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**MARYLAND ASPHALT ASSOCIATION**



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G. Marshall Klinefelter

February 22, 2023

Delegate Joseline Pena-Melnyk, Chair  
Health and Government Operations Committee  
Room 241 House Office Building  
Annapolis, MD 21401

**RE: House Bill 261 – UNFAVORABLE – Public Projects – Global Warming Potential of Materials (Buy Clean Maryland Act)**

Dear Chair Pena-Melnyk and Members of the Committee:

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms and 41 other associate members. MAA works proactively 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 261 requires the Department of General Services to establish a maximum acceptable global warming potential for any cement or concrete mixture used in the construction of a public project.

MAA appreciates the sponsor's intent and laudable goals with this legislation, but at this current juncture we cannot support it. We strongly feel that the market should dictate the types of materials needed for construction projects. If these vague determinations are set, we have serious concerns that it will make it nearly impossible to adhere to. Setting preferences also pits producers against each other, giving an unfair advantage to those that meet the requirements. Additionally, we are unsure why this program will reside within the Department of General Services, and not with the Department of Transportation (MDOT). Should this bill pass, we firmly believe it needs to be housed within MDOT, who is better suited to make these determinations about the construction industry.

We appreciate you taking the time to address this issue and we respectfully urge an unfavorable report on House Bill 261.

Sincerely,

A handwritten signature in cursive script that reads "Marshall Klinefelter".

Marshall Klinefelter  
President  
Maryland Asphalt Association