation needs. One of our fears is that Congress will lessen the funding because of the ARRA funding recently authorized. We made the point that the ARRA is for "shovel ready" projects and the reauthorization is for the funding levels for the next six years. They agreed that the ARRA would not impact the reauthorization funding, however, we need to reiterate this

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PRESIDENT'S MESSAGE

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message at every opportunity. Congressman Oberstar stated his desire for a reauthorization bill to be in place by the end of May. Even though this did not occur, it underscores the desire in congress for the bill to be written quickly. ACEC will follow the developments of the bill and send legislative alerts on key measures. Be ready to respond to our congressional representatives with comments addressing the provisions of the bill.

Another issue raised is the continued decline in graduate engineers entering the work force. Congress approved the Higher Education Opportunity Act of 2008 to reauthorize and expand the federal student loan program to address labor shortages in engineering, encouraging people to pursue engineering careers. This could provide loan forgiveness of up to \$10,000 if the individual works for five years in engineering or related fields. ACEC is working with the Department of Education and Congress to ensure proper funding for the program.

A third issue raised is the mandate, for tax purposes, to withhold three percent from payments to engineering firms for products and services provided to federal and state governments. Currently, the law takes effect in 2012. ACEC is concerned about the impact and unintended consequences of this

new requirement, and is working to eliminate the three percent withholding mandate.

The State Highway Administration is developing a policy for the training of consultants that are working at an SHA facility. It is expected that the four required awareness training courses (Workplace and Domestic Violence, Sexual Harassment, Americans with Disability Act, and Diversity) will also be required for consultants that are working in an SHA facility for 90 consecutive days. The cost for the training and class time for the consultants' staff are to be charged to overhead, not billable to the SHA.

Also, unless certain conditions are met, the SHA will no longer be able to extend contracts other than those that expire in 2009 and 2010. The SHA's Office of Procurement and Contracts will inform ACEC members which contracts can be extended. If it has been determined that the contract can be extended, SHA has suggested that the consultant and the SHA contract manager begin the process for a contract extension six months prior to the expiration date. As a point of clarification, at a recent meeting with representatives of SHA's Consultant Services, ACEC/MD representatives were advised that a firm can submit an invoice after a contract expires as long as the time was charged prior to the expiration of the

contract. This should be done within one month of the contract's expiration.

It has been nearly four years since the City of Baltimore Department of Public Works established the current maximum rates for consultants. ACEC/MD has met with the Department of Public Works and has begun discussions to increase these rate caps. Information has been provided to them including representative rates for classifications of employees above or approaching the cap, which should help in the arguments to increase the rate caps. If additional information is needed for the City to make a decision, ACEC/MD will solicit the information from member firms doing business with Baltimore City. ACEC/MD will keep you up to date as this issue develops.

Our CEPAC funds are used as entrees to meet with our Maryland legislators to discuss and educate them about our issues. Please remember to fulfill your pledge to CEPAC, and if you have not made a pledge please consider doing so. These contributions are used to maximize our exposure to our elected officials. As you can see from the recap of the 2009 General Assembly session contained in this newsletter, it is extremely important that ACEC/MD representatives have the opportunity to address the myriad of issues impacting your firm.



2009 MARYLAND GENERAL ASSEMBLY WRAP UP

TRANSPORTATION FUNDING AGAIN BEARS THE BRUNT OF THE LEGISLATURE'S BUDGET BALANCING ACT

As was to be expected, this year's General Assembly Session focused on closing the huge budget gap created by declining tax revenues in the state. Unfortunately, as is often the case, in balancing the \$14-billion state budget for FY 2010, legislators chose to change the distribution formula that determines funding to the Transportation Trust Fund (TTF). Local jurisdiction bore the brunt of this action, seeing a reduction of \$162-million in road maintenance funding. We would like to express our appreciation to the member firm representatives that contacted their elected officials in the continuing effort to educate them on important issues, including the need for adequate infrastructure funding.

Of the nearly 2,700 pieces of legislation that were introduced in the 2009 Maryland General Assembly, your Legislative Committee, chaired by Greenman Pedersen's Jim Blake, reviewed in detail a record 300 pieces of legislation impacting the profession, including:

TRANSPORTATION:

SB 15 (cross filed - HB 481) - School Construction - Pedestrian and Bicycle Trail Enhancements - Funding
ACEC/MD Position - Monitor
Status - Unfavorable Report

SB 24 - Public Schools - State Aid for School Construction - Planning and Design Costs
ACEC/MD Position - Support
Status - Died in Committee

SB 38 (cross filed - HB 36) - Vehicle Laws - Reduction of Speed Limits by Local Authorities - Engineering and Traffic Investigations
ACEC/MD Position - Oppose
Status - Unfavorable Report

SB 61 - Maryland Port Administration - Jurisdiction, Powers, and Duties
ACEC/MD Position - Support
Status - Passed

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2009 MARYLAND GENERAL ASSEMBLY WRAP UP

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SB 75 - Public Information Act - Maryland Port Administration - Confidentiality of Security-Related Documents and Records
ACEC/MD Position – Support
Status - Passed

SB 98 - The Delegate John Arnick Electronic Communications Traffic Safety Act
ACEC/MD Position – Monitor
Status - Passed

SB 103 - Vehicle Laws - Use of Handheld Telephone While Driving - Prohibitions
ACEC/MD Position – Monitor
Status - Unfavorable Report

SB 143 - Vehicle Laws - Use of Wireless Communication Devices While Driving - Prohibitions
ACEC/MD Position – Monitor
Status - Unfavorable Report

SB 259 (cross filed - HB 301) - Criminal Procedure - Drunk and Drugged Driving - Probation Before Judgment
ACEC/MD Position – Monitor
Status - Passed

SB 277 (cross filed - HB 313) - Vehicle Laws - Speed Monitoring Systems - Statewide Authorization and Use in Highway Work Zones
ACEC/MD Position – Support
Status - Passed

SB 388 (cross filed - HB 396) - Baltimore City - Vehicle Laws - Speed Monitoring Systems
ACEC/MD Position – Monitor
Status - Died In Committee

SB 475 (cross filed - HB 882) - Chesapeake Bay Bridge - Independent Inspection Required Before Toll, Fee, or Penalty Increase
ACEC/MD Position – Oppose
Status - Died In Committee

SB 476 (cross filed - HB 888) - Transportation - Chesapeake Bay Bridge Crossing - Environmental Impact Study for a Third Span
ACEC/MD Position – Monitor
Status - Unfavorable Committee Report

SB 477 (cross filed - HB 780) - Maryland Transportation Authority - Fixing or Revising Tolls - Legislative Approval Required
ACEC/MD Position – Oppose
Status - Died in Committee

SB 478 (cross filed - HB 786) - Maryland Transportation Authority - Chesapeake Bay Bridge - Tolls
ACEC/MD Position – Oppose
Status - Died in Committee

SB 479 (HB 949) - Maryland Transportation Authority - Bonding Authority
ACEC/MD Position – Oppose
Status - Died in Committee

SB 483 (cross filed - HB 881) - Chesapeake Bay Bridge - Inspection by Independent Entity Required
ACEC/MD Position – Oppose
Status - Died in Committee

SB 614 (cross filed - HB 426) - Transportation - Baltimore Corridor Transit Study - Red Line Area
ACEC/MD Position – Oppose
Status - Passed

SB 722 - Tax General - Motor Fuel Tax - Sales and Use Tax
ACEC/MD Position – Support
Status - Died in Committee

SB 753 (cross filed - HB 27) - Transportation - Intercounty Connector - Elimination of Funding
ACEC/MD Position – Oppose
Status - Died in Committee

SB 826 - Prince George's County - Safer Roads Act of 2009
ACEC/MD Position – Monitor
Status - Died in Committee

SB 853 - Maryland Transportation Infrastructure Funding Task Force
ACEC/MD Position – Support
Status - Died in Committee

SB 855 (cross filed - HB 1020) - Prince George's County - Vehicle Laws - Speed Monitoring Systems
ACEC/MD Position – Monitor
Status - Died in Committee

SB 890 - Maryland Community Enhancement Transit-Oriented Development Fund
ACEC/MD Position – Monitor
Status - Withdrawn

SB 891 (cross filed - HB 816) - Transportation - Highways - Lighting
ACEC/MD Position – Monitor
Status - Unfavorable Report

SB 894 (cross filed - HB 140) - Transportation Trust Fund Protection Act
ACEC/MD Position – Support
Status - Died in Committee

HB 27 - Transportation - Intercounty Connector - Elimination of Funding
ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 28 - Maryland Transportation Authority - Closure of Transportation Facility
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 36 (cross filed - SB 38) - Vehicle Laws - Reduction of Speed Limits by Local Authorities - Engineering and Traffic Investigations
ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 72 - Motor Vehicles - Use of Text Messaging Device While Driving - Prohibition
ACEC/MD Position – Monitor
Status - Passed

HB 139 - Transportation Trust Fund - Dedicated Highway Funds
ACEC/MD Position – Monitor
Status - Died in Committee

HB 140 - Transportation Trust Fund Protection Act
ACEC/MD Position – Support
Status - Unfavorable Report

HB 172 - Vehicle Laws - Recklessly Contributing to an Accident in a Highway Work Zone - Penalties
ACEC/MD Position – Support
Status - Unfavorable Report

HB 301 (cross filed - SB 259) - Criminal Procedure - Drunk and Drugged Driving - Probation Before Judgment
ACEC/MD Position – Monitor
Status - Passed

HB 313 (cross filed - SB 277) - Vehicle Laws - Speed Monitoring Systems - Statewide Authorization and Use in Highway Work Zones
ACEC/MD Position – Support
Status - Died in Committee

HB 323 - Texting While Driving Ban of 2009
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 396 (cross filed - SB 388) - Baltimore City - Vehicle Laws - Speed Monitoring Systems
ACEC/MD Position – Monitor
Status - Died in Committee

HB 423 - Motor Fuel Tax - Indexing
ACEC/MD Position – Support
Status - Died in Committee

HB 426 (cross filed - SB 614) - Transportation - Baltimore Corridor Transit Study - Red Line Area
ACEC/MD Position – Oppose
Status - Passed

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2009 MARYLAND GENERAL ASSEMBLY WRAP UP

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HB 564 (cross filed - SB 630) - Vehicle Laws - Distracted Driving - Prohibition

ACEC/MD Position - Monitor
Status - Died in Committee

HB 704 - Motor Vehicle Excise Tax - Suspension - New Vehicles

ACEC/MD Position - Oppose
Status - Died in Committee

HB 746 - Motor Fuel Tax - Increase

ACEC/MD Position - Support
Status - Died in Committee

HB 747 - Motor Fuel Tax - Adjustments

ACEC/MD Position - Support
Status - Died in Committee

HB 780 (cross filed - SB 477) - Maryland Transportation Authority - Fixing or Revising Tolls - Legislative Approval Required

ACEC/MD Position - Oppose
Status - Died in Committee

HB 784 - Consolidated Transportation Program - Traffic Congestion Reporting

ACEC/MD Position - Monitor
Status - Died on Senate Floor

HB 786 (cross filed - SB 478) - Maryland Transportation Authority - Chesapeake Bay Bridge - Tolls

ACEC/MD Position - Oppose
Status - Died in Committee

HB 881 (cross filed - SB 483) - Chesapeake Bay Bridge - Inspection by Independent Entity Required

ACEC/MD Position - Oppose
Status - Unfavorable Report

HB 882 (cross filed - SB 475) - Chesapeake Bay Bridge - Independent Inspection Required Before Toll, Fee, or Penalty Increase

ACEC/MD Position - Oppose
Status - Unfavorable Environmental Matters Comm. Report

HB 888 (cross filed - SB 476) - Transportation - Chesapeake Bay Bridge Crossing - Environmental Impact Study for a Third Span

ACEC/MD Position - Monitor
Status - Unfavorable Report

HB 922 - Maryland Transportation Authority - Fixing or Revising Tolls and Fees - Notice and Public Comment

ACEC/MD Position - Monitor
Status - Died on Senate Floor

HB 947 - Transportation - Highway User Revenues - Highway Maintenance MC 903-09

ACEC/MD Position - Oppose
Status - Died in Committee

HB 949 (cross filed - SB 479) - Maryland Transportation Authority - Bonding Authority

ACEC/MD Position - Oppose
Status - Unfavorable Report

HB 992 (cross filed - SB 539) - Driver Relief Act of 2009

ACEC/MD Position - Oppose
Status - Withdrawn

HB 1176 - Transportation - Public-Private Partnerships - Notice to the General Assembly

ACEC/MD Position - Monitor
Status - Died in Senate Committee

HB 1214 - Motor Fuel Tax - Rate

ACEC/MD Position - Support
Status - Died in Committee

HB 1332 - Maryland Transportation Authority - Toll Rate Increases

ACEC/MD Position - Oppose
Status - Died in Committee

ENVIRONMENTAL:

SB 4 - Environment - Permitting Process - Environmental Justice Review

ACEC/MD Position - Monitor
Status - Died In Committee

SB 14 (cross filed - HB 314) - Maryland Environmental Service - Energy Generation Projects

ACEC/MD Position - Support
Status - Passed

SB 47 - Environment - Permit Applications - Notice Requirements

ACEC/MD Position - Monitor
Status - Passed

SB 120 - Environment - Permit Process - Modifications

ACEC/MD Position - Oppose
Status - Unfavorable Report

SB 212 (cross filed - HB 154) - Environment - Green Building Council

ACEC/MD Position - Support
Status - Passed

SB 273 (cross filed - HB 294) - Smart, Green, and Growing - Local Government Planning - Planning Visions

ACEC/MD Position - Monitor
Status - Passed

SB 276 (cross filed - HB 295) - Smart, Green, and Growing - Annual Report - Smart Growth Measures and Indicators and Implementation of Planning Visions

ACEC/MD Position - Monitor
Status - Passed

SB 278 (cross filed - HB 315) - Greenhouse Gas Emissions Reduction Act of 2009

ACEC/MD Position - Monitor
Status - Passed

SB 280 (cross filed - HB 297) - Smart, Green, and Growing - Smart and Sustainable Growth Act of 2009

ACEC/MD Position - Monitor
Status - Passed

SB 384 - Program Open Space - Impervious Surface Projects - Prohibition

ACEC/MD Position - Oppose
Status - Unfavorable Report

SB 408 - Environment - Water Pollution Control - Incentives and Penalties

ACEC/MD Position - Monitor
Status - Passed

SB 432 - Environment - Sewage Sludge Utilization - Zoning and Lane Use Requirements

ACEC/MD Position - Monitor
Status - Unfavorable Report

SB 529 - Environment - Environmental Justice Review - Public Service Companies

ACEC/MD Position - Monitor
Status - Died in Committee

SB 549 (cross filed - HB 771) - Sustainable Forestry Act of 2009

ACEC/MD Position - Monitor
Status - Passed

SB 553 (cross filed - HB 609) - Chesapeake Bay Phosphorous Reduction Act of 2009

ACEC/MD Position - Monitor
Status - Passed

SB 554 (cross filed - HB 176) - Chesapeake Bay Nitrogen Reduction Act of 2009

ACEC/MD Position - Monitor
Status - Passed

SB 585 - Public Utility Companies - Wind Generating Stations

ACEC/MD Position - Monitor
Status - Unfavorable Report

SB 666 (cross filed - HB 1291) - Natural Resources - No Net Loss of Forest Policy - Forest Conservation Act

ACEC/MD Position - Monitor
Status - Passed

SB 672 - Environment - Stormwater Management - Stormwater User Charge

ACEC/MD Position - Monitor
Status - Third Reader Failed

SB 824 (cross filed - HB 1053) - Community Environmental Protection Act of 2009

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ACEC/MD Position – Monitor
Status - Withdrawn

SB 841 - Environment - Landfills - Methane Testing

ACEC/MD Position – Support
Status - Withdrawn

SB 867 - The Renewables First Act

ACEC/MD Position – Monitor
Status - Unfavorable Report

SB 878 (cross filed - HB 1116) - Smart Growth - Visions and Performance Standards

ACEC/MD Position – Monitor
Status - Died in Committee

SB 967 (cross filed - HB 1362) - Environment - Bay Restoration Fund - Authorized Uses

ACEC/MD Position – Monitor
Status - Died in House Committee

SB 972 - Environment - On-Site Sewage Disposal Systems - Requirements

ACEC/MD Position – Monitor
Status - Withdrawn

SB 1017 - Marine Contractors - Licensure and Regulation - Wetland Permits and Authorizations

ACEC/MD Position – Oppose
Status - Died in Committee

HB 34 - Environment – Impervious Surface - Statewide Database

ACEC/MD Position – Monitor
Status - Unfavorable

HB 128 - Environment - Disposal of Coal Combustion Byproducts - Zoning and Land Use Requirements

ACEC/MD Position – Monitor
Status - Died in Committee

HB 135 - Environment - Sewage Sludge Utilization - Zoning and Land Use Requirements

ACEC/MD Position – Monitor
Status - Unfavorable Senate Report

HB 154 (cross filed - SB 212) - Environment - Green Building Council

ACEC/MD Position – Support
Status - Passed

HB 176 (cross filed - SB 554) - Bay Restoration Act of 2009

ACEC/MD Position – Monitor
Status - Died in Senate Committee

HB 295 (cross filed - SB 276) - Smart, Green, and Growing - Annual Report - Smart Growth Measures and Indicators and Implementation of Planning Visions

ACEC/MD Position – Monitor
Status - Passed

HB 297 (cross filed - SB 280) - Smart, Green, and Growing - Smart and Sustainable Growth Act of 2009

ACEC/MD Position – Monitor
Status - Passed

HB 314 (cross filed - SB 14) - Maryland Environmental Service - Energy Generation Projects

ACEC/MD Position – Monitor
Status - Died on Floor

HB 315 (cross filed - SB 278) - Greenhouse Gas Emissions Reduction Act of 2009

ACEC/MD Position – Monitor
Status - Passed

HB 346 - Bay Restoration Fund - Nitrogen-Removing Septic Systems

ACEC/MD Position – Monitor
Status - Died in Committee

HB 420 - Environment - Limitation of Actions - Political Subdivisions

ACEC/MD Position – Monitor
Status - Passed

HB 609 (cross filed - SB 553) - Chesapeake Bay Phosphorous Reduction Act of 2009

ACEC/MD Position – Monitor
Status - Passed

HB 771 (cross filed - SB 549) - Sustainable Forestry Act of 2009

ACEC/MD Position – Monitor
Status - Died in Committee

HB 801 - Task Force to Study the Economic Impact of Environmental Legislation and Policy

ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 1053 (cross filed - SB 824) - Community Environmental Protection Act of 2009

ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 1054 (cross filed - SB 4) - Environment - Permitting Process - Environmental Justice Review

ACEC/MD Position – Monitor
Status - Died in Committee

HB 1058 - Environment - Sewage Sludge Utilization Permits - Local Notice

ACEC/MD Position – Monitor
Status - Passed

HB 1078 (cross filed - SB 47) - Environment - Permit Applications - Notice Requirements

ACEC/MD Position – Oppose
Status - Passed

HB 1083 - Environment - On-Site Sewage Disposal Systems - Requirements

ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 1116 (cross filed - SB 878) - Smart Growth - Visions and Performance Standards

ACEC/MD Position – Monitor
Status - Withdrawn

HB 1291 (cross filed - SB 666) = Natural Resources - No Net Loss of Forest Policy - Forest Conservation Act

ACEC/MD Position – Monitor
Status - Died in Senate Committee

HB 1362 (cross filed - SB 967) - Environment - Bay Restoration Fund - Authorized Uses

ACEC/MD Position – Monitor
Status - Died in Committee

HB 1457 (cross filed - SB 672) - Environment - Stormwater Management - Stormwater User Charge

ACEC/MD Position – Oppose
Status - Died in Committee

HB 1547 (cross filed - SB 408) - Environment - Water Pollution Control - Incentives and Penalties

ACEC/MD Position – Monitor
Status - Died in Committee

GENERAL BUSINESS:

SB 39 - Municipal Corporations - Tax Increment Financing - Application of Bond Proceeds

ACEC/MD Position – Monitor
Status - Passed

SB 132 (cross filed - HB 91) - Department of General Services - Renovation of Historic Structures - Procurement Exemptions

ACEC/MD Position – Monitor
Status - Passed

SB 157 - Campaign Finance - Affiliated Business Entities - Attribution of Contributions

ACEC/MD Position – Monitor
Status - Died In Committee

SB 165 (cross filed - HB 100) - Budget Bill (Fiscal Year 2010)

ACEC/MD Position – Monitor
Status - Died In Committee

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2009 MARYLAND GENERAL ASSEMBLY WRAP UP

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SB 166 (cross filed - HB 101) - Budget Reconciliation and Financing Act of 2009

ACEC/MD position – Monitor

Status - Died In Committee

SB 167 (cross filed - HB 102) - Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 2009, and the Maryland Consolidated Capital Bond Loans of 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008

ACEC/MD position – Monitor

Status - Died In Committee

SB 187 (cross filed - HB 124) - State Procurement - Structuring and Bundling of Procurements

ACEC/MD Position – Support

Status - Passed

SB 211 (cross filed - HB 641) - Minority Business Enterprise Program - Participation by Race or Gender

ACEC/MD Position – Support

Status - Passed

SB 270 (cross filed - HB 310) - Unemployment Insurance – Eligibility - Part-Time Work

ACEC/MD Position – Oppose

Status - Passed

SB 274 (cross filed - HB 300) - Tax Increment Financing and Special Taxing Districts - Transit-Oriented Development

ACEC/MD Position – Support

Status - Passed

SB 275 (cross filed - HB 308) - Higher Education - Higher Education Investment Fund – Funding

ACEC/MD Position – Monitor

Status - Died In Committee

SB 355 (cross filed - HB 594) - Minority Business Enterprise Certification - Personal Net Worth Requirement – Repeal

ACEC/MD Position – Monitor

Status - Died In Committee

SB 364 (cross filed - HB 544) - Real Property - Mechanic's Lien - Certified Interior Design Services

ACEC/MD Position – Monitor

Status - Passed

SB 368 (cross filed - HB 288) - Lilly Ledbetter Fair Pay Restoration Act of 2009

ACEC/MD Position – Monitor

Status - Passed

SB 403 (cross filed - HB 959) - Prince George's County - Green Businesses - Tax Credits

ACEC/MD Position – Support

Status - Passed

SB 405 (cross filed - HB 644) - Procurement - Apprenticeship Training Programs

ACEC/MD Position – Oppose

Status - Died On Senate Floor

SB 406 (cross filed - HB 543) - Prevailing Wage Rates - Public Works Contracts - Suits by Employees

ACEC/MD Position – Monitor

Status - Died on Floor

SB 451 (cross filed - HB 1287) - Labor and Employment - Maryland Wage and Hour Law - Criminal Penalties

ACEC/MD Position – Monitor

Status - Died In Committee

SB 452 (cross filed - HB 1288) - Labor and Employment - Maryland Wage and Hour Law - Damages

ACEC/MD Position – Oppose

Status - Died In Committee

SB 466 - Labor and Employment - Employment Contracts - Implied Covenant of Good Faith and Fair Dealing

ACEC/MD Position – Oppose

Status - Unfavorable Report

SB 472 - Income Tax - Corporations - Denial of Deduction for Excessive Compensation of Officers and Directors

ACEC/MD Position – Oppose

Status - Unfavorable Report

SB 489 (cross filed - HB 471) - Minority Business Enterprise Certification - Cap on Personal Net Worth

ACEC/MD Position – Monitor

Status - Passed

SB 520 (cross filed - HB 1036) - Workers' Compensation - Temporary Total Disability - Incarcerated Employees

ACEC/MD Position – Support

Status - Died in Committee

SB 562 - Labor and Employment - Flexible Leave

ACEC/MD Position – Oppose

Status - Passed

SB 568 - Minority Business Enterprise Program - Directory of Minority Business Enterprises

ACEC/MD Position – Monitor

Status - Passed

SB 603 (cross filed - HB 1244) - Corporate Income Tax - Rate Reduction and Reform

ACEC/MD Position – Monitor

Status - Died In Committee

SB 611 (cross filed - HB 389) - Minority Business Enterprise Program - Prohibitions and Penalties for Contractors

ACEC/MD Position – Monitor

Status - Passed

SB 612 - Procurement - Minority Business Enterprise Program - Contracting Modification

ACEC/MD Position – Support

Status - Died in Committee

SB 632 - Procurement - Maryland Business Access List

ACEC/MD Position – Monitor

Status - Unfavorable Report

SB 633 (cross filed - HB 31) - Income Tax - Subtraction Modification - Creation of a Minority Business Enterprise

ACEC/MD Position – Monitor

Status - Died In Committee

SB 634 - Professional Corporations - Professional Services - Multiple Professions

ACEC/MD Position – Monitor

Status - Passed

SB 641 - Ethics Reports - Meals or Receptions - Requirements

ACEC/MD Position – Monitor

Status - Died In Committee

SB 656 (cross filed - HB 559) - Procurement - Service Disabled Veteran Business Enterprise Participation

ACEC/MD Position – Monitor

Status - Died In Committee

SB 658 (cross filed - HB 916) - Political Subdivisions - Government Imposed Restrictions on Income Producing Real Property - Fiscal Impact Study

ACEC/MD Position – Monitor

Status - Died In Committee

SB 660 (cross filed - HB 16) - Labor and Employment - Shift Breaks

ACEC/MD Position – Oppose

Status - Died in Committee

SB 670 (cross filed - HB 393) - Discrimination in Employment - Expansion of Disability Rights

ACEC/MD Position – Monitor

Status - Passed

SB 694 - Procurement - Living Wage - Repeal

ACEC/MD Position – Monitor

Status - Unfavorable Report

SB 739 (cross filed - HB 514) - Good Samaritan Laws - Corporations

ACEC/MD Position – Support

Status - Died In Committee

SB 747 (cross filed - HB 684) - Maryland Taxpayer Protection Act

ACEC/MD Position – Monitor

Status - Died in Committee

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2009 MARYLAND GENERAL ASSEMBLY WRAP UP

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SB 820 - Employee Opportunity to Purchase Act
ACEC/MD Position – Oppose
Status - Unfavorable Report

SB 831 (cross filed - HB 1249) - Maryland Wage and Hour Law - Payment of Overtime - Exemptions
ACEC/MD Position – Oppose
Status - Died in Committee

SB 848 - Authorized Resolutions - Spending Mandates - Three-Fifths Vote and Limited Duration Requirement
ACEC/MD Position – Monitor
Status - Died In Committee

SB 912 (cross filed - HB 1070) - Labor and Employment - Misclassification of Employees as Independent Contractors
ACEC/MD Position – Monitor
Status - Withdrawn

SB 978 - Procurement - Minority Business Enterprises - Goal-Setting
ACEC/MD Position – Support
Status - Unfavorable Report

SB 1043 - Prince George's County - Development Impact Fees
ACEC/MD Position – Monitor
Status - Died in House Committee

HB 13 - Workplace Religious Freedom Act
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 16 (cross filed - SB 660) - Labor and Employment - Shift Breaks
ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 31 (cross filed - SB 633) - Income Tax - Subtraction Modification - Creation of a Minority Business Enterprise
ACEC/MD Position – Monitor
Status - Died in Committee

HB 33 - Program Open Space - Municipal Corporations - Development Project Funds
ACEC/MD Position – Support
Status - Withdrawn

HB 91 (cross filed - SB 132) - Department of General Services - Renovation of Historic Structures - Procurement Exemptions
ACEC/MD Position – Monitor
Status - Passed

HB 124 (cross filed - SB 187) - State Procurement - Structuring and Bundling of Procurements
ACEC/MD Position – Support
Status - Passed

HB 170 - Campaign Finance - Affiliated Business Entities - Attributions of Contributions

ACEC/MD Position – Monitor
Status - Died in Committee

HB 194 - Land Use - Development Rights and Responsibilities Agreements
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 288 (cross filed - SB 368) - Lilly Ledbetter Fair Pay Restoration Act of 2009
ACEC/MD Position – Monitor
Status - Passed

HB 308 (cross filed - SB 275) - Higher Education - Higher Education Investment Fund – Funding
ACEC/MD Position – Monitor
Status - Died in Committee

HB 310 (cross filed - SB 270) - Unemployment Insurance - Eligibility - Part-Time Work
ACEC/MD Position – Monitor
Status - Passed

HB 326 - Procurement - Minority Business Enterprises - Retention of Certification and Status and Participation in the Minority Business Enterprise Program
ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 378 (cross filed - SB 626) - Corporations - Corporate Documents, Fractional Shares, and Redemption of Stock
ACEC/MD Position – Monitor
Status - Passed

HB 389 (cross filed - SB 611) - Minority Business Enterprise Program - Prohibitions and Penalties for Contractors
ACEC/MD Position – Monitor
Status - Passed

HB 393 (cross filed - SB 670) - Discrimination in Employment - Expansion of Disability Rights
ACEC/MD Position – Monitor
Status - Passed

HB 410 - Minority Business Enterprise Program - Eligibility
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 428 - Property Tax - Semiannual Payment Schedule - Small Business Property
ACEC/MD Position – Support
Status - Died In Committee

HB 471 (cross filed - SB 489) - Minority Business Enterprise Certification - Cap on Personal Net Worth
ACEC/MD Position – Monitor
Status - Passed

HB 481 (cross filed - SB 15) - School Construction - Pedestrian and Bicycle Trail Enhancements - Funding
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 514 (cross filed - SB 739) - Good Samaritan Laws - Corporations
ACEC/MD Position – Support
Status - Unfavorable Report

HB 533 - Cooperative Purchasing Agreements - Requirements and Expansion of Use
ACEC/MD Position – Monitor
Status - Passed

HB 543 (cross filed - SB 406) - Prevailing Wage Rates - Public Works Contracts - Suits by Employees
ACEC/MD Position – Monitor
Status - Died in Senate Committee

HB 544 (cross filed - SB 364) - Real Property - Mechanic's Lien - Certified Interior Design Services
ACEC/MD Position – Monitor
Status - Passed

HB 559 (cross filed - SB 656) - Procurement - Service Disabled Veteran Business Enterprise Participation
ACEC/MD Position – Monitor
Status - Withdrawn

HB 594 (cross filed - SB 355) - Minority Business Enterprise Certification - Personal Net Worth Requirement - Repeal
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 633 - Labor and Employment - Employee Leave - Parent-Teacher Conferences
ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 641 (cross filed - SB 211) - Minority Business Enterprise Program - Participation by Race or Gender
ACEC/MD Position – Support
Status - Passed

HB 644 (cross filed - SB 405) - Procurement - Apprenticeship Training Programs
ACEC/MD Position – Oppose
Status - Passed

HB 651 - Labor and Employment - Shift Breaks
ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 684 (cross filed - SB 747) - Maryland Taxpayer Protection Act
ACEC/MD Position – Monitor
Status - Died In Committee

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2009 MARYLAND GENERAL ASSEMBLY WRAP UP

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HB 708 - Recipients of State Incentives or Financial Assistance - Diversity Initiatives
ACEC/MD Position – Monitor
Status - Died in Senate Committee

HB 740 (cross filed - SB 576) - Unemployment Insurance - Maximum Benefit - Increase
ACEC/MD Position – Monitor
Status - Passed

HB 774 (cross filed - SB 456) - Creation of a State Debt - Baltimore City - Garrett-Jacobs Mansion
ACEC/MD Position – Support
Status - Unfavorable Report

HB 921 (cross filed - SB 958) - Construction Permits - Expiration Dates
ACEC/MD Position – Hold
Status - Passed

HB 1070 (cross filed - SB 912) - Labor and Employment - Misclassification of Employees as Independent Contractors
ACEC/MD Position – Monitor
Status - Withdrawn

HB 1168 - Interior Designers - Licensing
ACEC/MD Position – Monitor
Status - Withdrawn

HB 1207 - Income Tax Credit - Flexible Workweek
ACEC/MD Position – Monitor
Status - Died in Committee

HB 1244 (cross filed - SB 603) - Corporate Income Tax - Rate Reduction and Reform
ACEC/MD Position – Monitor
Status - Died In Committee

HB 1249 (cross filed - SB 831) - Maryland Wage and Hour Law - Payment of Overtime - Exemptions
ACEC/MD Position – Oppose
Status - Died in Committee

HB 1287 (cross filed - SB 451) - Labor and Employment - Maryland Wage and Hour Law - Criminal Penalties
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 1288 (cross filed - SB 452) - Labor and Employment - Maryland Wage and Hour Law - Damages
ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 1297 - Procurement - Minority Business Enterprises – Prime Contractors
ACEC/MD Position – Monitor
Status - Passed

HB 1300 - State Procurement - Small Business Preference Program – Expansion
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 1409 - Public Work Contracts - Prevailing Wage - Application
ACEC/MD Position – Monitor
Status - Died In Committee

HB 1554 - Linked Deposit Program - Loans to Minority Business Enterprises
ACEC/MD Position – Support
Status - Passed

WORKPLACE:

SB 79 - Health Insurance - Reform
ACEC/MD Position – Monitor
Status - Passed

SB 123 (cross filed - HB 242) - Unemployment Insurance Benefits - Determination Based on Severance or Dismissal Payments
ACEC/MD Position – Monitor
Status - Unfavorable House Report

SB 439 (cross filed - HB 440) - Health Insurance - Prompt Pay - Modifications and Clarifications
ACEC/MD Position – Monitor
Status - Passed

SB 576 (cross filed - HB 740) - Unemployment Insurance - Maximum Benefit - Increase
ACEC/MD Position – Monitor
Status - Passed

SB 637 (cross filed - HB 674) - Health Insurance - Small Group Market Regulation - Modifications
ACEC/MD Position – Monitor
Status - Passed

SB 642 (cross filed - HB 1005) - Workers' Compensation - Temporary Total Disability Benefits - Credit
ACEC/MD position – Support
Status - Died In Committee

SB 863 (cross filed - HB 899) - Workers' Compensation - Death Benefits for Partially Dependent Individuals - Payment
ACEC/MD Position – Monitor
Status - Passed

SB 987 (cross filed - HB 1436) - Workers' Compensation Commission - Authority - Employer Compliance
ACEC/MD Position – Monitor
Status - Died on House Floor

HB 4 - Small Business Health Insurance Stimulus Act
ACEC/MD Position – Support
Status - Died on House Floor

HB 242 (cross filed - SB 123) - Unemployment Insurance Benefits - Determination Based on Severance or Dismissal Payments
ACEC/MD Position – Monitor
Status - Passed

HB 697 - Health Insurance - Small Employer Health Benefit Plan Premium Subsidy Program - Local Funds
ACEC/MD Position – Support
Status - Unfavorable Report

HB 899 (cross filed - SB 863) - Workers' Compensation - Death Benefits for Partially Dependent Individuals - Payment
ACEC/MD Position – Monitor
Status - Passed

HB 902 - Maryland Family and Medical Leave Act
ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 1005 (cross filed - SB 642) - Workers' Compensation - Temporary Total Disability Benefits – Credit
ACEC/MD Position – Support
Status - Died in Senate Committee

HB 1036 (cross filed - SB 520) - Workers' Compensation - Temporary Total Disability - Incarcerated Employees
ACEC/MD Position – Support
Status - Unfavorable Report

HB 1253 - Workers' Compensation - Appeals – Evidence
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 1254 - Workers' Compensation - Jurisdiction Pending Appeal
ACEC/MD position – Monitor
Status - Unfavorable Report

HB 1255 - Workers' Compensation - Regulatory Power of Commission - Forensic Services
ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 1256 - Workers' Compensation - Death Benefits - Partially Dependent Individuals
ACEC/MD Position – Monitor
Status - Unfavorable Report

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2009 MARYLAND GENERAL ASSEMBLY WRAP UP

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HB 1436 (cross filed - SB 987) - Workers' Compensation Commission - Authority - Employer Compliance

ACEC/MD Position – Monitor
Status - Died on Senate Floor

HB 1526 - Workforce Development - Maryland Workforce Corporation

ACEC/MD Position – Monitor
Status - Passed

MECHANICAL / ELECTRICAL ISSUES:

SB 24 - Public Schools - State Aid for School Construction - Planning and Design Costs

ACEC/MD Position – Monitor
Status - Died in Committee

SB 243 (cross filed - HB 226) - State Capital Projects - High Performance Buildings - Green Globe Rating

ACEC/MD Position – Monitor
Status - Died in Committee

SB 625 - Maryland Building Performance Standards - Energy Conservation and Efficiency

ACEC/MD Position – Monitor
Status - Passed

SB 686 (cross filed - HB 541) - High Performance Buildings Act - Applicable to Community College Capital Projects

ACEC/MD Position – Monitor
Status - Died on House Floor

HB 89 - Hospitals - Certificate of Need and Rate-Setting - High Performance Buildings

ACEC/MD position – Monitor
Status - Withdrawn

HB 226 (cross filed - SB 243) - State Capital Projects - High Performance Buildings - Green Globe Rating

ACEC/MD Position – Monitor
Status - Unfavorable Report

HB 541 (cross filed - SB 686) - High Performance Buildings Act - Applicable to Community College Capital Projects

ACEC/MD Position – Monitor
Status - Died on Senate Floor

HB 707 - Maryland Energy Conservation Building Standards Improvement Act

ACEC/MD Position – Support
Status - Died on House Floor

HB 1163 - Procurement - Capital Procurements - Life Cycle Assessment

ACEC/MD Position – Oppose
Status - Unfavorable Report

HB 1266 - High Performance Buildings and Energy Performance Standards - Exceptions - Repeal

ACEC/MD Position – Monitor
Status - Withdrawn

For details on the aforementioned legislation, go to the Maryland General Assembly homepage <http://mlis.state.md.us/>; scroll down to "Bill Information and Status"; and type in the bill number.



MEMBER NEWS

- **A. MORTON THOMAS & ASSOCIATES** is pleased to announce that the firm has advanced to #377 from its previous ranking at #460 in the Engineering News Record (ENR) magazine's Top 500 Design Firms.
- **GREENHORNE & O'MARA** announced that *Asko Miljkovic, LEED AP*, recently earned the Green Building Certification Institute's (GBCI) Leadership in Energy and Environmental Design (LEED) Accredited Professional (AP) status.
- **KCI TECHNOLOGIES, INC.** is pleased to announce the following:
 - *George Perdikakis, Sr.*, has joined the firm as director of marketing, public policy and corporate communications, and will lead the firm's national and international marketing efforts.
 - *Senior Vice President Joseph J. Siemek, P.E.*, has been promoted to group manager of the firm's newly created Mid-Atlantic Utilities Group.
 - *Edward A. Croft* has been promoted to vice president, and will lead the firm's Public Utilities Division in Laurel, MD and Sterling, VA.
 - *Scott Riddle* has been promoted to vice president, and will lead the firm's Public Utilities Division in Sparks, MD.
 - *Roger Windschitl* has been promoted to vice president, overseeing the firm's Mid-Atlantic Natural Resources Division and the group's expansion into the midwest.
 - *President Nathan J. Beil, P.E.* has been appointed to serve on the Board of the Maryland Chamber of Commerce.



SIGN UP FOR COMMITTEE SERVICE – DEADLINE EXTENDED TO JULY 10TH

Newly elected ACEC/MD President Mike Myers (Rummel, Klepper & Kahl) is in the process of staffing committees for the fiscal year beginning July 1, 2009. If you or an employee of your firm is interested in serving on one of the many committees helping to shape the business environment in which your firm operates in, please contact the ACEC/MD office.

In order to maximize participation, the deadline to sign up for committees has been extended to July 10th. Even if you served on a committee during this fiscal year, you must advise ACEC/MD of your continued interest in serving on that committee.

Check the ACEC/MD website – www.acecmd.org – for a complete list of committees.



AMERICAN COUNCIL OF ENGINEERING COMPANIES/MARYLAND

312 NORTH CHARLES STREET, SUITE 200

BALTIMORE, MARYLAND 21201

POSTMASTER: ADDRESS CORRECTION REQUESTED

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May-June, 2009

PROFESSIONAL DEVELOPMENT

- July 13-16** *Green Infrastructure and Sustainable Communities:
Opportunities in New Markets*
Denver, CO. Presented by ACEC and Colorado State University. For more information go to www.acec.org or call 202-347-7474.
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- July 14** *Green Roofing for Design Professionals*
July 15 *RRC Reviews and Update*
July 16-17 *Professional Roof Consulting*
Chicago, IL. Courses presented by RCI, Inc. For more information call 800-828-1902 or go to www.rci-online.org.
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- July 21** *Construction and Energy Workforce Solutions Forum*
Baltimore, MD. Jointly sponsored by GWIB's Construction Industry Initiative and Energy Industry Initiative Steering Committees. For more information, contact breyolds@dlir.state.md.us.
- July 23-24** *A/E/C Project Management Bootcamp – Small Projects* (College Park, MD)
- August 5** *Tort Liability & Risk Management* Chicago, IL.
- August 13-14** *A/E/C Project Management Bootcamp* Atlanta, GA