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MARYLAND ASPHALT ASSOCIATION



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January 18th, 2022

Delegate Shane Pendergrass, Chair
Health and Government Operations Committee
241 House Office Building
Annapolis, MD 21401

RE: HB 13 – Procurement – Discriminatory Hiring Practices – Debarment – NO POSITION

Dear Chair Pendergrass and Members of the Committee:

The Maryland Asphalt Association is comprised of 18 producer members representing more than 47 production facilities, 24 contractor members, 24 consulting engineer firms and 41 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

We submit this testimony without a position, but rather as an inquiry into this piece of legislation. House Bill 13 seeks to debar any person from entering into a procurement contract with the State for five years if they have been found to have engaged in discriminatory hiring practices by the Administrative Review Board of the U.S. Department of Labor. Before our association is able to take a position, we seek additional information and clarity. In our review, we note that the bill does not define what discriminatory hiring practices are nor does it make reference to already codified statute that does define them. Additionally, it fails to describe how and in what time frame the State will learn about these administrative orders, and it does not create or discuss an appeals process for those who have been debarred from State procurement.

We appreciate you taking the time to address this legislation and we look forward to learning more about it so we can determine how it may impact our members and the residents of Maryland.

Thank you,

Marshall Klinefelter
President
Maryland Asphalt Association