



**Maryland Joint  
Legislative Committee**

*The Voice of Merit Construction*

February 29, 2024

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**TO: ECONOMIC MATTERS COMMITTEE**  
**FROM: ASSOCIATED BUILDERS AND CONTRACTORS**  
**RE: H.B. 1328 – SOLAR ENERGY AND ENERGY STORAGE –  
DEPARTMENT AND STATE PROCUREMENT**  
**POSITION: OPPOSE**

Associated Builders and Contractors (ABC) opposes H.B. 1328 - Solar Energy and Energy Storage – Department and State Procurement which is before you today for consideration.

This bill would authorize a county to enact a local law creating a conservation and restoration fund for a certain purpose; establishing the Utility-Scale Solar Design and Siting Commission in the Power Plant Research Program to provide recommendations related to solar energy development and land conservation and preservation; requiring the owner or operator of a certain solar energy generating station to plant and maintain a certain cover crop on certain land and submit a certain vegetation management plan to a certain entity.

ABC has consistently and vigorously opposed government-mandated labor agreements on state and local government infrastructure projects. H.B. 1328 as written proposes to do the following:

- (1) Include a Community Benefit Agreement for a Solar Energy Developer; and
- (2) Be subject to a Project Labor Agreement for a Solar Energy Developer.

The proposed Community Benefit Agreement will needlessly increase costs and steer hundreds of millions of dollars of construction projects funded by taxpayers to well-connected special interests, i.e., construction unions and contractor's signatory to specific construction unions party to a CBA or PLA.

- PLAs generally increase the cost of construction projects 10-20%
- The increase in project costs also makes it difficult for W/MBE owned firms to compete as a general contractor, relegating those companies to sub-contractor status.
- PLAs severely hinder the ability for MBE firms, who are 98% non-union in Maryland, to submit a bid in the so-called competitive procurement process because they must forgo their trained workforce and hire union workers from a union hall.

We appreciate the opportunity to opine on HB 1328 and urge the committee to remove any language referencing to project labor agreements or community benefit agreements from this bill. We respectfully request an unfavorable report on H.B. 1328 as written.

Marcus Jackson, Director of  
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