



**2010 MARYLAND GENERAL ASSEMBLY – LEGISLATIVE REPORT #6**  
 (new material is in *bold italics*)

Note: Hyperlinks will take you to the text of the bill, a biography of the prime sponsor, or the members of the Committee to which the bill is assigned. You are encouraged to contact your legislators and members of the committee to which a bill is assigned to express your point of view on the bill. We will be happy to provide you with talking points or assist you in doing so. If you aren't sure who represents you in Annapolis, you can find out at <http://mdelect.net>.

**MARYLAND AGC PRIORITY LEGISLATION**

(For the full description of the bill, see the write up under Senate Bills or House Bills, as appropriate)

<p><b><u>SB 124</u></b> (HB 143) Senator <a href="#">Brochin</a>, et al REQUIRING WORKERS TO BE PRESENT FOR WORK ZONE SPEED CONTROL SYSTEMS          OPPOSE          Providing that a work zone speed control system may be used only when a worker is present on the roadway, median divider, or shoulder within or adjacent to the work zone.          EFFECTIVE OCTOBER 1, 2010          Assigned to: <a href="#">Judicial Proceedings</a>          WITHDRAWN BY SPONSOR</p>	<p><b><u>HB 143</u></b> (SB 124) Delegate <a href="#">Morhaim</a> WORK ZONE SPEED CONTROL SYSTEMS – PRESENCE OF WORKERS REQUIRED          OPPOSE          Same as SB 124          UNFAVORABLE (killed in Committee)</p>
<p><b><u>SB 418</u></b> (HB 1246) Senator <a href="#">Lenett</a> MARYLAND WAGE AND HOUR LAW – TREBLE DAMAGES          OPPOSE          Allowing an employee to recover treble damages, measured by the difference between wages paid and wages that should have been paid, plus interest and attorney's fees.          EFFECTIVE OCTOBER 1, 2010          Assigned to: <a href="#">Finance</a>          Heard 2/25</p>	<p><b><u>HB 1246</u></b> (SB 418) Delegate <a href="#">Ramirez</a>, et al MARYLAND WAGE AND HOUR LAW – TREBLE DAMAGES          OPPOSE          Same as SB 418          EFFECTIVE OCTOBER 1, 2010          Assigned to: <a href="#">Economic Matters</a>          Hearing 3/18, 1:00 p.m.</p>
<p><b><u>SB 551</u></b> (HB 836) Senator <a href="#">Edwards</a> PUBLIC SCHOOL CONSTRUCTION – PREFERENCE FOR LOCAL BUSINESS          OPPOSE          Authorizing a local governing body to adopt preference to local business entities for any construction that is not subject to prevailing wage rates.          EFFECTIVE OCTOBER 1, 2010          Assigned to: <a href="#">Budget and Taxation</a> and <a href="#">Finance</a>          Heard 3/10</p>	<p><b><u>HB 836</u></b> (SB 551) Allegany County Delegation PUBLIC SCHOOL CONSTRUCTION - PREFERENCE FOR LOCAL BUSINESS          OPPOSE          Same as SB 551          EFFECTIVE OCTOBER 1, 2010          Assigned to: <a href="#">Appropriations</a>          Heard 3/2</p>

<p><a href="#">SB 785</a> (HB 1317) Senator <a href="#">Peters</a>, et al PUBLIC INVESTMENT PROTECTION ACT OPPOSE Comprehensive bill requiring PLAs on all construction projects that receive over \$250,000 in public economic development assistance or by construction employers who receive over \$250,000 in public economic development assistance. EFFECTIVE OCTOBER 1, 2010 Assigned to: <a href="#">Finance</a> <b>Hearing 3/25, 1:00 p.m. (rescheduled)</b></p>	<p><a href="#">HB 1317</a> (SB 785) Delegate <a href="#">Glenn</a>, et al PUBLIC INVESTMENT PROTECTION ACT OPPOSE Same as SB 785 EFFECTIVE OCTOBER 1, 2010 Assigned to: <a href="#">Economic Matters</a> <b>Hearing 3/18, 1:00 p.m.</b></p>
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[SB 451](#) Senator [Conway](#), et al PREVAILING WAGES – PUBLIC WORKS CONTRACTS – SUITS BY EMPLOYEES  
OPPOSE unless amended to limit the filing of complaints to the affected employee  
Changes the current law allowing employee suits to substitute filing a complaint by the employee or by unions or other employee groups with the Commissioner of Labor and Industry; giving the Commissioner the power to mediate or file suit on behalf of the employee; prevailing party can recover counsel fees and costs; allows double or treble damages if the employer acted willfully and knowingly.  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Budget and Taxation](#)  
Heard 3/4

[HB 463](#) Delegate [Kaiser](#), et al PROHIBITING EMPLOYMENT DISCRIMINATION BASED ON FAMILY RESPONSIBILITIES  
OPPOSE  
Prohibiting employment discrimination based on “family responsibilities” (not defined).  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Health and Government Operations](#)  
Heard 3/3

[HB 906](#) Delegates [Robinson](#) and [Oaks](#) MINORITY BUSINESS ENTERPRISES – SIGNING BIDS OR PROPOSALS – SUBMITTING SUBCONTRACTS  
OPPOSE  
Requiring a bid or proposal based on a solicitation with an expected degree of MBE participation to identify the specific commitment of certified MBEs and be signed by the MBEs identified in the bid or proposal. A ratified subcontract must be submitted within 30 days.  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Health and Government Operations](#)  
Heard 3/10 (**note: sponsor has agreed to withdraw the bill**)

[HB 1100](#) Delegate [Braveboy](#), et al PREVAILING WAGE RATES – PUBLIC WORKS CONTRACTS – SUITS BY EMPLOYEES  
OPPOSE  
Expands the right of workers on prevailing wage jobs to sue their employers:

- requires a complaint to be filed with Commissioner of Labor and Industry; Commissioner can either conciliate or order employer to pay; if employer fails to pay as ordered, then Commissioner or employee can sue;
- allows the employee to recover fringes;
- allows double or treble damages against employers who acted willfully and knowingly or with deliberate ignorance or reckless disregard; and
- allows the employee to recover attorney’s fees.

EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Economic Matters](#)  
Heard 3/10

[HB 1125](#) Delegate [Holmes](#), et al STORMWATER MANAGEMENT — REDEVELOPMENT AND PRELIMINARY PLAN APPROVAL  
SUPPORT

This is the bill supported by a coalition of which Maryland AGC is a member and which includes developers, Maryland Home Builders, counties, municipalities, and engineers. The bill addresses MDE's planned adoption of stormwater management regulations that violate an informal agreement among the parties and effectively prohibit urban development.

EMERGENCY BILL (requires 60% vote in both Houses to pass; takes effect immediately upon signature by the Governor)

Assigned to: [Environmental Matters](#)

Hearing cancelled

[HB 1236](#) Delegate [Taylor](#), et al PROCUREMENT – MBE PARTICIPATION WAIVER REQUIREMENTS  
OPPOSE

Prohibiting specified units of government from waiving the obligations of a contractor relating to MBE unless the contractor publishes a solicitation for MBE participation in a newspaper or other public forum, does not receive a response to the solicitation, and at least 30 days have passed since the date the solicitation was published.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

Hearing 3/15, 1:00 p.m.

[HB 1238](#) Delegate [Hucker](#), et al HEALTH INSURANCE REQUIREMENTS – PUBLIC WORK CONTRACTS  
OPPOSE

Requires prime contractors on projects valued at \$500,000 or more and subcontractors on projects valued at \$100,000 or more to provide health insurance that costs at least as much per employee as the prevailing wage determination increment. If the contractor's health insurance costs less than the prevailing wage increment, the contractor must pay the difference to the Maryland Medical Assistance Program. Fines and penalties, including attorney fees and costs, apply for violations.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#) and [Economic Matters](#)

[HB 1272](#) Delegate [Mizeur](#), et al MARYLAND FAMILY AND MEDICAL LEAVE ACT  
OPPOSE

Expands FMLA leave to an employee's brother, sister, grandparent, grandchild, domestic partner and the son or daughter of the domestic partner.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Hearing 3/18, 1:00 p.m.

[HB 1293](#) Delegate [Reznik](#), et al STATE FINANCE AND PROCUREMENT – PUBLIC WORKS CONTRACTS – REQUIRED CLAUSE  
OPPOSE

Requiring public works contracts (\$500,000 or more) to include a clause requiring contractors to certify that not more than 10% of employees receive public assistance through the Maryland Medical Assistance Program.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

Hearing 3/15, 1:00 p.m.

[HB 1317](#) (SB 785) Delegate [Glenn](#), et al PUBLIC INVESTMENT PROTECTION ACT  
OPPOSE

Same as SB 785

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Hearing 3/18, 1:00 p.m.

[HB 1344](#) Delegate [Beidle](#), et al CONSTRUCTION AND DEVELOPMENT – PERMITS AND APPROVALS – EXPIRATION DATES  
WATCH

Extending the running of the period of approval (tolling period) for construction or development permits issued solely by the State or a county or municipality to December 31, 2012; and then restarting it on January 1, 2013.

EFFECTIVE JUNE 1, 2010

Assigned to: [Environmental Matters](#)

Hearing 3/18, 1:00 p.m. (change in hearing date)

[HB 1363](#) Delegate [Boteler](#), et al PROCUREMENT – PREVAILING WAGE – RATES  
WATCH

Mandates that prevailing wage rates shall be established on a state-wide basis; one rate for each classification.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Hearing 3/17, 1:00 p.m. (change in hearing date)

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## **SENATE BILLS**

[SB 19](#) Senator [Lenett](#) PROHIBITION ON USING CELL PHONES WHILE DRIVING UNLESS HANDS FREE  
WATCH

Prohibiting a driver of a motor vehicle that is in motion from using the driver's hands to use a wireless telephone.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Judicial Proceedings](#)

Heard 2/18

[SB 71 Chair, EHE Committee](#) (By Request – DGS) SMALL BUSINESS RESERVE PROGRAM – SUNSET EXTENSION  
SUPPORT

Extending the termination date for the Small Business Reserve Program from 9/30/2010 to 9/30/2016 (10% set aside for small firms – in the case of construction fewer than 50 employees and less than \$7 million in gross sales on average over the last 3 years).

EFFECTIVE JULY 1, 2010

Assigned to: [Health and Government Operations](#)

Passed Senate (46-0); in House

[SB 107 The President](#) (By Request – Administration) UNEMPLOYMENT INSURANCE MODERNIZATION AND TAX RELIEF ACT

This bill would reduce the interest rate on certain late payments, and alter the imposition and calculation of tax rates. However, to allow MD to qualify for a one-time infusion of \$127 million of federal funds, it also alters provisions for UI benefit eligibility in the areas of alternate base period, part-time workers, and training:

1. Interest rate provisions would reduce the interest rate on late payments from 1.5%/month to 1.0% 0.5%/month (effective on signature).
2. Changes in the imposition of UI taxes would apply the Schedule E table instead of the required Schedule F table, reducing UI taxes by about 4% for top rate payers (22% for bottom rate payers).
3. Alternate base period provisions would allow an individual to collect if he/she qualified based on his/her wages during the most recent four quarters rather than the first four of the five most recent quarters (intended to let more workers qualify). Effective 03/01/2011.
4. Part-time work provisions would allow a part-time worker to qualify if he/she worked 20 hours part-time for a majority of the base period rather than all of the base period.
5. Alternate base period provisions would allow an individual to collect if he/she qualified based on his/her wages during the most recent four quarters rather than the first four of the five most recent quarters (intended to let more workers qualify). Effective 03/01/2011.
6. Training provisions create a new eligibility for up to 26 weeks of additional benefits for training in a “demand occupation” for workers who were laid off in a “declining occupation” and have exhausted their UI benefits; the cost of these training benefits are not charged to the individual’s base period employer. Effective 03/01/2011.
7. Eliminates the schedule of benefits for weekly benefit amounts less than \$50/week (effective 03/01/2012).
8. Reduces the “wage disregard” (amount an unemployed person can earn without losing benefits) from \$100 to \$50 (effective on signature).
9. If an individual is discharged for misconduct, increases the amount of wages a person must earn before becoming eligible to receive benefits from 20 times his weekly benefit amount to 25 times (effective on signature).
10. If an individual is discharged for gross or aggravated misconduct, increases the minimum weeks of disqualification from 5 to 10 and the maximum from 10 to 15 (effective on signature).
11. For 2010 and 2011, requires the Secretary of DLLR to offer payment plan options to spread out UI tax payments across the entire year (rather than most falling due in the 1<sup>st</sup> quarter)(effective on signature).
12. Requires the Secretary of DLLR to establish payment plans to spread out payments and reduce interest rates on late payments to 0.5% whenever Table F (the highest UI tax rate) is in effect (effective 01-01-2012).
13. Direct the UI Oversight Committee to look for a “cost neutral” way to increase benefits to 54% of the average weekly wage (today, benefits are approx. 48%)

EMERGENCY BILL (requires 60% vote in both Houses to pass; takes effect immediately upon signature by the Governor)

VARIOUS EFFECTIVE DATES

Amended and passed Senate; *in House*

**Assigned to:** [Economic Matters](#)

**Heard 3/12**

[SB 124](#) (HB 143) Senator [Brochin](#), et al REQUIRING WORKERS TO BE PRESENT FOR WORK ZONE SPEED CONTROL SYSTEMS

OPPOSE

Providing that a work zone speed control system may be used only when a worker is present on the roadway, median divider, or shoulder within or adjacent to the work zone.

WITHDRAWN BY SPONSOR

[SB 130](#) Senator [Pugh](#), et al MINORITY BUSINESS ENTERPRISES – RECIPROCAL CERTIFICATION WATCH

Requiring the Board of Public Works to adopt regulations to recognize and accommodate, for purposes of the State minority business enterprise program, minority business enterprises that receive certification from the SBA or from a county government.

EFFECTIVE OCTOBER 1, 2010

Amended (technical) and passed Senate (47-0); in House

Assigned to: [Health and Government Operations](#)

[SB 133](#) (HB 920) Senator [Pugh](#), et al COMMISSION TO STUDY STREAMLINING AND INCREASING THE EFFICIENCY OF THE PROCUREMENT PROCESS SUPPORT

Establishing a Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process; membership included one representative of the construction industry, purposes, and staffing of the Commission; requiring the Commission to study specified matters; requiring the Commission to report by December 31, 2010  
EFFECTIVE JUNE 1, 2010

Assigned to: [Education, Health, and Environmental Affairs](#)

Heard 2/2

[SB 140](#) (HB 150) [The President](#) (By Request – Administration) BUDGET BILL (FISCAL YEAR 2011)

WATCH

(NOTE: The Senate moves the budget first this session.) Making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2011. Appropriates \$225,000 as a deficiency appropriation for the Maryland Center for Construction Education and Innovation (GWIB initiative); \$10.7 million for the Aging Schools Program (capital improvements, repairs, and deferred maintenance of school buildings or building components that are 16 years old or older) vs. \$17.7 million for FY2010); SHA \$702.2 million for state & \$102.1 million for county facility construction & equipment, \$202.6 for state & facility maintenance (vs. \$723.6 million, \$208.3 million, and \$48.9 million for FY 2010, respectively);

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Budget and Taxation](#)

[SB 142](#) (HB 152) [The President](#) (By Request – Administration) STATE BOND BILL

WATCH

Authorizing the creation of a State Debt in the amount of \$1,017,575,000. Projects over \$1 million are:

PROJECT	AMOUNT	DEPARTMENT
Public School Construction Program	\$196,703,000	
Pocomoke River State Park – Shad Landing Sewer Upgrade	3,729,000	DNR
Fort Frederick State Park – Officers Quarters	1,800,000	DNR
Dan's Mountain Wildlife Management Area – Access Road and Storage Building	1,561,000	DNR
Baltimore City – New Youth Detention Facility	17,520,000	Public Safety
UMCP Physical Sciences Complex (complete design & construct)	41,100,000	UMS
Bowie State – campus-wide site improvements (design)	200,000	UMS
Frostburg State New Center for Communications and Information Technology (design)	2,681,000	UMS
Coppin State New Center for Communications and Information Technology (site acquisition & design)	6,497,000	UMS
UMAB New Law School (construct)	37,300,000	UMS
UMBC New Performing Arts and Humanities Facility (design & construct)	37,400,000	UMS
BCCC Main Building Renovation – Administration Wing – Liberty Campus (renovation)	2,500,000	
MD School for the Deaf New Bus Loop and Parking Lot (construct)	1,600,000	
Morgan State Bancker Hall Renovation and Hub Relocation (supplemental construction funds)	3,265,000	
Enhanced Nutrient Removal at 67 largest treatment plants	125,000,000	MDE
Southern Maryland Regional Detention Center (acquisition & design)	4,650,000	DJS
<b>MISCELLANEOUS GRANT PROGRAMS</b>		
Baltimore Museum of Art (design, renovation, and reconfiguration of facilities)	2,500,000	
East Baltimore Biotechnology Park (acquisition, demolition, and site improvement)	5,000,000	Mayor & City Council of Balto. City
Forbush School (acquisition, design & construction)	2,500,000	Sheppard Pratt
Intercounty Connector	126,900,000	MTA

Cardiovascular and Critical Care Tower on the Johns Hopkins East Baltimore Campus (detailed plans, construct & equip)	2,500,000	Johns Hopkins Medicine
Pediatric Trauma Center at the Children's Tower on the Johns Hopkins East Baltimore Campus (detailed plans, construct & equip)	5,000,000	Johns Hopkins Medicine
Inpatient Clinical Research Center (design, construct & equip)	2,000,000	Kennedy Krieger
Lyric Opera House – Stage House Expansion	1,500,000	Lyric Foundation
Maryland Zoo in Baltimore – Infrastructure Improvements (design & construct)	5,000,000	
National Aquarium in Baltimore – Capital Infrastructure Projects (design, construct & equip)	3,500,000	
New National Children's Museum in Oxon Hill (design, construct & equip)	5,000,000	
Union Hospital of Cecil County - renovation and reconstruction of the surgical suite	2,000,000	

VARIOUS EFFECTIVE DATES

Assigned to: [Budget and Taxation](#)

[SB 171](#) (HB 359) Senator [Peters](#), et al NEW PROCUREMENT SET ASIDE - SERVICE-DISABLED VETERAN BUSINESS ENTERPRISE WATCH

Establishing a 0.5% participation goal for certified service-disabled veteran business enterprises for procurement contracts, beginning July 1, 2012.

EFFECTIVE OCTOBER 1, 2010

Amended and passed Senate (47-0); *in House*

**Assigned to:** [Health and Government Operations](#)

[SB 187](#) Senator [Lenett](#) MARYLAND FALSE CLAIMS ACT

WATCH

Rewrites and expands existing false claim act (Finance and Procurement Article §§ 11-205 and 11-205.1) to provide for whistleblower (qui tam) lawsuits against a party suspected of defrauding the State and allows a portion of the recovery to go to the whistleblower under certain circumstances. This is parallel to federal law and would allow MD to receive a greater portion of recoveries when they are shared with the federal government. This incentive is provided for under the federal Deficit Reduction Act of 2005. As SB 830 in 2009, this bill was killed in Judicial Proceedings.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Judicial Proceedings](#) and [Finance](#)

Heard 2/23

[SB 215](#) Senator [Frosh](#), et al HIGH PERFORMANCE BUILDINGS ACT – APPLICABILITY TO RECIPIENTS OF STATE AID

SUPPORT

Making the High Performance Buildings Act (LEED Silver) applicable to capital projects that are funded solely or partly by a grant of State aid to specified grantees.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Budget and Taxation](#)

Heard 2/2

[SB 229](#) (HB 710) Senator [Garagiola](#), et al BLUE RIBBON COMMISSION ON MARYLAND TRANSPORTATION FUNDING

SUPPORT

Establishing a Blue Ribbon Commission on Maryland Transportation Funding, including three representatives from the business community, including two representatives of statewide or regional organizations; two representatives of the transit community; and two representatives of the environmental community, including one representative with a background in smart growth, ONE REPRESENTATIVE OF THE TRANSPORTATION CONSTRUCTION INDUSTRY, two union representatives. The Commission is to review, evaluate, and make recommendations concerning short and long-term highway and transit needs and funding requirements and submit its recommendations by ~~January 1, 2012~~ November 1, 2011.

EFFECTIVE JULY 1, 2010

Amended and passed Senate (47-0); *in House*

**Assigned to:** [Ways and Means](#)

[SB 234](#) Senator [Robey](#), et al HIGH PERFORMANCE BUILDINGS ACT – APPLICABLE TO COMMUNITY COLLEGE CAPITAL PROJECTS SUPPORT

Making the High Performance Buildings Act (LEED Silver) applicable to community college capital projects that receive State funds; authorizing a community college to apply for a waiver from specified high performance building requirements under a waiver process established by DBM & DGS.

EFFECTIVE JULY 1, 2010

Assigned to: [Budget and Taxation](#)

Heard 2/24

[SB 300](#) Senator [Peters](#), et al UNEMPLOYMENT INSURANCE – INSTALLMENT PAYMENT OF CONTRIBUTIONS SUPPORT

Gives all employers the option to pay 2010 UI contributions on a monthly or quarterly basis and directs DLLR to notify employers of this option.

EMERGENCY BILL (requires 60% vote in both Houses to pass; takes effect immediately upon signature by the Governor)

Assigned to: [Finance](#)

Heard 2/4

[SB 354](#) (see also HB 584) Senator [Pinsky](#), et al COMBINED REPORTING FOR CORPORATE INCOME TAX WATCH

Imposing combined reporting under the Maryland corporate income tax for members of combined groups; allows “water’s edge convention”. As SB 603 in 2009, this bill died in committee.

EFFECTIVE JULY 1, 2010

Assigned to: [Budget and Taxation](#)

Heard 2/24

[SB 382](#) Senator [Conway](#), et al MARINE CONTRACTORS – LICENSURE AND REGULATION – WETLAND PERMITS AND AUTHORIZATIONS WATCH

Establishes comprehensive regulation and licensing by the Maryland Department of Environment for “marine contractors”, defined as “construction, demolition, design, installation, repair, sale, or salvage of structures located in the state’s tidal and nontidal wetlands, including breakwaters, bulkheads, groins, jetties, and stone sills.”; requires 2 years experience, passing a test approved by MDE, \$500 fee, and 20 hours of continuing education; permit fees and time limits for issuance are all reduced for licensed marine contractors; any person who wants to have work performed that requires a wetlands permit must hire a licensed marine contractor to do the work, or (2) consult with a licensed marine contractor before doing the work. (As SB 1017 in 2009, this bill died in this committee without a vote.)

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Education, Health, and Environmental Affairs](#)

Heard 2/16

[SB 384](#) Senator [Mooney](#) LABOR AND EMPLOYMENT – JOB CREATION AND RECOVERY TAX CREDIT SUPPORT WITH AMENDMENT TO SPEND \$30 MILLION ON INFRASTRUCTURE

Same as SB 106, except the credit is \$5,000 per new job; the cap per employer is \$4400,000; and the total cap on allowed tax credits is \$30 million.

WITHDRAWN

[SB 418](#) (HB 1246) Senator [Lenett](#) MARYLAND WAGE AND HOUR LAW – TREBLE DAMAGES OPPOSE

Allowing an employee to recover treble damages, measured by the difference between wages paid and wages that should have been paid, plus interest and attorney’s fees. (As SB 452 in 2009, this bill died in this committee without a vote; as HB 1392 of the 2008 Session, the bill passed the House but only dealt with counsel fees and interest.)

UNFAVORABLE (killed in committee)

[SB 451](#) Senator [Conway](#), et al PREVAILING WAGES – PUBLIC WORKS CONTRACTS – SUITS BY EMPLOYEES  
OPPOSE unless amended to limit the filing of complaints to the affected employee  
Changes the current law allowing employee suits to substitute filing a complaint by the employee or by unions or other employee groups with the Commissioner of Labor and Industry; giving the Commissioner the power to mediate or file suit on behalf of the employee; prevailing party can recover counsel fees and costs; allows double or treble damages if the employer acted willfully and knowingly or with deliberate ignorance or reckless disregard; prohibits retaliation against a complaining employee, subject to treble damages; imposes a \$1000 per record penalty for each falsified payroll record.  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Budget and Taxation](#)  
Heard 3/11

[SB 479](#) Senator [Stoltzfus](#) STATE HIGH PERFORMANCE BUILDINGS – GREEN GLOBES RATING  
WATCH  
Altering the definition of “high performance building” to include a building that achieves a rating of at least two Green Globes according to the Green Globes Program as adopted by the Green Building Initiative.  
EFFECTIVE JULY 1, 2010  
Assigned to: [Budget and Taxation](#)  
Heard 2/24

[SB 507](#) (HB 1008) Senator [Middleton](#) INJURED WORKERS’ INSURANCE FUND – STATUS AND RENAMING  
Converting IWIF from a state agency to a regulated mutual insurer and renaming IWIF as the Chesapeake Employers’ Mutual Insurance Company; specifying that the Company is a statutorily created nonprofit insurer that is not a unit of State government; new entity assumes all of the assets and liabilities of IWIF.  
EFFECTIVE OCTOBER 1, 2011  
Assigned to: [Finance](#)  
Heard 2/23

[SB 530](#) Senator [Stone](#), et al MECHANICS’ LIENS – EXTENT OF LIEN APPLIED TO LIFE TENANT’S INTEREST  
WATCH  
Reducing from 25% to 15% the percentage of value of a building erected, repaired, rebuilt, or improved by a tenant for life or years that allows a mechanic’s lien to attach.  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Judicial Proceedings](#)  
Heard 2/23

[SB 544](#) (HB 912) Senator [Harrington](#), et al REGULATION OF DEMOLITION – DEMOLITION CONTRACTORS  
WATCH  
Imposes comprehensive regulation of demolition contractors (generally consistent with accepted best practices in the industry). As SB 975 in 2009, this bill was withdrawn before a vote in this committee.  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Education, Health, and Environmental Affairs](#)  
Heard 3/4

[SB 551](#) (HB 836) Senator [Edwards](#) PUBLIC SCHOOL CONSTRUCTION – PREFERENCE FOR LOCAL BUSINESS  
OPPOSE  
Authorizing a local governing body to adopt preference to local business entities for any construction that is not subject to prevailing wage rates; and requiring the Board of Public Works to adopt regulations that specify elements to be included in such a preference-based arrangement.  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Budget and Taxation](#) and [Finance](#)  
Heard 3/10

[SB 601](#) Senators [Raskin](#) and [Pinsky](#) PROHIBITION OF CONTRIBUTIONS AND EXPENDITURES BY BUSINESS ENTITIES  
OPPOSE

Prohibiting a corporation, a general or limited partnership, a limited liability corporation, or a real estate investment trust from making political contributions except on ballot questions.

EFFECTIVE JANUARY 1, 2011

Assigned to: [Education, Health, and Environmental Affairs](#)

Heard 2/25

[SB 675](#) Senators [Kittleman](#) and [Jacobs](#) UNEMPLOYMENT INSURANCE – EXEMPTION FROM COVERED EMPLOYMENT – SMALL BUSINESS DIRECTORS, OFFICERS, AND MEMBERS  
SUPPORT

Providing that work performed by an officer or director of a corporation with 50 or fewer employees or a member of a specified limited liability company with 50 or fewer employees is not covered employment for purposes of unemployment insurance.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Finance](#)

Hearing cancelled

[SB 685](#) (HB 817) Senator [DeGrange](#), et al PERSONAL PROPERTY TAX – HEAVY EQUIPMENT  
WATCH

Authorizing a county or municipality to impose a tax, not exceeding 2%, on the gross receipts from the short-term lease or rental of mobile heavy construction, earthmoving, or industrial equipment; requiring a person who owns a business with gross receipts subject to the tax to collect and remit the tax by the last day of the month after the end of each quarter; providing that such heavy equipment is not subject to the personal property tax, even if the county or municipality from which the heavy equipment is leased does not impose the gross receipts tax.

EFFECTIVE JULY 1, 2011

Assigned to: [Budget and Taxation](#)

Heard 3/9

[SB 691](#) (HB 690) Senator [Raskin](#), et al PROHIBIT PERSONS DOING PUBLIC BUSINESS FROM MAKING INDEPENDENT EXPENDITURES  
OPPOSE

Prohibiting a person doing public business from making an independent expenditure for campaign material that supports or opposes a candidate or political party; and defining “doing public business” as having government contracts greater than \$5,000 in a 12 month period. (Note: the definition change also triggers semi-annual filing with the Board of Elections of any political contributions.)

EFFECTIVE JUNE 1, 2010

Assigned to: [Education, Health, and Environmental Affairs](#)

Heard 2/25

[SB 773](#) Senators [Mooney](#) and [Colburn](#) CORPORATE INCOME TAX – TEMPORARY REPEAL  
WATCH

Repealing the State income tax on corporations; and terminating the Act at the end of December 31, 2013.

EFFECTIVE JULY 1, 2010

Assigned to: [Budget and Taxation](#)

Heard 3/9

[SB 785](#) (HB 1317) Senator [Peters](#), et al PUBLIC INVESTMENT PROTECTION ACT  
OPPOSE

Comprehensive bill requiring PLAs on all construction projects that receive over \$250,000 in public economic development assistance or by construction employers who receive over \$250,000 in public economic development assistance; requires payment of higher of 130% of minimum wage, DLLR prevailing wage or Davis Bacon wage; mandatory apprenticeship programs; extensive penalties for violations.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Finance](#)

Hearing 3/25, 1:00 p.m. (rescheduled)

[SB 786](#) Senators [Peters](#) and [Robey](#) PUBLIC SCHOOLS – STATE AID FOR SCHOOL CONSTRUCTION – PLANNING AND DESIGN COSTS WATCH

Requiring the Board of Public Works to include the cost of planning and design as an approved public school construction or capital improvement cost

EFFECTIVE JUNE 1, 2010 with a three-year sunset on May 31, 2013

Assigned to: [Budget and Taxation](#)

Hearing 3/16, 1:00 p.m.

[SB 827](#) Senator [Madaleno](#) MOTOR FUEL TAX – INDEX SUPPORT

Providing for quarterly increases or decreases in the motor fuel tax rates for motor fuel other than aviation fuel by an amount equal to 2 cents for every 20 cents, rounded to the nearest 20 cents, by which the most recent 3-month average wholesale price per gallon of motor fuel exceeds the price during the base period, defined as April to June 2010.

EFFECTIVE JULY 1, 2010

Assigned to: [Budget and Taxation](#)

[SB 843](#) Senator [Kittleman](#) PREVAILING WAGE RATE – PUBLIC SCHOOL CONSTRUCTION – MORATORIUM WATCH

Placing a moratorium from July 1, 2010 through June 30, 2012 on the application of the prevailing wage rate law to the construction of public elementary and secondary schools.

**UNFAVORABLE (killed in committee)**

[SB 844](#) (see also HB 721) Senator [Kittleman](#), et al STATE PROCUREMENT – MANDATORY USE OF FEDERAL E-VERIFY PROGRAM SUPPORT

1. Prohibiting employers under State procurement contracts or grants from intentionally or knowingly hiring unauthorized aliens under procurement contracts;
2. Requires employers under State procurement contracts or other grants to verify employees' employment eligibility using the federal E-Verify Program;
3. Use of E-Verify creates an absolute defense that the employer did not knowingly hire illegal aliens;
4. First time violators may have all of their licenses to do business anywhere in the state suspended until they correct the problem and thereafter are on a five year probation; repeat violators have all licenses revoked permanently.

EFFECTIVE OCTOBER 1, 2010 for contracts executed after December 31, 2010.

Assigned to: [Education, Health, and Environmental Affairs](#)

Heard 3/11

[SB 911](#) (HB 1290) Senator [Astle](#) UNDERGROUND FACILITIES – DAMAGE PREVENTION WATCH

Major rewrite of Maryland's one-call ("Miss Utility") statute. Most of the provisions of the existing law remain the same: mark if the proposed excavation is within 5 ft of the horizontal plane of the underground facility; facility owner must locate 18 inches either side; hand dig inside 18 inch mark. Changes include:

- establishing the Maryland Underground Facilities Damage Prevention Authority;
- notice of intended excavation/construction remains effective for 12 days and must be renewed every 12 days thereafter;
- utility must mark within 2 days; give notice that it cannot mark; and/or negotiate with contractor;
- engineers and architects can request and receive underground locate information on a project basis;
- fines are increased to \$2500 1<sup>st</sup> offense; \$5000 2<sup>nd</sup> offense;
- only a court can assess 10 times cost of repair penalty (not the Authority);
- fees for reimbursement may only be charged by the Authority (not by facility owners, counties or municipalities);
- requires locate of stormwater drains after January 1, 2012

VARIOUS EFFECTIVE DATES

Assigned to: [Finance](#)

Heard 3/9

[SB 913](#) Senator [Jones](#), et al INCOME TAX – SURCHARGE – EXTENSION  
WATCH

Extending to tax year 2014 the applicability of the 6.25% income tax rate on Maryland taxable income of an individual in excess of \$1,000,000.

EFFECTIVE JULY 1, 2010

Assigned to: [Budget and Taxation](#)

Hearing 3/23, 1:00 pm

[SB 985](#) Senator [Muse](#) ALEXANDER L. BOOKER CHILD PROTECTION CONSTRUCTION SITE SAFETY ACT

Requiring:

- specified signs indicating dangers on a construction site be prominently displayed at the construction site at all times;
- if adjacent to highways or “areas where children are known to congregate”, lighted barricades enclosing equipment or other dangers on a construction site;
- construction equipment not in use must have the parking brake set and have an attached tamper proof audible warning device;
- motorized equipment must have a tamper-proof lock that makes the equipment inoperable when not in use, with an audible alarm, and if equipped with a bucket or lifting device, that must be separately locked out and alarmed.

(Note: this is essentially the same as H.R. 3094, introduced in the House of Representatives by Donna Edwards, Congresswoman from Maryland’s 7<sup>th</sup> District, which includes P.G. County. Alexander L. Booker was a 12 year old boy who died in 2007 after walking onto an unfenced construction site at National Harbor and using a penny to start a motorized cart that subsequently flipped over and killed him.)

EFFECTIVE OCTOBER 1, 2010

Assigned to: Senate [Rules](#)

[SB 1004](#) Senators [Brinkley](#) and [Pipkin](#) BUDGET RECONCILIATION AND BALANCING ACT

Altering or repealing specified required appropriations, including eliminating the Prevailing Wage Division; transferring \$6 million of IWIF’s reserves to the General Fund; moving \$30 million of funding for the Intercounty Connector out of FY 2011 into FY 2012; reducing Baltimore City’s share of highway user revenues to 8.0% from 11.5% and reducing the portion to all other counties from 28.5% to 18.5%; diverting \$160 million of highway users revenues from the counties and Baltimore City to the General Fund in FY 2010 and \$290 million in FY 2011 and 2012.

EFFECTIVE JUNE 1, 2010

Assigned to: [Budget and Taxation](#)

Heard 3/3

[SB 1082](#) Senator [DeGrange](#) STORMWATER MANAGEMENT – DEVELOPMENT PROJECTS – REDEVELOPMENT AND PRELIMINARY PLAN APPROVAL

Establishing requirements for a specified redevelopment project design; authorizing a developer to make a fee-in-lieu payment to a local government to offset specified stormwater management requirements; requiring the fee-in-lieu payment to be in an amount determined by a local government and used for specified purposes; authorizing a person to submit a stormwater management plan that complies with specified laws and regulations if a development project receives specified approvals before May 4, 2010.

EMERGENCY BILL (requires 60% vote in both Houses to pass; takes effect immediately upon signature by the Governor)

Assigned to: Senate [Rules](#)

## HOUSE BILLS

[HB 91](#) (SB 107) [The Speaker](#) (By Request – Administration) UNEMPLOYMENT INSURANCE MODERNIZATION AND TAX RELIEF ACT

OPPOSE

Same as SB 107

EMERGENCY BILL (requires 60% vote in both Houses to pass; takes effect immediately upon signature by the Governor)

VARIOUS EFFECTIVE DATES

Assigned to: [Economic Matters](#)

Heard 1/28

[HB 92](#) [The Speaker](#) (By Request – Administration), et al JOB CREATION AND RECOVERY TAX CREDIT  
WATCH

Providing a credit against the State income tax for qualified employers employing specified individuals in qualified positions; providing for certification by the Secretary of Labor, Licensing, and Regulation of qualified employers eligible for the credit and the maximum credit for which a qualified employer is eligible; limiting the credit to \$250,000 for each qualified employer; limiting the aggregate credit that may be approved by the Secretary to \$20,000,000, to be allocated on a first-come, first-served basis; etc.

EMERGENCY BILL (requires 60% vote in both Houses to pass; takes effect immediately upon signature by the Governor)

Assigned to: [Ways and Means](#)

Heard 2/4

[HB 143](#) (SB 124) Delegate [Morhaim](#) WORK ZONE SPEED CONTROL SYSTEMS – PRESENCE OF WORKERS  
REQUIRED

OPPOSE

Same as SB 124

UNFAVORABLE (killed in Committee)

[HB 150](#) (SB 140) [The Speaker](#) (By Request – Administration) BUDGET BILL (FISCAL YEAR 2011)  
WATCH

(Note: the Senate moves the budget first this year.) Same as SB 140

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Appropriations](#)

[HB 152](#) (SB 142) [The Speaker](#) (By Request – Administration) STATE BOND BILL  
WATCH

Same as SB 142

VARIOUS EFFECTIVE DATES

Assigned to: [Appropriations](#)

[HB 168](#) Delegate [Rosenberg](#), et al ARCHITECTURAL OR ENGINEERING SERVICES – CONSTRUCTION INDUSTRY –  
INDEMNITY AGREEMENTS – VOID

WATCH

Extending to architectural or engineering services prohibitions against indemnity provisions now applicable only to construction services that purport to insulate an individual from liability for personal injuries caused by his negligence.

These are deemed to be against public policy and are void and unenforceable.

EFFECTIVE OCTOBER 1, 2010

Amended (technical) and passed House (136-0); in Senate

Assigned to: [Judicial Proceedings](#)

[HB 244](#) Delegate [Hixson](#), et al TAX COMPLIANCE AND ADMINISTRATION ACT OF 2010  
WATCH

Bill to raise \$54 million by various administrative changes; those affecting contractors are (1) requiring electronic funds transfers for any tax payment of \$5,000 or more, including withholding tax; (2) imposing a requirement to file an annual use tax return, even if not a licensed sales tax vendor; and (3) eliminating any vendor credit for collecting the sales tax for the State. (NOTE: sponsor is the Committee Chairman. As HB 1209, she allowed this bill to die in this committee without a vote.)

EFFECTIVE JULY 1, 2010

Assigned to: [Ways and Means](#)

Heard 2/25

[HB 359](#) Delegate [James](#), et al SERVICE-DISABLED VETERAN BUSINESS ENTERPRISE SET-ASIDE  
WATCH

Same as SB 171

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

Heard 2/17

[HB 430](#) Delegate [Pena-Melnyk](#), et al STATE PROCUREMENT – PURPOSES AND POLICIES  
WATCH

Expanding the purposes and policies of the State procurement law to include (1) providing safeguards for maintaining transparency in the procurement process; and (2) ensuring that all persons involved with the administration of the state procurement process are “well-trained, of high integrity, and committed to administering the procurement process in a fair and impartial manner in accordance with the requirements and spirit of the law.”

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

[HB 463](#) Delegate [Kaiser](#), et al PROHIBITING EMPLOYMENT DISCRIMINATION BASED ON FAMILY RESPONSIBILITIES  
OPPOSE

Prohibiting employment discrimination based on family responsibilities.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

Heard 3/3

[HB 479](#) Delegates [Barkley](#) and [Bronrott](#) MOTOR FUEL TAX – INCREASE  
SUPPORT

Increasing the motor fuel tax rates for motor fuels other than aviation gasoline or turbine fuel by 2 cents per gallon on July 1, 2010, and by 2 cents per gallon on July 1 of each year in 2011 through 2014.

EFFECTIVE JULY 1, 2010

Assigned to: [Ways and Means](#)

Heard 3/2

[HB 584](#) (see also SB 354) Delegate [Ross](#), et al CORPORATE INCOME TAX – COMBINED REPORTING  
WATCH

Imposing combined reporting under the Maryland corporate income tax for members of combined groups; allows “water’s edge convention”.

EFFECTIVE JULY 1, 2010

Assigned to: [Ways and Means](#)

Heard 2/25

[HB 591](#) Delegate [George](#), et al UNEMPLOYMENT INSURANCE – CHARGING AND TAXATION  
WATCH

Temporarily repeals Tables E and F (reducing the top employer tax rate from 13.5% to 11.8 %); terminating the Act if the balance of the Unemployment Fund reaches 4% of total taxable wages; terminating the Act after December 31, 2011, if the balance does not reach the required amount.

UNFAVORABLE (killed in committee)

[HB 710](#) (SB 229) Delegate [Howard](#), et al BLUE RIBBON COMMISSION ON MARYLAND TRANSPORTATION FUNDING  
SUPPORT

Same as SB 229

EFFECTIVE JULY 1, 2010

Assigned to: [Ways and Means](#) and [Environmental Matters](#)

Heard 3/2

[HB 721](#) (SB 844) Delegate [Miller](#), et al STATE PROCUREMENT – USE OF FEDERAL E-VERIFY PROGRAM  
OPPOSE

Same as SB 844

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

Heard 3/3

[HB 759](#) Delegate [Niemann](#), et al CONSTRUCTION PROJECTS – DEMOLITION  
WATCH

This bill requires a period for salvage of materials before demolition can proceed, and requires local governments to regulate specific aspects of demolition projects and related salvage disposal and prohibits them from issuing a demolition permit until the provisions of regulation or law are met. As HB 1157 in 2004, a similar bill was killed in this committee.  
EFFECTIVE OCTOBER 1, 2010  
UNFAVORABLE (killed in committee)

[HB 817](#) (SB 685) Delegate [Frick](#), et al PERSONAL PROPERTY TAX – HEAVY EQUIPMENT  
WATCH

Same as SB 685  
EFFECTIVE JULY 1, 2011  
Assigned to: [Ways and Means](#)  
Heard 3/4

[HB 836](#) (SB 551) Allegany County Delegation PUBLIC SCHOOL CONSTRUCTION - PREFERENCE FOR LOCAL  
BUSINESS

OPPOSE  
Same as SB 551  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Appropriations](#)  
Heard 3/2

[HB 906](#) Delegates [Robinson](#) and [Oaks](#) MINORITY BUSINESS ENTERPRISES – SIGNING BIDS OR PROPOSALS –  
SUBMITTING SUBCONTRACTS

OPPOSE  
Requiring a bid or proposal based on a solicitation with an expected degree of minority business enterprise participation to identify the specific commitment of certified minority business enterprises and be signed by the MBEs identified in the bid or proposal. A ratified subcontract must be submitted within 30 days.  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Health and Government Operations](#)  
Heard 3/10 (*note: sponsor has agreed to withdraw the bill*)

[HB 912](#) (SB 544) Delegate [Carr](#), et al PUBLIC SAFETY – REGULATION OF DEMOLITION – DEMOLITION  
CONTRACTORS

WATCH  
Same as SB 544  
EFFECTIVE OCTOBER 1, 2010  
Assigned to: [Economic Matters](#)  
Heard 3/3

[HB 920](#) (SB 133) Delegate [Pena-Melnyk](#), et al COMMISSION TO STUDY STREAMLINING AND INCREASING THE  
EFFICIENCY OF THE PROCUREMENT PROCESS

WATCH  
Same as SB 133  
EFFECTIVE JUNE 1, 2010  
Assigned to: [Health and Government Operations](#)  
Heard 3/10

[HB 984](#) Delegate [Robinson](#), et al EMPLOYMENT – APPLICATIONS FOR EMPLOYMENT – PROHIBITIONS  
WATCH

Prohibits requiring job applicants to answer questions regarding religion, national origin, or marital status, unless the individual's religion, national origin, or marital status is a bona fide occupational qualification for employment.  
WITHDRAWN

[HB 987](#) (SB 382) Delegate [George](#), et al MARINE CONTRACTORS – LICENSURE AND REGULATION – WETLAND PERMITS AND AUTHORIZATIONS WATCH

Same as SB 382.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Environmental Matters](#)

Heard 3/10

[HB 1008](#) (SB 507) Delegate [Davis](#) INJURED WORKERS' INSURANCE FUND – STATUS AND RENAMING WATCH

Same as SB 507

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Heard 2/23

[HB 1100](#) Delegate [Braveboy](#), et al PREVAILING WAGE RATES – PUBLIC WORKS CONTRACTS – SUITS BY EMPLOYEES OPPOSE

Expands the right of workers on prevailing wage jobs to sue their employers:

- requires a complaint to be filed with Commissioner of Labor and Industry; Commissioner can either conciliate or order employer to pay; if employer fails to pay as ordered, then Commissioner or employee can sue;
- allows the employee to recover fringes;
- allows double or treble damages against employers who acted willfully and knowingly or with deliberate ignorance or reckless disregard; and
- allows the employee to recover attorney's fees.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Heard 3/10

[HB 1125](#) Delegate [Holmes](#), et al STORMWATER MANAGEMENT — REDEVELOPMENT AND PRELIMINARY PLAN APPROVAL SUPPORT

This is the bill supported by a coalition of which Maryland AGC is a member and which includes developers, Maryland Home Builders, counties, municipalities, and engineers. The bill addresses MDE's planned adoption of stormwater management regulations that violate an informal agreement among the parties and effectively prohibit urban development.

- Establishing that redevelopment projects (30% impervious surface) can employ environmental site design, or stormwater management as approved by the local subdivision, or
- Allows a fee-in-lieu payment in an amount determined by a local government
- If a redevelopment project, or any phase thereof, has received "preliminary approval" of (1) a development plan; (2) a project plan; (3) a sketch plan; (4) a concept plan; (5) a site plan; (6) an adequate public facilities approval; or (7) any other equivalent approval under the local laws or regulations of the jurisdiction in which the development project is situated before May 4, 2010, then the stormwater management plan need only conform to the laws in effect at the time of that approval.

EMERGENCY BILL (requires 60% vote in both Houses to pass; takes effect immediately upon signature by the Governor)

Assigned to: [Environmental Matters](#)

Hearing cancelled

[HB 1146](#) Delegate [Carter](#), et al PROCUREMENT – GOVERNOR'S OFFICE OF MINORITY AFFAIRS – OFFICE OF MINORITY BUSINESS ENTERPRISE COMPLIANCE WATCH

Establishing the Office of Minority Business Enterprise Compliance in the Governor's Office of Minority Affairs; to monitor the performance of government units in meeting MBE goals. The bill requires the government units to provide monthly reports on the status of each contractor's MBE utilization, which will ultimately require contractors to provide the units with the same monthly reports.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

Hearing 3/15, 1:00 pm

[HB 1236](#) Delegate [Taylor](#), et al PROCUREMENT – MBE PARTICIPATION WAIVER REQUIREMENTS OPPOSE

Prohibiting specified units of government from waiving the obligations of a contractor relating to MBE unless the contractor publishes a solicitation for MBE participation in a newspaper or other public forum, does not receive a response to the solicitation, and at least 30 days have passed since the date the solicitation was published.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

Hearing 3/15, 1:00 pm

[HB 1238](#) Delegate [Hucker](#), et al HEALTH INSURANCE REQUIREMENTS – PUBLIC WORK CONTRACTS OPPOSE

Requires prime contractors on projects valued at \$500,000 or more and subcontractors on projects valued at \$100,000 or more to provide health insurance that costs at least as much per employee as the prevailing wage determination increment. If the contractor's health insurance costs less than the prevailing wage increment, the contractor must pay the difference to the Maryland Medical Assistance Program. Fines and penalties, including attorney fees and costs, apply for violations. (As HB 1307 in 2009, the sponsor withdrew the bill and it received an unfavorable report from Health and Government Operations.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#) and [Economic Matters](#)

Hearing 3/18, 1:00 pm

[HB 1246](#) (SB 418) Delegate [Ramirez](#), et al MARYLAND WAGE AND HOUR LAW – TREBLE DAMAGES OPPOSE

Same as SB 418

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Hearing 3/18, 1:00 pm

[HB 1272](#) Delegate [Mizeur](#), et al MARYLAND FAMILY AND MEDICAL LEAVE ACT OPPOSE

Expands FMLA leave to an employee's brother, sister, grandparent, grandchild, domestic partner and the son or daughter of the domestic partner.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Hearing 3/18, 1:00 pm

[HB 1290](#) (SB 911) Delegate [Davis](#) UNDERGROUND FACILITIES – DAMAGE PREVENTION WATCH

Same as SB 911

VARIOUS EFFECTIVE DATES

Assigned to: [Economic Matters](#)

Heard 3/9

[HB 1293](#) Delegate [Reznik](#), et al STATE FINANCE AND PROCUREMENT – PUBLIC WORKS CONTRACTS – REQUIRED CLAUSE  
OPPOSE

Requiring public works contracts (\$500,000 or more) to include a clause requiring contractors to certify that not more than 10% of employees receive public assistance through the Maryland Medical Assistance Program. (Note: this requires employers to gather information protected by the Federal HIPAA law.)

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Health and Government Operations](#)

Hearing 3/15, 1:00 pm

[HB 1317](#) (SB 785) Delegate [Glenn](#), et al PUBLIC INVESTMENT PROTECTION ACT  
OPPOSE

Same as SB 785

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Hearing 3/18, 1:00 pm

[HB 1344](#) Delegate [Beidle](#), et al CONSTRUCTION AND DEVELOPMENT – PERMITS AND APPROVALS – EXPIRATION DATES  
WATCH

WATCH

Extending the running of the period of approval (tolling period) for construction or development permits issued solely by the State or a county or municipality to December 31, 2012; and then restarting it on January 1, 2013.

EFFECTIVE JUNE 1, 2010

Assigned to: [Environmental Matters](#)

Hearing 3/18, 1:00 p.m.

[HB 1363](#) Delegate [Boteler](#), et al PROCUREMENT – PREVAILING WAGE – RATES  
WATCH

Mandates that prevailing wage rates shall be established on a state-wide basis; one rate for each classification.

EFFECTIVE OCTOBER 1, 2010

Assigned to: [Economic Matters](#)

Hearing 3/17, 1:00 p.m.

[HB 1408](#) Delegate [G. Clagett](#) STORMWATER MANAGEMENT – DELAY AND ADOPTION OF NEW REGULATIONS

Making specified stormwater management regulations adopted by the Department of the Environment applicable to all new development and redevelopment projects that do not have final approval for erosion and sediment control and stormwater management plans by May 4, 2012; requiring the Department to repeal Title 26, Subtitle 17, Chapter 2 of COMAR and propose new stormwater management regulations developed in consultation with stakeholder groups. EMERGENCY BILL (requires 60% vote in both Houses to pass; takes effect upon signature by the Governor)

Assigned to: House [Rules and Executive Nominations](#)

[HB 1520](#) Delegate [Myers](#), et al TAX CREDIT FOR NEW OR EXPANDED BUSINESS FACILITIES

*Providing an income tax credit of the lesser of \$50,000 or 10% of “eligible project expenses” (basically land acquisition, design and construction) for a qualified business entity that establishes or expands a business facility in the State that will create at least 10 qualified positions (net new jobs, full time, 150% of minimum wage, 3 years); DBED certifies eligibility and the maximum amount of credit; limiting the total amount of credits that may be approved to \$10,000,000.*

EFFECTIVE JULY 1, 2010

Assigned to: House [Rules and Executive Nominations](#)