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March 10, 2022

Delegate Kumar P. Barve, Chair
House Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401

RE: HB 1343 – LETTER OF INQUIRY – Major State Contractors – Donations to Advocacy Organizations – Disclosure

Dear Chairman Barve and Members of the House Environment and Transportation Committee:

The Maryland Asphalt Association (MAA) 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.

House Bill 1343 would require major state contractors to disclose to the State Board of Elections any direct or indirect donations to an advocacy organization that makes disbursements for public communications relating to major state projects in which the contractor has a financial interest, with various penalty options established for non-compliance.

MAA takes no position on the substantive provisions of House Bill 1343; instead, we submit this letter of inquiry to request clarification on the exactly what advocacy organizations this bill is intended to cover. As drafted, we believe the bill does not make it clear if the reporting requirement applies to all organizations that provide public communications work for a major state contractor, or if there are exceptions. For example, does the "disbursement" language mean that an advocacy group that performs communications work pro bono does not need to report? What about a lobbying firm that provides services to the major state contractor—do communications made to government officials as part of their representation also need to be reported under these provisions?

We appreciate you taking the time to address this important issue, and we thank you for considering our questions about the parties that would be impacted by House Bill 1343.

Thank you,

Marshall Klinefelter
President
Maryland Asphalt Association