

PRESIDENT'S MESSAGE *by Jeffery P. McBride, P.E.*

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This will be my last President's message on behalf of ACEC/MD. I hope everyone has enjoyed my musings this past year. I know someone has read my messages and taken them to heart as my car tires were slashed in the parking lot during the Annual Golf Outing and anti Tea Party slogans (which I will not repeat here) were spray painted on my hood.... (just kidding of course). Anyway, it has been a great year and hopefully as part of the next ACEC/MD newsletter I will be allowed some space to thank the individuals that have supported me this year, as there were many.

On June 7th I attended the MDOT Modal Presentations at the Engineer's Club. One item I walked away with from the Modal presentations was what appeared to be more optimism on the part of the various presenters. For quite a while our meetings with these organizations generally included fairly dismal projections with respect to future projects and contracts. The presentations of June 7th seemed to hint things are turning around. However, we clearly have much work to do with protection of the Transportation Trust Fund (TTF), securing additional TTF revenue and working with ACEC in Washington to secure a long term transportation funding authorization on the federal level. As a vertical market firm owner, these issues are also vital to me since I cannot run my firm if my employees cannot get to the office safely and efficiently.

However, never fear, our Governor is on the trail of future economic stability and growth for our State and evidently that trail leads through Wisconsin, New Hampshire and the studios of Face the Nation and Meet the Press. Our Governor felt that the future prosperity of our State required him to travel to Wisconsin to speak in favor of the recall of Governor Scott Walker. That worked about as well as his speaking on behalf of increased transportation revenue in Maryland. In November at least three of his legislative priorities of the last two years face the real prospect of being overturned by referendum. Were so fortunate to have this type of leadership, I have goosebumps.

As we transition into summer we are steadily moving toward a series of protocols that the organization goes through as the new ACEC/MD President takes office. Jim Otradovec has sent out requests for persons interested in serving on our standing committees. If you have never served on a committee, please consider doing so. I think you will find it to be a rewarding experience.

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PRESIDENT'S MESSAGE (continued)

We have already started work on next year's legislative agenda. On June 5th we attended a meeting between ACEC/MD and the Maryland Society of Professional Engineers (MDSPE). The purpose of this meeting was to discuss our shared concerns over the failed attempt by the administration to pass a firm permit bill in the 2012 legislative session. Rest assured, this confusing and ill conceived bill will be back next legislative session, and we are working to get ahead of it and make sure our concerns are addressed. Unfortunately, we will likely be faced with the reality of spending our valuable time reviewing firm permit and Certificate of Authorization (COA) laws in other states in order to offer our version of a bill, or be faced with the prospect of having the current proposed legislation passed, which could have a negative impact on our firms.

Our Legislative Committee, under the fine leadership of Alan Straus, has barely taken any time off after the 2012 legislative session, and met on June 13th to continue their work pre-planning for next year's session. This is a great committee to get involved with, and certainly a good way to gain a real understanding of the challenges we face running our businesses in this rather business hostile state. Obviously transportation funding will be a priority next year, along with, the prospect of fighting the resurgence of taxes on professional services. As I have said in prior messages, our leaders in Annapolis utterly lack the fortitude to rein in spending on all manner of politically advantageous, but economically dubious initiatives, so all manner of revenue increasing schemes are on the table. At the present time that of course does not include transportation funding as teachers, public sector unions, and illegal immigrants do not, at present, share our concerns for improved transportation. When they do, we will not need to lift a finger. Until then, we have our work cut out for us.

I close this last message with a plea for two actions of equal importance. First, if at all possible, get involved with the ACEC/MD organization and committees. Attend our meetings, engage our executive committee and communicate ideas for us to move our priorities forward. One thing that is eminently clear, after 6 years on the executive committee of this organization and involvement on the legislative committee, is that our industry would be severely impacted, in a very negative way, by both the State Legislature and our Congress, if not for the work of the national ACEC organization and that of ACEC/MD.

Secondly, if not already doing so, please contribute to the national and state political action committees. We have eclipsed our goals with our national organization ACEC-PAC goals for several years. However, we still have much work to do with the Maryland PAC, or CEPAC. CEPAC contributions are both individual and firm contributions. Only about one quarter of our member firms have pledged funding to CEPAC. In 2011 we only raised \$18,000 toward our goal of \$25,000. So far in 2012 we have raised \$37,927.50, and need to raise \$50,000 by December 31st. Our CEPAC is critical to gaining access to State Legislators.

For those of you that get confused by the various PAC's and request for funding, and I have been one of them, here is a reminder:

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PRESIDENT'S MESSAGE (continued)

ACEC/PAC – ACEC National PAC, also referred to as “ACEPAC”. Our current goal is \$21,924 annually from individual members. Contribution to this fund gets you the American flag pin on your name badge.

CEPAC – ACEC/MD State PAC is both an individual and firm contribution PAC. Our current goal is \$100,000 over the 4-year cycle, or \$25,000 per year. Individual contributions to this fund gets you the Crab pin (my favorite) and your firm’s contribution gets you the MD Logo pin on your name badge.

I leave you with a quote I recently saw on a t-shirt.

Ineptocracy - (in-ep-toc'-ra-cy) - A system of government where the least capable to lead are elected by the least capable of producing, and where the members of the society least likely to sustain themselves or succeed, are rewarded with goods and services paid for by the confiscated wealth of a diminishing number of producers.

Stay thirsty my friends.

2012 MARYLAND GENERAL ASSEMBLY WRAP UP

Still burdened by an estimated \$1-billion structural deficit during the 2012 session, the Maryland General Assembly was once again unwilling to meaningfully address the severe deficit in infrastructure funding that is plaguing the state. Increased transportation funding became a non-starter when gas prices went through the roof and neither the Governor nor the leadership in the General Assembly would push for real protection of the Transportation Trust Fund.

On a positive note, additional funding was added to the Bay Restoration Fund and a tax on professional services was avoided in the legislature’s attempt to balance the budget. ACEC/MD was also instrumental in defeating a proposal to require the permitting of engineering firms, and in modifying legislation that would have required firms to disclose when they were going to perform services outside of the state of Maryland.

The state’s Minority Business Participation Law was modified to give more authority to the Special Secretary of Minority Affairs in establishing the MBE goals, which will now be updated annually. The goals now must be based on the availability of MBE and WBE firms demonstrated by the most recent disparity study.

The Small Business Reserve Program was expanded for engineering services to now include firms that employ up to 100 people **or** have gross sales up to \$4,500,000.

Of the approximately 2,500 pieces of legislation that were introduced this year, your legislative committee, chaired by URS Corporation’s Alan Straus, reviewed, in detail, almost 300 pieces of legislation.

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The logo for ACEC, featuring the text "ACEC" in a large, bold, sans-serif font. A thin, curved line arches over the text.



2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

For more information on the following legislation reviewed by the committee, please go to the ACEC/MD website; go to the Legislative Action Center and click on the link to the Maryland General Assembly, then access bill information. ACEC/MD's position and the General Assembly action are included in this report.

CF = Cross Filed

TRANSPORTATION

SB 3 - Maryland Toll Accountability Act
MONITOR
DIED IN COMMITTEE

SB 57 (CF = HB 326) - Vehicle Laws - Use of Work Zone Speed Control Systems - Presence of Workers Required
OPPOSE
UNFAVORABLE REPORT

SB 62 - Maryland Transportation Authority - Fixing or Revising Tolls - Legislative Approval Required
OPPOSE
DIED IN COMMITTEE

SB 233 - Transportation Trust Fund - Appropriation of General Fund Surplus
MONITOR
UNFAVORABLE REPORT

SB 252 (CF = HB 213) - Baltimore City Community Enhancement Transit-Oriented Development Fund
MONITOR
DIED ON HOUSE FLOOR

SB 260 - Cecil-Harford Highway Impact Revenue Account
OPPOSE
UNFAVORABLE REPORT

SB 325 - Regional Mass Transit Account
MONITOR
DIED IN COMMITTEE

SB 403 - Transportation Trust Fund - Dedicated Highway Funds
SUPPORT
DIED IN COMMITTEE

SB 440 - Highway User Revenue Distribution
MONITOR
DIED IN COMMITTEE

SB 441 - Transportation Trust Fund - Financing - Use of Funds
SUPPORT
DIED IN COMMITTEE

SB 589 - Sales and Use Tax - Mass Transit
MONITOR
DIED IN COMMITTEE

SB 615 - Legislative Audits - Joint Audit Committee Recommendations
MONITOR
DIED IN COMMITTEE

SB 619 (CF = HB 695) - Dedicated Funds - Prohibition of Transfer
SUPPORT
UNFAVORABLE REPORT

SB 693 - Maryland Transportation Authority - Termination - Exchange of Bonds
OPPOSE
DIED IN HOUSE COMMITTEE

SB 696 (CF = HB 1250) - Transportation - Transit Authorities - Red Line and Purple Line
OPPOSE
DIED IN COMMITTEE

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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

SB 698 - Maryland Transit Administration - Farebox Recovery
MONITOR
DIED IN COMMITTEE

SB 699 (CF = HB 1231) - Maryland Transit Administration - Farebox Recovery Rate Increase
MONITOR
DIED IN COMMITTEE

SB 766 - Motor Fuel - Mass Transit Tax - Transit Funding
MONITOR
DIED IN COMMITTEE

SB 818 - Transportation - Chesapeake Bay Bridge Crossing - Environmental Impact Study for a Third Span
MONITOR
FAILED

SB 820 (CF = HB 40) - Transportation - Toll, Fee, or Other Charge Increases - Notice and Public Comment
MONITOR
PASSED

SB 824 (CF = HB 1251) - Transportation - Chesapeake Bay Bridge Authority
MONITOR
DIED IN COMMITTEE

SB 825 (CF = HB 1259) - Maryland Transportation Authority - Audits - Statements Available Online
MONITOR
UNFAVORABLE REPORT

SB 828 - Maryland Transportation Authority - Fixing or Revising Tolls - Legislative Approval Required
OPPOSE
DIED IN COMMITTEE

SB 834 - Transit Facilities - Farebox Recovery Deficiency - Payment by Political Subdivisions to State
MONITOR
UNFAVORABLE REPORT

SB 836 (CF = HB 863) - Teachers' Retirement and Pension Systems - Local Employer Contributions
MONITOR
DIED IN COMMITTEE

SB 971 (CF = HB 1302) - Maryland Transportation Financing and Infrastructure Investment Act of 2012
MONITOR
DIED IN COMMITTEE

SB 977 (CF = HB 1278) - Transportation - Institutions of Higher Education and State Employment Facilities - Bicycle and Pedestrian Access
MONITOR
PASSED

SB 1061 - Office of Legislative Audits - Managing for Results Audits of Department of Transportation Modal Administrations
MONITOR
WITHDRAWN

SB 1062 - Transportation - Rail Projects - Farebox Recovery Requirement
MONITOR
WITHDRAWN

SB 1064 - Transportation - Washington Metropolitan Area Transit Authority - Revenue Contributions by Montgomery County and Prince George's County
MONITOR
WITHDRAWN

HB 23 - Dedicated State Funds Protection Act
SUPPORT
UNFAVORABLE REPORT

HB 40 (CF = SB 820) - Transportation - Toll, Fee, or Other Charge Increases - Notice and Public Comment
MONITOR
DIED IN COMMITTEE

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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

HB 146 - Transportation Trust Fund Protection Act
SUPPORT
UNFAVORABLE REPORT

HB 213 (CF = SB 252) - Baltimore City Community Enhancement Transit-Oriented Development Fund
MONITOR
PASSED

HB 326 (CF = SB 57) - Vehicle Laws - Use of Work Zone Speed Control Systems - Presence of Workers Required
OPPOSE
UNFAVORABLE REPORT

HB 635 - Task Force to Study the Creation of Regional Transit Financing Authorities
SUPPORT
DIED IN COMMITTEE

HB 643 - Video Lottery Terminals - Expansion to Baltimore-Washington International Thurgood Marshall Airport
MONITOR
DIED IN COMMITTEE

HB 661 - State Retirement and Pension System - Local Employer Contributions - Educators and Educational Staff
MONITOR
UNFAVORABLE REPORT

HB 685 - Maryland Transportation Authority - Tolls - Legislative Approval Required
OPPOSE
DIED IN COMMITTEE

HB 695 (CF = SB 619) - Dedicated Funds - Prohibition of Transfer
MONITOR
UNFAVORABLE REPORT

HB 711 - Video Lottery Terminals - Baltimore-Washington International Thurgood Marshall Airport
MONITOR
DIED IN COMMITTEE

HB 842 - Maryland Transit Administration - Free Ridership for State Employees
OPPOSE
DIED IN SENATE COMMITTEE

HB 845 - Transportation - Highway User Revenues - Distribution
MONITOR
UNFAVORABLE REPORT

HB 863 (CF = SB 836) - Teachers' Retirement and Pension Systems - Local Employer Contributions
MONITOR
UNFAVORABLE REPORT

HB 1133 - State Highway Administration - Closure of Interstate 70 for Red Line Transit Project Expansion Prohibited
MONITOR
WITHDRAWN

HB 1156 - Motor Fuel Tax - Increase - Construction Cost Index
SUPPORT
DIED IN COMMITTEE

HB 1157 - Maryland Transportation Authority - Fixing or Revising Tolls - Legislative Approval Required
OPPOSE
DIED IN COMMITTEE

HB 1195 - Land Use - Rail Station Overlay Districts
MONITOR
UNFAVORABLE REPORT

HB 1230 - Maryland Transit Administration - Farebox Recovery Rate Increase
MONITOR
DIED IN COMMITTEE

HB 1231 (CF = SB 699) - Maryland Transit Administration - Farebox Recovery Rate Increase
MONITOR
DIED IN COMMITTEE



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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

HB 1232 - Maryland Transportation Authority - Privatization of the Intercounty Connector and the I-95 Express Toll Lanes
MONITOR
DIED IN COMMITTEE

HB 1233 - State Highway Administration - Privatization of Rest Areas and Welcome Centers on State Highways
MONITOR
DIED IN COMMITTEE

HB 1251 (CF = SB 824) - Transportation - Chesapeake Bay Bridge Authority
MONITOR
DIED IN COMMITTEE

HB 1278 (CF = SB 977) - Transportation - Institutions of Higher Education and State Employment Facilities - Bicycle and Pedestrian Access
MONITOR
PASSED

HB 1302 (CF = SB 971) - Maryland Transportation Financing and Infrastructure Investment Act of 2012
MONITOR
DIED IN COMMITTEE

HB 1323 - Task Force to Study Separating Mass Transit Funding from the Transportation Trust Fund
MONITOR
DIED IN COMMITTEE

HB 1329 - Washington Suburban Transit Commission - Washington Metropolitan Area Transit Authority Board of Directors - Membership
MONITOR
PASSED

HB 1388 - Motor Fuel Tax - Increase - Construction Cost Index
SUPPORT
DIED IN COMMITTEE

ENVIRONMENTAL

SB 65 (CF = HB 121) - Dedicated Funds - Prohibition of Transfer - Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and Bay Restoration Fund
SUPPORT
UNFAVORABLE REPORT

SB 117 - Environment - Water Appropriation Permits - Construction Dewatering Projects
SUPPORT
PASSED

SB 236 (CF = HB 445) - Sustainable Growth and Agricultural Preservation Act of 2012
MONITOR
PASSED

SB 240 (CF = HB 446) - Environment - Bay Restoration Fund - Fees
SUPPORT
DIED IN COMMITTEE

SB 330 (CF = HB 464) - Agriculture - Total Maximum Daily Load - Regulations
MONITOR
UNFAVORABLE REPORT

SB 475 (CF = HB 671) - Stormwater Management - Dredging - Testing for Toxic Substances
MONITOR
DIED IN COMMITTEE

SB 614 (CF = HB 987) - Stormwater Management - Watershed Protection and Restoration Program
SUPPORT
DIED IN COMMITTEE

SB 635 - Environment - Water Appropriation or Use Permits - Fees
MONITOR
DIED IN HOUSE COMMITTEE

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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

SB 636 (CF = HB 1123) - Environment - Presumptive Impact Areas - Damage Caused by Gas Wells in Deep Shale Deposits
MONITOR
DIED ON HOUSE FLOOR

SB 692 (CF = HB 47) - Environment - County Plans - Authority
MONITOR
UNFAVORABLE REPORT

SB 695 - Environment - Watershed Implementation Plan - Conowingo Dam Environmental Assessment
MONITOR
UNFAVORABLE REPORT

SB 701 - State Development Plan - Restriction on Use
MONITOR
UNFAVORABLE REPORT

SB 768 - Natural Gas Severance Tax and Impact Fund
MONITOR
DIED IN COMMITTEE

SB 798 (CF = HB 1204) - The Marcellus Shale Safe Drilling Study Fee
MONITOR
DIED IN COMMITTEE

SB 819 (CF = HB 35) - Private Property Rights - Regulatory Infringement - Compensation
MONITOR
UNFAVORABLE REPORT

SB 823 (CF = HB 486) - Environment - Watershed Implementation Plan - Ranking Best Management Practices
MONITOR
UNFAVORABLE REPORT

SB 826 - Local and Regional Planning and Land Use Powers - Prohibition on Restriction
MONITOR
UNFAVORABLE REPORT

SB 827 - Environment - Sewage Disposal Systems
MONITOR
UNFAVORABLE REPORT

SB 829 - Department of Planning - State Development Plan - Approval by the General Assembly
MONITOR
UNFAVORABLE REPORT

SB 833 - Regulations - Fees and Fines - Legislative Approval Required
MONITOR
UNFAVORABLE REPORT

SB 835 - State Development Plan - Conflicts with a County or Municipal Corporation
MONITOR
UNFAVORABLE REPORT

SB 877 - Environment - Water Pollution Control - Reporting and Penalties
MONITOR
DIED IN HOUSE COMMITTEE

SB 1097 - Water Pollution Control and Abatement - Coal Combustion By-Products and Water Pollutants
MONITOR
DIED IN COMMITTEE

HB 33 - Environment - Watershed Implementation Plans - Implementation Deadlines
MONITOR
WITHDRAWN

HB 35 (CF = SB 819) - Private Property Rights - Regulatory Infringement - Compensation
MONITOR
UNFAVORABLE REPORT

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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

HB 47 (CF = SB 692) - Environment - County Plans - Authority
MONITOR
UNFAVORABLE REPORT

HB 121 (CF = SB 65) - Dedicated Funds - Prohibition of Transfer - Chesapeake and Atlantic Coastal Bays
2010 Trust Fund and Bay Restoration Fund
SUPPORT
UNFAVORABLE REPORT

HB 253 - Department of Planning - Local and Regional Planning and Land Use Powers - Prohibition on Restriction
MONITOR
UNFAVORABLE REPORT

HB 296 - Environment - Hydraulic Fracturing Wastewater - Prohibited Acts
MONITOR
UNFAVORABLE REPORT

HB 445 (CF = SB 236) - Sustainable Growth and Agricultural Preservation Act of 2012
MONITOR
DIED IN COMMITTEE

HB 446 (CF = SB 240) - Environment - Bay Restoration Fund - Fees
SUPPORT
PASSED

HB 464 (CF = SB 330) - Agriculture - Total Maximum Daily Load - Regulations MONITOR
WITHDRAWN

HB 486 (CF = SB 823) - Environment - Watershed Implementation Plan - Ranking Best Management Practices
MONITOR
UNFAVORABLE REPORT

HB 549 - Stormwater Management - Residential Stormwater Practices - Inspection and Maintenance
MONITOR
UNFAVORABLE REPORT

HB 654 - State Development Plan - Repeal
MONITOR
UNFAVORABLE REPORT

HB 671 (CF = SB 475) - Stormwater Management - Dredging - Testing for Toxic Substances
MONITOR
UNFAVORABLE REPORT

HB 922 - Maryland Smart Growth Advisory Council
MONITOR
UNFAVORABLE REPORT

HB 931 - Department of Planning - State Development Plan - Approval by the General Assembly
MONITOR
UNFAVORABLE REPORT

HB 932 - Department of Planning - State Development Plan - Denial of Projects, Permits, Approvals, or State Funding
MONITOR
UNFAVORABLE REPORT

HB 987 (CF = SB 614) - Stormwater Management - Watershed Protection and Restoration Program
MONITOR
PASSED

HB 1123 (CF = SB 636) - Environment - Presumptive Impact Areas - Damage Caused by Gas Wells in Deep
Shale Deposits
MONITOR
PASSED

HB 1411 - Environment - Water Management Administration - Wetlands and Waterways Program Fees
MONITOR
PASSED



2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

GENERAL BUSINESS

SB 16 - Jury Service - Employers - Prohibited Acts
OPPOSE
PASSED

SB 109 - State Board of Architects - Continuing Professional Competency
SUPPORT
PASSED

SB 137 - Commercial Law - Contract Provisions - Payment of Legal Fees
SUPPORT
WITHDRAWN

SB 152 (CF = HB 87) - Budget Reconciliation and Financing Act of 2012
MONITOR
DIED ON FLOOR

SB 219 - Procurement - Public Work Contracts - Project Labor Agreements
MONITOR
DIED IN COMMITTEE

SB 221 - Courts and Judicial Proceedings - Strategic Lawsuits Against Public Participation
MONITOR
FAILED

SB 248 - Taxation of Corporations - Alternative Minimum Assessment
MONITOR
WITHDRAWN

SB 269 - Maryland Business Tax Fairness Act
MONITOR
UNFAVORABLE REPORT

SB 272 - Labor and Employment - Workplace Fraud Act - Revisions
MONITOR
PASSED

SB 358 (CF = HB 576) - Public-Private Partnerships
SUPPORT
DIED ON FLOOR

SB 433 (CF = HB 964) - Labor and Employment - User Name and Password Privacy Protection
OPPOSE
PASSED

SB 438 - Ethics - Former Local Government Officials and Employees
MONITOR
DIED IN COMMITTEE

SB 519 (CF = HB 1116) - Corporate Income Tax - Investments in Maryland
MONITOR
DIED IN COMMITTEE

SB 537 (CF = HB 1197) - State Finance and Procurement - Special Funds - Diversity
MONITOR
DIED IN COMMITTEE

SB 549 (CF = HB 456) - Small Business Reserve Program - Definition of Small Business - Revision
HOLD
PASSED

SB 600 (CF = HB 734) - Business Regulation - Independent Contractor Registry - Presumptions Under Workplace Fraud Act
OPPOSE
UNFAVORABLE REPORT

SB 628 - Minority Business Enterprise Program - Participation Subgoals - Prime Contractors
SUPPORT
DIED IN COMMITTEE

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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

SB 653 (CF = HB 581) - Income Tax - Expensing of Business Property and Bonus Depreciation
SUPPORT
DIED IN COMMITTEE

SB 659 (CF = HB 865) - State Procurement - Disclosure of the Relocation of Jobs to a Foreign Country
MONITOR
PASSED

SB 684 (CF = HB 454) - Real Property - Maryland Contract Lien Act - Foreclosures
MONITOR
DIED IN COMMITTEE

SB 700 (CF = HB 819) - Office of the Inspector General - Establishment
MONITOR
DIED IN COMMITTEE

SB 704 (CF = HB 820) - State Government - Inspector General
MONITOR
DIED IN COMMITTEE

SB 713 (CF = HB 840) - Procurement - Living Wage - Repeal
MONITOR
DIED IN COMMITTEE

SB 715 - Labor and Employment - Right to Work
MONITOR
DIED IN COMMITTEE

SB 716 - Procurement - Required Clauses - Project Labor Agreement Prohibition
MONITOR
DIED IN COMMITTEE

SB 718 - Procurement - Prevailing Wage Rate Law - Repeal
MONITOR
DIED IN COMMITTEE

SB 793 - Corporate Income Tax - Rate in Economically Depressed Counties
MONITOR
UNFAVORABLE REPORT

SB 881 - Receipt of State Funds - Local Employee Requirement
MONITOR
WITHDRAWN

SB 913 - State Procurement - Rejection of Bids and Proposals - Businesses Located Outside the State
OPPOSE
UNFAVORABLE REPORT

SB 966 - Civil Rights - Employment Discrimination - Employment Status
MONITOR
DIED IN COMMITTEE

SB 991 (CF = HB 421) - Workers' Compensation - Death Benefits - Determination of Benefits
MONITOR
DIED IN HOUSE COMMITTEE

SB 999 - Labor and Employment - Abusive Work Environments - Employee Remedies
MONITOR
DIED IN HOUSE COMMITTEE

SB 1005 - Labor and Employment - Determination of Independent Contractor Status - Workplace Fraud Act and Unemployment Insurance
MONITOR
WITHDRAWN

SB 1028 - Labor and Employment - Leave - Deployment of Family Members in the Armed Forces
MONITOR
DIED IN COMMITTEE

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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

SB 1035 - Job Creation and Economic Growth Act of 2012
MONITOR
DIED IN COMMITTEE

SB 1037 (CF = HB 1384) - Prior Authorizations of State Debt to Fund Capital Projects - Alterations
SUPPORT
PASSED

SB 1065 - Procurement - Board of Contract Approval – Establishment
MONITOR
DIED IN COMMITTEE

SB 1089 (CF = HB 843) - General Assembly - Reduction in Budget Appropriations for Repeat Legislative Audit Findings
MONITOR
DIED IN COMMITTEE

HB 43 - Maryland Constitution - Laws Making an Appropriation Made Subject to Petition Referendum
MONITOR
UNFAVORABLE REPORT

HB 87 (CF = SB 152) - Budget Reconciliation and Financing Act of 2012
MONITOR
DIED IN COMMITTEE

HB 91 - Labor and Employment - Labor Organizations - Right to Work
MONITOR
UNFAVORABLE REPORT

HB 234 - Corporate Income Tax - Rate Reduction
MONITOR
DIED IN COMMITTEE

HB 309 - Labor and Employment - Independent Contractor -Definition
MONITOR
WITHDRAWN

HB 353 - Jury Service - Employers - Prohibited Acts
OPPOSE
PASSED

HB 355 - Employment and State Procurement - Use of the Federal E-Verify Program (Better Maryland - Immigration Reform)
OPPOSE
UNFAVORABLE REPORT

HB 421 (CF = SB 991) - Workers' Compensation - Death Benefits - Determination of Benefits
MONITOR
PASSED

HB 429 - Sales and Corporate Income Tax Relief (Better Maryland - Tax Relief)
MONITOR
DIED IN COMMITTEE

HB 454 (CF = SB 684) - Real Property - Maryland Contract Lien Act - Foreclosures
MONITOR
DIED IN SENATE COMMITTEE

HB 456 (CF = SB 549) - Small Business Reserve Program - Definition of Small Business - Revision
MONITOR
PASSED

HB 523 - Board of Public Works - Procurement Contracts - Economic Inclusion Plans
OPPOSE
WITHDRAWN

HB 558 - Procurement - Automatic Debarment - Employee Arbitration Clauses
OPPOSE
UNFAVORABLE REPORT

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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

HB 559 - Procurement - Automatic Debarment - Unpaid Taxes
MONITOR
UNFAVORABLE REPORT

HB 576 (CF = SB 358) - Public-Private Partnerships
SUPPORT
DIED IN SENATE COMMITTEE

HB 581 (CF = SB 653) - Income Tax - Expensing of Business Property and Bonus Depreciation
SUPPORT
DIED IN COMMITTEE

HB 659 - Architects, Landscape Architects, Professional Engineers, and Professional Land Surveyors - Firm Permits
OPPOSE
UNFAVORABLE REPORT

HB 734 (CF = SB 600) - Business Regulation - Independent Contractor Registry - Presumptions Under Workplace Fraud Act
OPPOSE
WITHDRAWN

HB 819 (CF = SB 700) - Office of the Inspector General - Establishment
MONITOR
UNFAVORABLE REPORT

HB 820 (CF = SB 704) - State Government - Inspector General
MONITOR
UNFAVORABLE REPORT

HB 840 (CF = SB 713) - Procurement - Living Wage - Repeal
MONITOR
UNFAVORABLE REPORT

HB 843 (CF = SB 1089) - General Assembly - Reduction in Budget Appropriations for Repeat Legislative Audit Findings
MONITOR
DIED IN COMMITTEE

HB 865 (CF = SB 659) - State Procurement - Disclosure of the Relocation of Jobs to a Foreign Country
MONITOR
PASSED

HB 871 - The Initiative
MONITOR
DIED IN COMMITTEE

HB 902 - Washington Suburban Sanitary Commission - Minority Business Enterprise Utilization Program - Termination Extension PG/MC 102-12
MONITOR
PASSED

HB 941 - Maryland Business Tax Fairness Act
MONITOR
DIED IN COMMITTEE

HB 948 - Prevailing Wage Enforcement Act
MONITOR
UNFAVORABLE REPORT

HB 964 (CF = SB 433) - Labor and Employment - User Name and Password Privacy Protection
OPPOSE
PASSED

HB 965 - Income Tax Credit - General Services Administration Schedules Program - Preparation Expenses
MONITOR
DIED IN SENATE COMMITTEE

HB 969 - Income Tax - Credit to Businesses for Employment
MONITOR
DIED IN COMMITTEE

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2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

HB 992 - Intergovernmental Cooperative Purchasing Agreement Requirements - Authority to Withhold Funds to Local Entities
MONITOR
WITHDRAWN

HB 994 - Maryland Small Business Resources Workgroup
MONITOR
UNFAVORABLE SENATE COMMITTEE REPORT

HB 1051 - Sales and Use Tax - Services
OPPOSE
DIED IN COMMITTEE

HB 1092 - Prevailing Wage Rate - Contract Threshold Amount
MONITOR
WITHDRAWN

HB 1116 (CF = SB 519) - Corporate Income Tax - Investments in Maryland
MONITOR
DIED IN COMMITTEE

HB 1196 - Participation in Procurement - Conflict of Interest - Exemption
MONITOR
PASSED

HB 1197 (CF = SB 537) - State Finance and Procurement - Special Funds - Diversity
MONITOR
WITHDRAWN

HB 1205 - Procurement - Service Contracts - Delineation of Costs by Categories
MONITOR
WITHDRAWN

HB 1209 - Procurement - Preferences - Businesses Located in the State
OPPOSE
WITHDRAWN

HB 1211 - Procurement - Prevailing Wage Rate - Penalties for Violations
MONITOR
WITHDRAWN

HB 1314 - Procurement - Minority Business Enterprises - Reporting of Architectural Services and Engineering Services Contracts
MONITOR
WITHDRAWN

HB 1328 - State Government - Independent Audits of Units - Requirement
MONITOR
UNFAVORABLE REPORT

HB 1364 - Labor and Employment - Determination of Independent Contractor Status - Workplace Fraud Act and Unemployment Insurance
MONITOR
PASSED

HB 1369 - Office of Minority Affairs - Duties of Special Secretary - Minority Business Enterprises
MONITOR
PASSED

HB 1370 - Procurement - Minority Business Participation
SUPPORT
PASSED

HB 1384 (CF = SB 1037) - Prior Authorizations of State Debt to Fund Capital Projects - Alterations
SUPPORT
DIED IN COMMITTEE

HB 1452 - Creation of a State Debt - Baltimore City - Garrett-Jacobs Mansion
SUPPORT
UNFAVORABLE REPORT

an affiliate of



2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

WORKPLACE / HEALTH

SB 238 (CF = HB 443) - Maryland Health Benefit Exchange Act of 2012
MONITOR
DIED IN HOUSE COMMITTEE

SB 291 (CF = HB 769) - Unemployment Insurance - Coverage - Victims of Domestic Violence
MONITOR
PASSED

SB 742 - Workers' Compensation - Average Weekly Wage - Contest of Determination
MONITOR
DIED IN COMMITTEE

SB 745 (CF = HB 1017) - Injured Workers' Insurance Fund - Conversion to Chesapeake Employers' Insurance Co.
MONITOR
PASSED

HB 443 (CF = SB 238) - Maryland Health Benefit Exchange Act of 2012
MONITOR
PASSED

HB 769 (CF = SB 291) - Unemployment Insurance - Coverage - Victims of Domestic Violence
MONITOR
PASSED

HB 1017 (CF = SB 745) - Injured Workers' Insurance Fund - Conversion to Chesapeake Employers' Insurance Co.
MONITOR
PASSED

MECHANICAL/ELECTRICAL ISSUES

SB 197 - Sales and Use Tax - Distribution of Revenues - Public School Construction
MONITOR
DIED IN COMMITTEE

SB 222 (CF = HB 639) - High Performance Buildings Act - Applicability to Recipients of State Aid
MONITOR
DIED IN COMMITTEE

SB 602 (CF = HB 366) - Public Safety - Building Performance Standards - Fire and Life Safety
MONITOR
PASSED

SB 721 - Task Force on Climate Control in Public Schools in Baltimore County
SUPPORT
DIED IN COMMITTEE

SB 862 - Public Safety - Building Exteriors - Inspection and Maintenance
MONITOR
UNFAVORABLE REPORT

SB 1036 - Academic Facilities Bonding Authority
MONITOR
PASSED

HB 158 - Property Tax - High Performance Building Tax Credit - National Green Building Standards
MONITOR
PASSED

HB 366 (CF = SB 602) - Public Safety - Building Performance Standards - Fire and Life Safety
MONITOR
PASSED

HB 639 (CF = SB 222) - High Performance Buildings Act - Applicability to Recipients of State Aid
MONITOR
WITHDRAWN

HB 782 - Academic Facilities Bonding Authority
MONITOR
DIED IN COMMITTEE

2012 MARYLAND GENERAL ASSEMBLY WRAP UP (continued)

HB 901 - Washington Suburban Sanitary Commission - High Performance Buildings PG/MC 110-12
MONITOR
PASSED

HB 1240 - School Infrastructure Local Option Act
SUPPORT
DIED IN COMMITTEE

HB 1246 - Baltimore City Public School Construction Authority
MONITOR
WITHDRAWN

HB 1445 - Plumbing and Heating, Ventilation, Air-Conditioning, and Refrigeration Employees - Public Work Contracts - License Requirement and Employee Classification
MONITOR
PASSED

TRANSPORTATION FUNDING INCREASE STILL ON HOLD

Following a meeting with Senate President Mike Miller, there is even less reason for optimism that a second special session will be called in July to potentially address transportation funding. The hang up, of course, is partisan politics that revolve around the inability to gain agreement on expanding gambling in the state of Maryland.

It is hoped that a special session would provide the opportunity to at least gain a constitutional amendment that would provide significant protection for the Transportation Trust Fund (TTF). While Senator Miller stated at the meeting that he would not support separating a constitutional amendment from a gas tax increase, because it is his only chance to get the needed votes, it is hoped that at a minimum gaining the protection would break the gridlock that has prevented any positive action.

At the June 13th Legislative Committee meeting participants agreed that high gas prices, a distrust of government, anti-tax sentiment, and the bad economy doomed any realistic chance for a funding increase during the last session.

While a gas tax increase is probably the best short term solution, there is some sense that without significant protection in place for the TTF, we may never see another gas tax increase.

In an attempt to move forward, in addition to meeting with Senator Miller to press for a special session and to get ideas on a successful strategy, legislative committee members are seeking meetings with both outgoing MDOT Secretary Swaim-Staley and MDOT Deputy Secretary Mobley. Deputy Secretary Mobley is very interested in working with ACEC/MD to educate the public on the importance of enhanced funding for transportation. The committee is also planning to form subcommittees that would address specific creative funding options.

Obviously, on a limited budget, the committee can only do so much to both educate the public and elected officials. When interacting with elected officials on this important issue, please let them know how important it is to the economic welfare of the state. And be sure to take every opportunity to assist in building the ground swell of public opinion that will be necessary to be successful in a special session or in the 2013 General Assembly session.



MATCHMAKING PROGRAM A HUGE SUCCESS

This year's Matchmaking Program, co-hosted by ACEC/MD and the Maryland Department of Transportation, was bigger and better than ever. Approximately 150 representatives from 100 DBE companies attended the event, that featured one-on-one meetings with prime firm representatives, an informative presentation on marketing presented by DFI representatives Ray Streib and Sandy Henningson, and a targeted panel discussion featuring ACEC/MD incoming President Leon Kriebel (WBCM), ACEC/MD Past President Cathy Ritter (Constellation Design Group), Malini Glueck (Phoenix Engineering), and Norie Calvert (SHA).

Highlighted throughout the program was the importance of relationship building. The presentations informed attendees how they should pursue work with prime firm representatives and the process from responding to an RFP through invoicing.

In delivering his opening remarks and throughout the opening session, Deputy Secretary Mobley was very complimentary of ACEC/MD and its member firm representatives for reaching out to the DBE community, and enhancing the business environment for all citizens in the state of Maryland. In addition to the aforementioned participants, a special thanks goes to steering committee cochairs Rommel Fajardo (Kim Engineering) and Charles Kumi (Kumi Construction Management Corporation), along with committee members Beverly Pannee, Laura Soprano, and Summer Lee (RJM Engineering), Latasha Ramphal and Naomi Kim (Kim Engineering), Cathy Ritter (Constellation Design Group), Malini Glueck (Phoenix Engineering), and Alison Tavik (MDOT). In addition we would like to thank the following prime firms that sent a total of 54 representatives to support this important program:

A. Morton Thomas & Associates
 AECOM
 Alpha Corporation
 Brudis & Associates, Inc.
 Century Engineering
 Development Facilitators, Inc.
 EA Engineering, Science & Technology, Inc.
 EBA Engineering
 Gannett Fleming
 Greenhorne & O'Mara
 Hardesty & Hanover
 Jacobs Engineering Group, Inc.
 Johnson, Mirmiran & Thompson
 KCI Technologies
 McCormick Taylor, Inc.
 Michael Baker, Jr., Inc.
 Parsons Brinckerhoff, Inc.
 Rummel, Klepper & Kahl
 STV, Incorporated
 Urban Engineers
 URS Corporation
 The Wilson T. Ballard Company
 Wallace, Montgomery & Associates
 Whitman, Requardt & Associates, LLP
 Whitney, Bailey, Cox & Magnani, LLC

an affiliate of

THE SUN SHINES ON ACEC/MD'S 45TH ANNUAL TOURNAMENT

Outgoing ACEC/MD President Jeff McBride (EBL Engineers) continued the winning streak by delivering perfect weather at ACEC/MD's 45th annual golf tournament. Nearly 100 golfers once again took part in this year's tournament, which was very encouraging considering the reduced attendance at some of the other popular tournaments held this year.

Coming out on top this year at the challenging Greystone Course was Adam Derrick, who shot an impressive low gross score of 70.

Also this year, President McBride, who was hobbled by a knee injury, initiated the ACEC/MD Presidential Putting Contest. Taking top honors in this competition was the team of Matt Gough, Jim Holtzapple, and Matt Mjones.

While there were some fairly close shots, the \$20,000 prize for a hole-in-one remained unclaimed.

Through the purchase of mulligans, golfers did contribute an impressive \$700.00 to ACEC/MD's Scholarship Fund. We would also like to thank both the contributors to the silent auction and the bidders that helped raise almost \$2,000 for CEPAC, ACEC/MD's state political action committee.

Other notable performances during the tournament included:

2nd Low Gross – Jim Frazier (Michael Baker, Jr., Inc.)

1st Low Net – Paul Slonac (Michael Baker, Jr., Inc.)

2nd Low Net – Matt Gough (Ames & Gough)

3rd Low Net – Pete White

Least # of putts – Jim Wilson

Men's Longest Drive – Jim Frazier (Michael Baker, Jr., Inc.)

Ladies' Longest Drive – Stacy Stone (AECOM)

Closest to the Pin (2) – Jim Robinson (WRA)

Paul Tolle

NEW MEMBERS

The following firms have been elected to membership in ACEC/MD:

REGULAR MEMBERSHIP:

HAKS ENGINEERS, INC.

401 East Pratt Street, Suite 2245

Baltimore, MD 21202

Telephone: 410-605-0592; FAX 410-605-0593

Rep/Contact: Fawzi Faraj ffaraj@haks.net

Website: www.haks.net

Brief History and Activities of the Firm: Established in 1991 as a partnership by Husam Ahmad, the firm was incorporated in 1994. HAKS is a multi-disciplined construction management, engineering, architecture, land surveying, and material testing firm serving public and private clients. The firm offers a comprehensive range of high quality services in the infrastructure, transportation, buildings and facilities, environmental, utilities, security, and asset management markets.

AFFILIATE MEMBERSHIP:

BIEGEL & WALLER

8860 Columbia 100 Parkway, Suite 201

Columbia, MD 21045

Telephone: 410-997-0994; FAX: 410-997-8473

Contact: Peter Jenkins pjenkins@biegelwaller.com

Brief History and Activities of the Firm: Founded in 1998, Biegel & Waller, LLC is a fee-based, conflict-free investment advisory firm using a true open architecture platform to strategically and tactically manage client portfolios with an emphasis on managing risk and growing assets. Biegel & Waller, LLP is a boutique tax-only consulting practice which focuses on private and publicly traded middle market companies and their owners. The firm's professionals have "Big Four" tax accounting experience with specialization areas including state and local tax, M&A, partnerships and international tax planning.

We welcome these firms as members of ACEC/MD. Be sure to add their information to your records. The next time you see one of their representatives, please take the time to let them know we're glad that they have joined the Council!

MEMBER NEWS

A. MORTON THOMAS & ASSOCIATES is pleased to announce that former ACEC/MD President *Frederick J. Wagner, P.E.* has joined the firm as a senior associate based in its Baltimore office with a focus on regional expansion. Fred has over 30 years of experience, having previously been responsible for transportation services in the Mid-Atlantic region.

EA ENGINEERING, SCIENCE & TECHNOLOGY has named the following new vice presidents:

- With 32 years of experience, *Michele Bailey* is a new Vice President and Director of Human Resources.
- *Dr. Frank Barranco, P.G.*, Vice President and Director of Quality Control, has 23 years of experience in the consulting business, including 16 years with the firm.
- *Sarah Ridgway, P.E.*, Vice President and Manager of Mid-Atlantic Engineering Services, has served in a variety of management and technical positions since joining the firm in 2001.

OFFICERS

President

Jeff McBride, P.E.
EBL Engineers

Vice President

Leon Kriebel, P.E.
WBCM

Secretary

Dana Knight, P.E.
McCormick Taylor

Treasurer

Jack Moeller, P.E.
Johnson, Mirmiran & Thompson

ACEC Representtives

Director

Michael Myers, P.E.
Rummel, Klepper & Kahl

Alternate Director

Joe Makar, P.E.
Whitman, Requardt & Associates

ACEC/MD Directors

2009-2012

Art Barrett, P.E.
Gannett Fleming
Stuart Taub, P.E.
Wallace, Montgomery & Assoc.

2010-2013

Jim Blake, P.E.
Johnson, Mirmiran & Thompson
Stu Robinson, P.E.
A. Morton Thomas & Assoc.

2011-2014

Beverly Pannee
RJM Engineering
Jerry Jannetti, P.E.
Parsons Brinckerhoff

Executive Director

Jim Otradovec

MEMBER NEWS (continued)

KCI TECHNOLOGIES is pleased to announce that the Maryland Section of the American Society of Civil Engineers (ASCE) honored KCI Senior Vice President **Thomas G. Sprehe, P.E., BCEE**, as Engineer of the Year. The award recognizes Tom's engineering expertise, professional achievements, industry leadership and civic activities.

SABRA, WANG & ASSOCIATES, INC. has moved its corporate office to:

Columbia Gateway Office Park
7055 Samuel Morse Dr., Suite 100
Columbia, MD 21046
Phone – 443-741-3500

The firm continues to maintain its Baltimore office at 1502 Joh Ave., Suite 100, Baltimore, MD 21227.

URBAN ENGINEERING, INC. announced the new location of its full service Maryland office:

250 West Pratt St., Suite 1750
Baltimore, MD 21201

The phone number remains 443-780-0030

UPCOMING ACEC/MD EVENTS - MARK YOUR CALENDAR!**October 11, 2012 - General Membership Meeting**

Garrett-Jacobs Mansion, Baltimore.

November 29, 2012 - Legislative Breakfast

Garrett-Jacobs Mansion, Baltimore.

December 6, 2012 - Holiday Party

Baltimore Museum of Industry, Baltimore.

December 20, 2012 - General Membership Meeting

Garrett--Jacobs Mansion, Baltimore.

For complete details or information on reservations contact the ACEC/MD office at 410.539.1592 or acecmd@aol.com.

contact:

Jim Otradovec
Executive Director
AMERICAN COUNCIL OF
ENGINEERING COMPANIES,
MARYLAND
312 N. Charles Street, Suite 200
Baltimore, Maryland 21201
Tel: 410-539-1592
FAX: 410-685-5470

**ACEC/MD 2012
Engineering Excellence
Grand Award winning
entry The Mary
Catherine Bunting
Center submitted
by AECOM**

