



ROLL CALL

HOW MARYLAND'S 188 LEGISLATORS VOTED
ON BILLS IMPORTANT TO BUSINESS AND JOBS

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“If enacted, Senate Bill 280 and House Bill 166 would cause a dramatic 48% increase in our minimum wage to \$15, which could **cost us jobs, negatively impact our economic competitiveness, and devastate our state's economy.** Normally, we have been able to come together to achieve bipartisan solutions, **but this legislation misses the mark** and entirely disregards my common sense compromise proposals.”

– Lawrence J. Hogan Jr.
Governor of Maryland



MARYLAND FREE



The More Things Change...

2019 was a year of significant change; but the more some things changed, the more others stayed the same.



Change came in many forms. Most significantly, the 2019 legislative session saw the passing of Michael Busch, Maryland's longest-serving Speaker in the House of Delegates, and the subsequent election of Speaker Adrienne Jones, Maryland's first woman and first African American to hold that position. Change was also manifest in new faces, with a third of the legislature consisting of newly-elected lawmakers.

But in so many policy arenas, particularly those about which this organization has sounded alarms for decades, change was elusive, and the vise was tightened even further on Maryland's free market economy. Three patterns of economic threat – which have been apparent in *Roll Call* for many years — were pervasive in the 2019 Maryland General Assembly. These include: 1) self-imposed hurdles to Maryland's ability to compete with surrounding states; 2) judicial system manipulation; and 3) the continuation of party-line voting to the point that moderation of policy has all but disappeared.

Diminished Competitiveness

Testimony came from far and wide: raising the minimum wage to \$15/hour would have profound adverse ramifications on employment. Jobs would be lost and hours would be cut, not out of a profit motive on the part of business owners but out of economic necessity — many businesses simply cannot sustain that financial hit. Such testimony was supplemented by multiple empirical studies that came to the same conclusions. Moreover, just as some businesses — especially those near state borders — would find it hard to compete with businesses in nearby states, regional studies show that our state itself would have trouble competing with its neighbors. Yet in a party-line vote, the Maryland legislature chose to enact this mandate regardless, and then to override a well-substantiated gubernatorial veto.

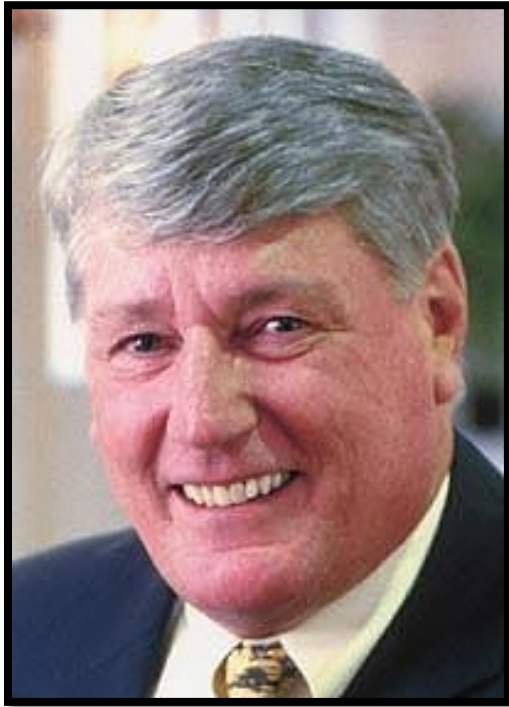
On its own, the mandate would have been a major blow to Maryland's regional competitiveness. Instead, the so-called “Fight for 15” initiative only exacerbates an already challenging environment for our state's employers and overall economy. Indeed, in the most recent edition of *Rich States, Poor States*, the definitive annual report that ranks each of the 50 states on 15 variables that indicate a state's economic outlook, Maryland ranks just [32nd](#) out of 50. How can that be when we have a pro-business/pro-economy governor? Such a ranking would seem implausible, when we have so many inherent advantages — from abundant natural resources to efficient transportation networks to high educational attainment and geographic proximity to the major economic engines in our country. Tax burdens and mandates/bans arising from legislation and targeted at business are the key drivers that reduce our economic outlook.

As we contemplate the negative ramifications of the new minimum wage mandate, we must consider the cumulative effects caused by various bills during not only this legislative session (e.g., the first-in-the-nation statewide ban on polystyrene), but previous sessions as well (e.g., the 2014 minimum wage increase, the 2018 paid leave mandate, etc.). These economic hits accumulate and compound.

(Continued on page 25)

Maryland Free Enterprise Foundation

In Memoriam



Maryland Free honors the memory of House Speaker Mike Busch for his decades of public service as a teacher & coach, state legislator, county employee, and principled leader of the House of Delegates.

Before being elected Speaker in 2003, and among other legislative committees and task forces, he served with distinction on the House Economic Matters Committee for 12 years (9 of those years as Chair), where he worked on virtually all aspects of business, employer, and economic regulation in the State. In this political work, Mike Busch had an abundance of friends, a few opponents, and no enemies.

He was an honorable man who positively impacted the lives of countless Marylanders.

MBRG Is Changing Its Name!

Freedom. It's the very foundation on which our nation and Maryland — "The Free State" — were founded.

After 36 years of operating as Maryland Business for Responsive Government, MBRG is amplifying the elemental concept of freedom by incorporating it in our new name.

**We are proud to announce that MBRG will now be known as:
Maryland Free Enterprise Foundation or "Maryland Free"**



Creating and Sustaining Jobs Through Free Enterprise

Visit www.marylandfree.org for more information

Maryland Free Enterprise Foundation

Senate Vote Key

- | | | |
|----|--------------|---|
| 1 | SB 101 | Civil Actions – Prelitigation Discovery of Insurance Coverage |
| 2 | SB 102 | Courts – Direct Action Against Automobile Insurer |
| 3 | SB 167 | Pathways in Technology Early College High (P-TECH) Expansion Act of 2019 |
| 4 | SB 252 | Railroad Company – Movement of Freight – Required Crew |
| 5 | SB 280 | Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen) |
| 6 | SB 280(Veto) | Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen) |
| 7 | SB 285 | Environment – Expanded Polystyrene Food Service Products – Prohibitions |
| 8 | SB 300 | Prevailing Wage – Public Works Contracts – Suits by Employees |
| 9 | SB 387 | Environment – Water Quality Certifications (Pipeline and Water Protection Act of 2019) |
| 10 | SB 516 | Clean Energy Jobs |
| 11 | SB 581 | Economic, Housing, and Community Development – More Jobs for Marylanders
Expansion and Opportunity Zone Enhancements |
| 12 | SB 839 | Labor and Employment – Criminal Record Screening Practices (Ban the Box) |
| 13 | HB 173 | Economic Development – Job Creation Tax Credit – Sunset Extension |
| 14 | HB 768 | Health – Prescription Drug Affordability Board |
| 15 | HB 1124 | State Government – Regulations Impacting Small Businesses |

House Vote Key

- | | | |
|----|--------------|---|
| 1 | HB 66 | Railroad Company – Movement of Freight – Required Crew |
| 2 | HB 109 | Environment – Expanded Polystyrene Food Service Products – Prohibitions |
| 3 | HB 126 | Labor and Employment – Labor Organizations – Right to Work |
| 4 | HB 166 | Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen) |
| 5 | HB 166(Veto) | Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen) |
| 6 | HB 173 | Economic Development – Job Creation Tax Credit – Sunset Extension |
| 7 | HB 524 | Prevailing Wage – Public Works Contracts – Suits by Employees |
| 8 | HB 669 | Environment – Water Quality Certifications (Pipeline and Water Protection Act of 2019) – Economic Matters Committee |
| 9 | HB 669 | Environment – Water Quality Certifications (Pipeline and Water Protection Act of 2019) – Environment and Transportation Committee |
| 10 | HB 768 | Health – Prescription Drug Affordability Board |
| 11 | HB 994 | Labor and Employment – Criminal Record Screening Practices (Ban the Box) |
| 12 | HB 1091 | Public-Private Partnerships – Reforms |
| 13 | HB 1124 | State Government – Regulations Impacting Small Businesses |
| 14 | SB 101 | Civil Actions – Prelitigation Discovery of Insurance Coverage |
| 15 | SB 516 | Clean Energy Jobs |
| 16 | SB 581 | Economic, Housing, and Community Development – More Jobs for Marylanders
Expansion and Opportunity Zone Enhancements |

Maryland Free Enterprise Foundation

MARYLAND FREE RATING SYSTEM

***** Legislators with stars next to their names served at least four years in the House or Senate and achieved a Maryland Free Cumulative Percentage of 70% or greater.

+ A vote supporting a pro-growth, pro-job economy.

- A vote inhibiting a pro-growth, pro-job economy.

o Legislator excused from voting, resulting in no effect on a legislator's rating.

nvc As committee chairperson, legislator chose not to vote, resulting in no effect on a legislator's rating.

nv Legislator did not vote on a bill on which Maryland Free has taken a position of opposition, resulting in no change in the legislator's rating.

nv- Legislator did not vote on a bill on which Maryland Free has taken a position of support, resulting in the lowering of a legislator's rating. Therefore, a legislator is penalized when his or her vote could have helped to achieve a constitutional majority (24 of 47 votes in the Senate and 71 of 141 votes in the House) for the passage of a bill.

■ Legislator did not serve on the committee that voted the bill, resulting in no effect on the legislator's rating.

2018 SCORE A legislator's score for 2018, provided for comparative purposes

CUMULATIVE Cumulative percentage is based on a legislator's voting throughout his or her entire tenure in the General Assembly post 1982. The percentage is derived by dividing the total number of "+" votes by the number of bills on which the legislator voted plus the number of "nv-" marks. A short red dash (-) in this column means a legislator is a freshman and therefore has no cumulative record.



Katherine A. Klausmeier (D)
District 8

This Baltimore County Senator earned the highest cumulative score (59%) amongst all Democratic veterans in the Senate (minimum 4 years' service).



Johnny Ray Salling (R)
District 6

This Baltimore County Senator earned the highest cumulative score (98%) amongst all Republican veterans in the Senate (minimum 4 years' service).

MARYLAND SENATE VOTES

	SB 101	SB 102	SB 167	SB 252	SB 280	SB 280 VETO	SB 285	SB 300	SB 387	SB 516	SB 581	SB 839	HB 173	HB 768	HB 1124	2019 SCORE	2018 SCORE	CUMULATIVE
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
Allegany, Garrett, & Washington Counties 1 George C. Edwards (R) *	0	+	■	-	+	+	+	+	■	+	+	+	+	-	+	83%	100%	85%
Washington County 2 Andrew A. Serafini (R) *	0	+	■	+	0	+	+	+	■	+	+	+	+	-	+	91%	100%	92%
Frederick County 3 Ronald N. Young (D)	-	-	-	+	-	-	-	-	-	-	+	-	+	-	+	27%	13%	31%
Carroll & Frederick Counties 4 Michael J. Hough (R) *	-	+	■	+	+	+	+	+	■	+	+	+	+	+	+	92%	88%	93%
Carroll County 5 Justin D. Ready (R) *	-	-	■	+	+	+	+	+	■	+	+	+	+	+	+	85%	100%	97%
Baltimore County 6 Johnny Ray Salling (R) *	-	+	■	+	+	+	+	+	■	+	+	+	+	+	+	92%	100%	98%
Baltimore & Harford Counties 7 J.B. Jennings (R) *	-	+	■	+	+	+	+	+	■	+	+	+	+	+	+	92%	100%	92%
Baltimore County 8 Katherine A. Klausmeier (D)	-	-	■	-	-	-	+	-	■	-	+	-	+	-	+	31%	38%	59%
Carroll & Howard Counties 9 Katie Fry Hester (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	-	-
Baltimore County 10 Delores G. Kelley (D)	-	+	■	-	-	-	0	-	■	-	+	-	+	-	+	33%	38%	35%
Baltimore County 11 Robert A. Zirkin (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	50%	40%
Baltimore & Howard Counties 12 Clarence K. Lam (D)	-	+	-	-	-	-	-	-	-	-	+	-	+	-	+	27%	29%	28%
Howard County 13 Guy J. Guzzone (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	29%	31%
Montgomery County 14 Craig Zucker (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	13%	23%
Montgomery County 15 Brian J. Feldman (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	25%	28%
Montgomery County 16 Susan C. Lee (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	13%	23%
Montgomery County 17 Cheryl C. Kagan (D)	-	-	-	nv	-	-	-	-	-	-	+	-	+	-	+	21%	25%	40%
Montgomery County 18 Jeff Waldstreicher (D)	-	-	■	-	-	-	0	-	■	-	+	-	+	-	+	25%	9%	22%
Montgomery County 19 Benjamin F. Kramer (D)	-	-	■	0	-	-	-	-	■	-	+	-	+	-	+	25%	20%	28%
Montgomery County 20 William C. Smith, Jr. (D)	-	-	■	0	-	-	0	-	■	0	0	0	0	0	0	0%	13%	23%
Anne Arundel & Prince George's Counties 21 James C. Rosapepe (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	25%	32%
Prince George's County 22 Paul G. Pinsky (D)	-	-	-	0	-	-	-	-	-	-	+	-	-	-	+	14%	13%	25%
Prince George's County 23 Douglas J.J. Peters (D)	-	-	■	-	-	-	-	0	■	-	+	-	+	-	+	25%	14%	31%
Prince George's County 24 Joanne C. Benson (D)	-	-	■	0	-	-	-	-	■	-	+	-	+	-	+	25%	25%	34%
Prince George's County 25 Melony G. Griffith (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	-	29%
Prince George's County 26 Obie Patterson (D)	-	-	-	-	-	-	-	-	-	-	+	-	+	-	+	20%	-	30%
Calvert, Charles, & Prince George's Counties 27 Thomas V. Mike Miller, Jr. (D)	-	0	■	0	-	-	-	-	■	-	+	-	+	-	+	27%	29%	52%
Charles County 28 Arthur Ellis (D)	-	-	0	-	-	-	-	-	-	-	+	-	+	-	+	21%	-	-

MARYLAND SENATE VOTES

	SB 101	SB 102	SB 167	SB 252	SB 280	SB 280 VETO	SB 285	SB 300	SB 387	SB 516	SB 581	SB 839	HB 173	HB 768	HB 1124	2019 SCORE	2018 SCORE	CUMULATIVE
Calvert & St. Mary's Counties 29 John D. Bailey (R)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	93%	-	-
Anne Arundel County 30 Sarah K. Elfreth (D)	-	-	■	-	-	-	-	■	-	+	-	+	-	+	+	23%	-	-
31 Bryan W. Simonaire (R) *	-	+	+	-	+	+	-	+	+	+	+	+	+	-	+	73%	100%	89%
32 Pamela G. Beidle (D)	-	+	■	-	-	-	-	■	-	+	-	+	-	+	+	31%	22%	44%
33 Edward R. Reilly (R) *	-	+	■	+	0	+	-	+	■	+	+	+	+	-	+	75%	88%	93%
Harford County 34 Robert G. Cassilly (R) *	+	+	■	+	+	+	+	■	+	+	+	nv-	+	+	+	92%	100%	96%
Cecil & Harford Counties 35 Jason C. Gallion (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	-	-
Caroline, Cecil, Kent, & Queen Anne's Counties 36 Stephen S. Hershey, Jr. (R) *	-	-	■	+	+	+	+	+	■	+	+	+	+	+	+	85%	100%	93%
Caroline, Dorchester, Talbot & Wicomico Counties 37 Adelaide C. Eckardt (R) *	-	+	■	+	+	+	+	+	■	+	+	+	+	-	+	85%	100%	89%
Somerset, Wicomico & Worcester Counties 38 Mary Beth Carozza (R)*	-	-	+	+	+	+	+	+	+	+	+	+	+	-	+	80%	100%	93%
Montgomery County 39 Nancy J. King (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	29%	29%
Baltimore City 40 Antonio L. Hayes (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	25%	27%
41 Jill P. Carter (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	-	24%
Baltimore County 42 Christopher R. West (R)*	-	+	■	+	+	+	-	+	■	+	+	+	+	-	+	77%	100%	90%
Baltimore City 43 Mary L. Washington (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	20%	32%
Baltimore City and Baltimore County 44 Shirley Nathan-Pulliam (D)	0	+	-	-	-	-	-	-	-	-	+	-	+	-	+	29%	25%	32%
Baltimore City 45 Cory V. McCray (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	22%	26%
46 William C. Ferguson, IV (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	29%	25%
Prince George's County 47 Malcolm L. Augustine (D)	-	-	■	-	-	-	-	-	■	-	+	-	+	-	+	23%	-	-

Perfect Record

In 2018, 11 Senators achieved a perfect 100% Roll Call score. In 2019, only one Senator voted with jobs and free enterprise 100% of the time.



Jason Gallion (R)
District 35

This Cecil and Harford County Senator achieved a perfect 100% voting record in the 2019 session.

MARYLAND HOUSE OF DELEGATES VOTES

	HB 66	HB 109	HB 126	HB 166	HB 166 VETO	HB 173	HB 524	HB 669 (ECM)	HB 669 (ENV)	HB 768	HB 994	HB 1091	HB 1124	SB 101	SB 516	SB 581	2019 SCORE	2018 SCORE	CUMULATIVE
Garrett & Allegany Counties 1A Wendell R. Beitzel (R) *	-	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	92%	100%	89%
Allegany County 1B Jason C. Buckel (R) *	-	+	■	nv	+	+	+	■	■	nv	+	+	+	nv	+	+	90%	90%	92%
Allegany & Washington Counties 1C Michael W. McKay (R) *	-	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	92%	100%	98%
Washington County 2A Neil C. Parrott (R) *	+	+	■	+	+	+	+	■	nv	+	+	+	+	+	+	+	100%	100%	97%
2A William J. Wivell (R) *	+	+	■	+	+	+	+	■	nv	+	+	+	+	+	+	+	100%	100%	98%
2B Paul D. Corderman (R)	-	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	92%	89%	91%
Frederick County 3A Carol L. Krimm (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	27%
3A Karen Lewis Young (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	22%	25%
3B Kenneth Kerr (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	-
Carroll & Frederick Counties 4 Barrie S. Ciliberti (R) *	+	+	■	+	+	+	+	■	+	+	+	+	+	+	+	+	100%	100%	90%
4 Daniel L. Cox (R)	o	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	-	-
4 Jesse T. Pippy (R)	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	-	-
Carroll County 5 Susan W. Krebs (R) *	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	100%	91%
5 April R. Rose (R) *	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	100%	98%
5 Haven N. Shoemaker, Jr. (R) *	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	100%	100%
Baltimore County 6 Robin L. Grammer, Jr. (R) *	+	+	■	+	+	-	+	■	■	+	+	+	+	+	+	+	92%	89%	94%
6 Robert B. Long (R) *	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	92%	100%	98%
6 Richard W. Metzgar (R) *	nv	+	■	+	+	+	+	■	■	-	+	+	+	+	nv-	+	92%	100%	96%
Baltimore & Harford Counties 7 Lauren C. Arian (R)	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	-	-
7 Richard K. Impallaria (R) *	-	+	+	+	+	+	+	o	■	o	+	+	+	+	+	o	92%	82%	90%
7 Kathy Szeliga (R) *	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	100%	99%
Baltimore County 8 Harry (H.B.) Bhandari (D)	-	-	■	+	+	+	-	■	■	-	-	-	+	+	-	+	46%	-	-
8 Joseph C. Boteler III (R)	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	-	-
8 Eric M. Bromwell (D)	-	-	o	-	-	+	-	+	■	-	nv	-	+	+	-	+	38%	33%	54%
Carroll & Howard Counties 9A Trent M. Kittleman (R) *	nv	o	■	+	+	+	+	■	■	o	+	+	+	o	o	+	100%	100%	98%
9A Warren E. Miller (R) *	+	+	+	+	+	+	+	+	■	+	+	+	+	+	+	+	100%	100%	98%
Howard County 9B M. Courtney Watson (D)	-	-	-	-	-	+	-	-	■	-	-	-	+	-	-	+	20%	-	-
Baltimore County 10 Benjamin T. Brooks, Sr. (D)	-	-	-	-	-	+	-	+	■	-	-	-	+	-	-	+	27%	18%	27%
10 Jay Jalisi (D)	-	-	■	-	-	+	-	■	nv	-	-	-	+	-	-	+	23%	33%	26%
10 Adrienne A. Jones (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	13%	27%
11 Jon S. Cardin (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	-
11 Shelly L. Hettelman (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	22%	25%
11 Dana M. Stein (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	o	+	23%	22%	27%
Baltimore & Howard Counties 12 Eric D. Ebersole (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	20%	27%
12 Jessica M. Feldmark (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	-	-
12 Terri L. Hill (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	29%
Howard County 13 Vanessa E. Atterbeary (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	26%
13 Shane E. Pendergrass (D)	nv	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	25%	10%	30%
13 Jennifer R. Terrasa (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	-	-

MARYLAND HOUSE OF DELEGATES VOTES

	HB 66	HB 109	HB 126	HB 166	HB 166 VETO	HB 173	HB 524	HB 669 (EC-M)	HB 669 (ENV)	HB 768	HB 994	HB 1091	HB 1124	SB 101	SB 516	SB 581	2019 SCORE	2018 SCORE	CUMULATIVE
Montgomery County	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16			
14 Anne R. Kaiser (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	11%	24%
14 Eric G. Luedtke (D)	-	-	■	o	-	+	-	■	■	-	-	-	+	-	-	+	25%	20%	22%
14 Pamela Queen (D)	-	-	o	-	-	+	nv	+	■	-	-	-	+	-	-	+	31%	13%	23%
15 Kathleen M. Dumais (D)	-	-	-	-	-	-	-	+	■	-	-	-	+	-	-	+	27%	22%	26%
15 David V. Fraser-Hidalgo (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	21%	0%	21%
15 Lili Qi (D)	-	-	-	-	-	+	-	-	■	-	-	-	+	-	-	+	20%	-	-
16 Ariana B. Kelly (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	25%
16 Marc A. Korman (D)	o	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	25%	13%	24%
16 Sara N. Love (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	o	15%	-	15%
17 Kumar P. Barve (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	-	21%	22%	36%
17 Julie Palakovich Carr (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	-	15%	-	-
17 James W. Gilchrist (D)	-	-	■	-	-	+	-	■	+	-	-	-	+	-	-	+	29%	22%	25%
18 Alfred C. Carr, Jr. (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	nv-	8%	29%	22%
18 Emily K. Shetty (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	-	-
18 Jared Solomon (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	-	-
19 Charlotte Crutchfield (D)	-	o	■	-	-	+	-	■	■	-	-	-	+	-	-	+	25%	-	-
19 Bonnie L. Cullison (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	23%
19 Vaughn M. Stewart III (D)	-	-	■	-	-	-	-	■	-	-	-	-	+	-	-	-	7%	-	-
20 Lorig Charkoudian (D)	-	-	-	-	-	-	-	-	■	-	-	-	+	-	-	o	7%	-	-
20 David Moon (D)	-	-	■	nv	-	-	-	■	■	-	-	-	+	-	-	-	8%	11%	17%
20 Jheanelle Wilkins (D)	-	-	■	-	-	nv-	-	■	■	-	nv	-	+	-	-	-	8%	10%	14%
Anne Arundel & Prince George's Counties																			
21 Benjamin S. Barnes (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	11%	21%
21 Mary A. Lehman (D)	-	-	■	-	-	-	-	■	-	-	-	-	+	-	-	+	14%	-	-
21 Joseline A. Peña-Melnyk (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	22%	23%
Prince George's County																			
22 Tawanna P. Gaines (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	25%
22 Anne Healey (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	21%	22%	30%
22 Alonzo T. Washington (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	20%	23%
23A Geraldine Valentino-Smith (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	24%
23B Marvin E. Holmes, Jr. (D)	-	-	■	-	-	+	-	■	-	nv	-	-	+	-	-	+	23%	13%	26%
23B Ronald L. Watson (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	-
24 Erik L. Barron (D)	-	-	■	-	-	-	-	■	■	nv	-	nv	+	-	-	nv-	9%	11%	22%
24 Andrea Fletcher Harrison (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	21%	-	-
24 Jazz M. Lewis (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	11%	21%
25 Darryl Barnes (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	20%	26%
25 Nick Charles (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	-
25 Dereck E. Davis (D)	-	-	nvc	-	-	+	-	nvc	■	o	-	-	+	-	-	+	25%	0%	33%
26 Veronica L. Turner (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	26%
26 Kriselda Valderrama (D)	-	-	-	-	-	+	-	-	■	-	-	-	+	-	-	+	20%	10%	23%
26 Jay Walker (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	13%	31%
Charles & Prince George's Counties																			
27A Elizabeth G. Proctor (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	13%	23%
Calvert & Prince George's Counties																			
27B Michael A. Jackson (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	11%	26%
Calvert County																			
27C Mark N. Fisher (R) *	+	+	+	+	+	+	+	+	■	+	+	+	+	+	+	o	100%	100%	97%
Charles County																			
28 Debra M. Davis (D)	nv	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	17%	-	-
28 Edith J. Patterson (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	20%	26%
28 C.T. Wilson (D)	-	-	-	-	-	+	-	+	■	-	-	-	+	-	-	+	27%	11%	29%

MARYLAND HOUSE OF DELEGATES VOTES

	HB 66	HB 109	HB 126	HB 166	HB 166 VETO	HB 173	HB 524	HB 669 (ECM)	HB 669 (ENV)	HB 768	HB 994	HB 1091	HB 1124	SB 101	SB 516	SB 581	2019 SCORE	2018 SCORE	CUMULATIVE
St. Mary's County	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16			
29A Matt Morgan (R) *	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	o	100%	100%	100%
29B Brian M. Crosby (D)	-	-	-	-	-	+	-	+	■	-	-	-	+	-	-	+	27%	-	-
Calvert & St. Mary's Counties																			
29C Gerald W. Clark (R)	+	+	■	+	+	+	+	■	+	+	-	+	+	+	+	+	93%	100%	94%
Anne Arundel County																			
30A Michael E. Busch (D)	-	o	■	o	o	o	-	■	■	o	o	-	o	o	o	o	0%	11%	44%
30A Alice J. Cain (D)	-	-	■	-	-	+	-	■	■	-	-	+	-	-	-	+	23%	-	-
30B Seth A. Howard (R) *	o	-	+	o	o	o	+	+	■	+	+	o	+	+	+	+	90%	90%	93%
31A Edward P. Carey (D)	-	-	-	-	-	+	-	+	■	-	-	+	+	-	-	+	33%	36%	48%
31B Brian A. Chisolm (R)	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	-	-
31B Nicholaus R. Kipke (R) *	+	o	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	100%	86%
32 J. Sandy Bartlett (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	-
32 Mark S. Chang (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	31%
32 Michael J. Rogers (D)	-	-	-	-	-	+	-	+	■	-	-	-	+	-	-	+	27%	-	-
33 Heather Bagnall (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	-
33 Michael E. Malone (R) *	+	-	■	+	+	+	+	■	■	+	+	+	+	+	+	+	92%	100%	98%
33 Sid A. Saab (R) *	+	-	■	+	+	+	+	■	■	+	+	+	+	+	+	+	92%	100%	98%
Harford County																			
34A Steven C. Johnson (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	-
34A Mary Ann Lisanti (D)	-	-	-	-	-	+	-	■	■	-	-	-	+	-	-	+	21%	18%	26%
34B Susan K. McComas (R) *	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	100%	90%
Cecil County																			
35A Kevin B. Hornberger (R) *	-	+	■	+	+	+	+	■	■	+	-	+	+	+	+	+	85%	90%	89%
Cecil & Harford Counties																			
35B Andrew P. Cassilly (R) *	-	-	■	+	+	+	+	■	-	+	+	+	+	+	+	+	79%	100%	87%
35B Teresa E. Reilly (R) *	-	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	92%	90%	94%
Caroline, Cecil, Kent, & Queen Anne's Counties																			
36 Steven J. Arentz (R) *	+	+	+	+	+	+	+	+	■	+	+	+	+	+	+	+	100%	100%	97%
36 Jefferson L. Ghrist (R) *	+	+	■	+	+	-	+	■	■	+	+	+	+	+	+	+	92%	100%	98%
36 Jay A. Jacobs (R) *	+	+	■	+	+	+	+	■	+	+	+	+	+	+	+	+	100%	100%	98%
Dorchester & Wicomico Counties																			
37A Sheree Sample-Hughes (D)	-	+	■	-	-	+	-	■	■	-	-	-	+	+	-	+	38%	22%	39%
Caroline, Dorcheester, Talbot & Wicomico Counties																			
37B Christopher T. Adams (R) *	+	+	+	+	+	+	+	+	■	+	+	+	+	+	+	+	100%	100%	100%
37B John F. Mautz IV (R) *	+	+	+	+	+	+	+	+	■	+	+	+	+	+	+	+	100%	100%	97%
Somerset & Worcester Counties																			
38A Charles J. Otto (R) *	+	+	■	+	+	+	+	■	+	+	+	+	+	+	+	+	100%	100%	97%
Wicomico County																			
38B Carl L. Anderton, Jr. (R) *	+	+	■	+	+	+	+	■	■	nv	+	+	+	+	+	+	100%	100%	94%
Wicomico & Worcester Counties																			
38C Wayne A. Hartman (R)	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	-	-
Montgomery County																			
39 Gabriel Acevero (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	nv	nv	-	9%	-	-
39 Lesley J. Lopez (D)	-	-	■	o	-	+	-	■	■	-	-	-	+	-	-	+	25%	-	-
39 Kirill Reznik (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	29%
Baltimore City																			
40 Frank M. Conaway, Jr. (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	11%	28%
40 Nick Mosby (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	29%	24%
40 Melissa R. Wells (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	21%	-	-

MARYLAND HOUSE OF DELEGATES VOTES

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Baltimore City	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16			
41 Dayla Attar (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	21%	-	-
41 Tony Bridges (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	21%	-	-
41 Samuel I. Rosenberg (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	23%	22%	34%
Baltimore County																			
42A Stephen W. Lafferty (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	21%	11%	24%
42B Michele J. Guyton (D)	-	-	■	-	+	+	-	■	■	-	-	-	+	-	-	+	31%	-	-
42B Nino Mangione (R)	+	+	■	+	+	+	+	■	■	+	+	+	+	+	+	+	100%	-	-
Baltimore City																			
43 Curtis S. Anderson (D)	-	-	■	nv	-	+	-	■	■	-	-	nv	+	-	-	+	27%	11%	30%
43 Regina T. Boyce (D)	-	-	■	-	-	+	-	■	-	-	-	-	+	-	-	+	21%	-	-
43 Maggie McIntosh (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	13%	28%
44A Keith E. Haynes (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	11%	26%
Baltimore County																			
44B Charles E. Sydnor III (D)	-	-	■	-	-	-	-	■	■	-	-	-	+	-	-	+	15%	22%	26%
44B Patrick G. Young, Jr. (D)	0	-	■	-	-	+	-	■	■	-	nv	-	+	-	nv	+	30%	22%	29%
Baltimore City																			
45 Talmadge Branch (D)	0	-	-	-	-	+	-	+	■	-	-	-	+	-	-	+	29%	10%	35%
45 Cheryl D. Glenn (D)	-	-	-	-	-	+	-	+	■	-	-	-	+	-	-	+	27%	9%	24%
45 Stephanie M. Smith (D)	-	-	■	-	-	+	0	■	■	-	-	-	+	-	-	+	25%	-	-
46 Luke Clippinger (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	9%	20%
46 Robbyn Lewis (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	22%	23%
46 Brooke E. Lierman (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	11%	25%
Prince George's County																			
47A Diana M. Fennell (D)	-	-	-	-	-	+	-	+	■	-	-	-	+	-	-	+	27%	9%	25%
47A R. Julian Ivey (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	-	15%	-	-
47B Wanika B. Fisher (D)	-	-	■	-	-	+	-	■	■	-	-	-	+	-	-	+	23%	-	-



Eric M. Bromwell (D)
District 8

This Baltimore County Delegate earned the highest cumulative score (54%) amongst all Democratic veterans in the House of Delegates (minimum 4 years' service).



Matt Morgan (R)
District 29A

This St. Mary's County Delegate tied for the highest cumulative score (100%) amongst all Republican veterans in the House of Delegates (minimum 4 years' service).



Christopher T. Adams (R)
District 37B

This Caroline, Dorchester, Talbot, & Wicomico County Delegate tied for the highest cumulative score (100%) amongst all Republican veterans in the House of Delegates (minimum 4 years' service).



Haven N. Shoemaker, Jr. (R)
District 5

This Carroll County Delegate tied for the highest cumulative score (100%) amongst all Republican veterans in the House of Delegates (minimum 4 years' service).

A Message to our Legislators

Before introducing or voting on legislation, we encourage legislators to consider the following:

1. Will the legislation increase **or decrease the cost of doing business in Maryland?** If the answer is “increase”, will the added costs of the legislation and subsequent regulations exceed the added benefit to Maryland’s residents?
2. Will the legislation and subsequent regulations be more or less stringent than, or contradictory to, federal law and regulations; or **will it give Maryland a competitive advantage or disadvantage with other states?**
3. Will the legislation **encourage or discourage companies from adding new jobs or keeping current jobs in Maryland?**
4. Will the legislation **encourage or discourage individuals and businesses from investing and growing?**
5. Will the legislation **promote or impede the competitive market** by removing or imposing legal, economic and/or regulatory burdens, taxes, or costs?
6. **Is there another way to solve the problem** or address the issue without legislation; or is there existing legislation addressing the matter?
7. Will introducing the bill **send a positive or negative message about Maryland’s business climate?**

How the Votes are Selected

To determine an accurate picture of the Maryland legislature’s attitudes toward business, jobs, economic growth, and investment in the state, Maryland Free’s State Advisory Council selects recorded votes from the last regular General Assembly session that have practical or philosophical importance to the widest possible range of Maryland businesses, trade associations, and chambers of commerce.

In order to arrive at the most accurate measure of the legislature’s position on business matters, we include votes from different stages of the legislative process: final (third reader votes), committee votes, votes on amendments and critical motions, and votes on gubernatorial nominations. We may at times omit a particular piece of legislation due to lack of strong consensus in the business community.

Although this evaluation process summarizes a legislative system that involves weeks of debate, amendment, and compromise, voting records remain the best indicators of a legislator’s inclination. Maryland Free neither gives pass/fail scores nor expressly or implicitly endorses or rejects any incumbent on the basis of certain selected votes.

A complete evaluation of a legislator’s support for business should be made by examining committee and floor votes and considering unrecorded matters such as performance on subcommittees, communication with business representatives, and service to constituent businesses.

Roll Call is intended to improve the understanding by elected and appointed officials of the effect of public policy on business and the economy, and the willingness and ability of businesses to create jobs, invest, and prosper in Maryland. It is our belief that a positive business climate is critical to all other social progress.

The Meaning of “Business Friendly”

The following are elements of a positive business and employment climate that have been identified by Maryland Free Enterprise Foundation business leaders. Maryland Free urges Maryland’s elected and appointed officials to strive for a balanced public policy approach that includes the consideration of the impact of new laws and regulations on the state’s business climate. The following attributes of “business friendly” public policy would have significant, measurable, and positive impact on all citizens in the state.

Fiscal Responsibility

- A budget process that limits new spending and prohibits unfunded mandates that inevitably result in new taxes, fees or surcharges.
- A tax structure that is focused on attracting and retaining private jobs and investment in Maryland.
- A stable, consistent investment program to maintain and upgrade critical infrastructure and education needs.

Regulations

- A regulatory process that does not interfere with the free market’s economic forces and upholds existing contracts to give businesses and institutions the confidence to continue bringing jobs and investment to Maryland.
- A regulatory framework that is fair, clear, and updated to take advantage of changes in technology and market forces.
- A regulatory structure that does not exceed federal standards and ensures that the costs of rules and regulations — which are often passed on to the public — are justifiable and consistent with public benefit.

Employer - Employee Relations

- A market based wage and benefit structure that reflects changes in the U.S. economy and ensures that all workers are compensated based on performance and value in the marketplace.
- A workers’ compensation, unemployment, and health insurance system that yields benefits consistent with the reasonable needs of the beneficiary.
- A labor environment that allows every worker free choice concerning union affiliation.

Civil Liability and Business Law

- A predictable, consistent legal system that treats all parties and resolves all disputes in civil actions fairly, efficiently, and within reasonable time periods.
- A system of clearly written statutory and common laws that protects businesses and other defendants from frivolous or unwarranted lawsuits, imposes reasonable limits and standards for the award of damages for liability, and encourages growth in investment, jobs, and the economy.

Social Responsibility

- A business climate that promotes a strong commitment to corporate and social responsibility, including charitable contributions, volunteer initiatives, and other activities to advance development of Maryland and its communities.

A Word About Maryland Free Enterprise Foundation

Maryland Free’s purpose is to inform Maryland’s business community, elected officials, and the general public about the political and economic environment needed to foster economic development and job creation in Maryland.

Annual evaluations of the voting records of Maryland’s state legislators enable Maryland Free and its members to hold politicians accountable for the state’s economic well-being like no other organization.

Maryland Free is a statewide, nonpartisan political research and education organization supported by corporations, trade associations, small businesses, chambers of commerce, and individuals.

2019 SENATE VOTE DESCRIPTIONS

1 SB 101 – Civil Actions – Prelitigation Discovery of Insurance Coverage *Senator Zirkin*

Expands the existing law permitting prelitigation discovery of insurance coverage limits. Currently, an individual injured in an automobile accident may obtain a potential defendant's automobile insurance policy limits before filing a lawsuit. SB 101 expands the current law beyond automobile accidents to authorize an injured party to obtain a potential defendant's applicable policy limits for homeowner's and renter's insurance.

A "+" indicates a vote against SB 101 and reflects Maryland Free's opposition to legislation that incentivizes injured parties to allege damages based on insurance policy limits as opposed to actual injuries. SB 101 represents the continued misuse of legislation to create an uneven playing field in civil disputes and creates the potential for an increase in both litigation and insurance costs for businesses. Disagreeing with Maryland Free's position, the Senate passed SB 101, 42-2, on February 14, 2019.

2 SB 102 – Courts – Direct Action Against Automobile Insurer *Senator Zirkin*

Overtaking long-standing Maryland case law, SB 102 provides that a plaintiff may directly sue a defendant's automobile insurance company instead of directly suing the defendant that allegedly caused the plaintiff's injury. SB 102 incentivizes injured parties to base their lawsuits and claims on insurers and their insurance coverage rather than on actual injuries. SB 102 does not provide insurance companies with any explicit defense if a policyholder decides not to cooperate with the insurance company.

A "+" indicates a vote against SB 102 and reflects Maryland Free's opposition to legislation that introduces unpredictability by overriding long-

standing Court precedent and creates an unlevel playing field in civil actions. Such measures: 1) increase litigation frequency and costs; 2) create financial burdens on businesses and their automobile insurers; and 3) set dangerous precedents for injecting prejudice into the civil justice system.

Disagreeing with Maryland Free's position, the Senate approved SB 102, 30-16, on March 15, 2019.

3 SB 167 – Pathways in Technology Early College High (P-TECH) Expansion Act of 2019

President, by request – Administration and Senator Bailey, et al.

Expands the Pathways in Technology Early College High (P-TECH) program by: 1) repealing the limit on the number of P-TECH Planning Grants that may be awarded to a local school system in each year; 2) removing the prohibition against new P-TECH Planning Grants being awarded to establish a new P-TECH school until after the 2016-2017 cohort of P-TECH students completes the 6-year pathway sequence; and 3) repealing certain intent language regarding a prohibition against additional P-TECH schools. P-TECH is a program instituted by the current Administration that establishes a partnership between public secondary schools, colleges, and businesses that enables graduates to earn both high school and Associate degrees.

A "+" vote indicates a vote in favor of SB 167 and reflects Maryland Free's support for further improvements to workforce development and job training programs. Disagreeing with Maryland Free's position, the Senate Education, Health, and Environmental Affairs Committee rejected SB 167, 6-4, on February 26, 2019.

2019 SENATE VOTE DESCRIPTIONS

4 SB 252 – Railroad Company – Movement of Freight – Required Crew *Senator Hayes*

Requires a train or light engine used in connection with the movement of railroad freight to have a crew of at least two individuals, for purported safety reasons, if it shares the rail corridor with a high-speed commuter or passenger train. SB 252 effectively mandates an inbound train with one crew member to stop at the Maryland border, pick up an extra crew member, and then drop him or her off at the border as it leaves the state. This bill previously passed in 2018 but was vetoed by Governor Hogan because of the unnecessary competitive disadvantage it would create for Maryland and the Port of Baltimore relative to neighboring states and ports.

A “+” vote indicates a vote against SB 252 and reflects Maryland Free’s opposition to legislation that: 1) places the Port of Baltimore in a competitive disadvantage relative to competing ports in Norfolk, Philadelphia, and New York because of increased shipping costs; 2) interferes with the employer-employee relationship; 3) supports trade union featherbedding, the practice of increasing employment costs by unnecessarily mandating the use of additional employees; and 4) adversely affects Maryland’s business reputation. Moreover, the purported safety concerns are irrelevant because, in public hearings, the Federal Railroad Administration testified that it “cannot provide reliable or conclusive statistical data to suggest whether one-person crew operations are generally safer or less safe than multiple-person crew operations.” Disagreeing with Maryland Free’s position, the Senate approved SB 252, 27-14, on March 29, 2019.

5 SB 280 – Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen) *Senator McCray, et al.*

Requires an employer to phase in an increase in the State minimum wage from \$10.10 to \$15.00 per hour by January 1, 2025, with a longer phase in for employers with 14 or fewer employees (by July 1, 2026). To help pay for the mandated higher minimum wage, SB 280 requires taxpayers to pay escalating subsidies to arbitrarily selected community and health service providers exceeding \$1.1 billion per year by 2026. Under SB 280, an employer may no longer pay a training wage of 85% of the State minimum wage to employees younger than age 20 for the first six months; instead, an employer may pay 85% of the State minimum wage to employees younger than age 18.

A “+” indicates a vote against SB 280 and reflects Maryland Free’s opposition to draconian wage increase mandates that are proven by empirical evidence to reduce jobs, hours, and benefits for the working poor and younger entry-level employees. SB 280 negatively impacts Maryland’s economic competitiveness with every surrounding state, each of which has a known lower minimum wage. Compounding a 40% increase in the State’s minimum wage during 2015-2018 with a further 48% increase during 2019-2025 will diminish the State’s overall economic output, leading to economic devastation of Maryland’s economy. Requiring taxpayers to subsidize a small, arbitrary group of service providers at a rate of \$1 billion per year by 2026 proves the assertion of SB 280 opponents: all businesses would pay higher wages to attract and retain good employees if they could afford it, but many companies, especially small businesses, simply cannot. Disagreeing with Maryland Free’s position, the Senate approved SB 280, 32-13 (on third reading and final passage, after adoption of the conference committee report), on March 20, 2019.

2019 SENATE VOTE DESCRIPTIONS

6 SB 280 – Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen) – Veto Override Vote *Senator McCray, et al.*

See Senate Vote 5 on page 15 for a description of SB 280.

A “+” indicates a vote to sustain the Governor’s veto of SB 280. Disagreeing with Maryland Free’s position, the Senate overrode the Governor’s veto of SB 280, 32-15, on March 28, 2019.

7 SB 285 – Environment – Expanded Polystyrene Food Service Products – Prohibitions *Senator Kagan, et al.*

Prohibits the sale of polystyrene (PS) food service products in the state and bars a food service business or school from selling or providing food in such a product, beginning July 1, 2020. No state has previously imposed such a ban, and there is no scientific or empirical evidence that PS is a hazardous or toxic material. If banned, PS will have to be replaced with alternative materials for the packaging and service of food that cost two or three times as much, that are not naturally biodegradable, and that can be littered as easily as PS. SB 285 disproportionately burdens small businesses, especially those foodservice businesses with a higher volume of carry-out customers. SB 285 permits a local jurisdiction to enact a more stringent prohibition on the sale and use of PS.

A “+” indicates a vote against SB 285 and reflects Maryland Free’s opposition to policies that significantly increase the cost of doing business for employers, including many small businesses in the food service industry, without any measurable environmental or health benefit. Such first-in-the-nation measures make Maryland businesses less competitive with businesses in surrounding states and further erode Maryland’s national business-climate reputation. Such cost increases mandated by legislation have attendant

consequences that reduce employee jobs, hours and benefits. Allowing for the enactment by state and local governments of multiple different bans on PS sale or use produce compliance problems and conflicting standards for businesses operating in multiple jurisdictions. Disagreeing with Maryland Free’s position, the Senate approved SB 285, 31-13, on April 5, 2019.

8 SB 300 – Prevailing Wage – Public Works Contracts – Suits by Employees *Senator Benson, et al.*

Authorizes an employee under a public works contract who is paid less than the appropriate prevailing wage to sue to recover the difference in wages paid without first filing a complaint with the Commissioner of Labor and Industry. A determination by the Commissioner that a contractor is required to make restitution does not preclude the employee from filing a private cause of action including double or treble damages, reasonable counsel fees, and costs. Contractors and subcontractors are jointly and individually liable for violations of the subcontractor’s obligations under SB 300.

A “+” indicates a vote against SB 300 and reflects Maryland Free’s opposition to bills that expand employer liability and circumvent wage appeals processes that are working appropriately. Under current law, an employee is not permitted to file a private cause of action; instead, the employee would file a complaint with the Commissioner. If an employer who is found liable for paying damages fails to comply with the Commissioner’s order, only then may the employee sue the employer. SB 300 would short-circuit that process unnecessarily, increasing employer liability, making contractors liable for the acts of subcontractors, encouraging litigation, and raising the costs of construction projects. Disagreeing with Maryland Free’s position, the Senate approved SB 300, 31-15, on February 26, 2019.

2019 SENATE VOTE DESCRIPTIONS

9 SB 387 – Environment – Water Quality Certifications (Pipeline and Water Protection Act of 2019)

Senator Zirkin, et al.

Imposes state-level requirements on interstate and intrastate natural gas pipeline projects for the issuance of a water quality certification. The State of Maryland already participates fully in the review of such projects pursuant to existing federal and state law. As amended, SB 387 imposes: 1) an unlimited, nonrefundable application fee; 2) open-ended application requirements; 3) procedural requirements inconsistent with federal law timelines; and 4) state agency authority to reject an application. Many of these state-level requirements are more restrictive than, conflicting with, or duplicative of federal requirements for water quality certification and are intended to delay or block all natural gas pipeline projects that meet Maryland's already high water quality standards.

A “+” indicates a vote against SB 387 and reflects Maryland Free's opposition to anti-development legislation that mandates unnecessary, duplicative, and conflicting requirements on infrastructure facilities already fully regulated under current law. Under the guise of environmental protection, SB 387 arbitrarily imposes additional state water quality standards on a single potential source of water pollution – natural gas pipelines – while ignoring pipelines transporting fuels, sewage, hazardous liquids, chemicals, storm water, and all other liquid and gaseous materials. Disagreeing with Maryland Free's position, the Senate Education, Health, and Environmental Affairs Committee approved SB 387, 7-4, on March 20, 2019.

10 SB 516 – Clean Energy Jobs

Senator Feldman, et al.

Accelerates the annual percentage requirements for the production of certain forms of renewable energy to meet the State's Renewable Energy Portfolio Standard (RPS) from 25% by 2020 to 50% by 2030. Created in 2004 and accelerated most recently in 2017,

Maryland's current RPS requires all utilities and competitive retail suppliers to sell an increasing minimum percentage of renewable energy at the retail level each year or pay a penalty for the shortfall. SB 516 significantly accelerates these increasing percentages and provides financial credits to encourage renewable energy production. Because renewable energy is more expensive to produce than conventional energy, SB 516 is projected to increase the cost to all Maryland energy users by approximately twice the increase created by the 2017 acceleration of the RPS. SB 516 also expands an existing study on the RPS and establishes a supplemental study to assess increasing the RPS to 100% by 2040.

A “+” indicates a vote against SB 516 and reflects Maryland Free's opposition to substantial energy cost increases created by artificial subsidies for an already-mature and growing renewable energy industry. Compounding the 2017 RPS increase with the 2019 RPS increase (a jump in just three years from 20% by 2022 to 50% by 2030) magnifies the imposition of unnecessarily higher energy costs on consumers. Rather than letting markets work freely to provide the best energy choices to consumers, SB 516 furthers the State's policy of mandating and subsidizing renewable energy at considerable cost to energy consumers. Every Maryland employer is a consumer of energy. Disagreeing with Maryland Free's position, the Senate approved SB 516, 31-15, on April 8, 2019.

11 SB 581 – Economic, Housing, and Community Development – More Jobs for Marylanders Expansion and Opportunity Zone Enhancements

Senator Ferguson

Expands the More Jobs for Marylanders Program and establishes the Opportunity Zone Enhancement Program, wherein a business in an opportunity zone may qualify for enhanced incentives under specified tax credit programs. The bill also: 1) makes specified changes to the Heritage

2019 SENATE VOTE DESCRIPTIONS

Structure Rehabilitation Tax Credit Program, including extension through fiscal 2024; 2) extends the More Jobs for Marylanders Program by five years, increases the annual amount of tax credits that may be awarded, and expands geographic and business eligibility; 3) generally extends the geographic eligibility for a number of State economic development/tax credit and financing programs available for priority funding areas and/or sustainable communities to include opportunity zones in Allegany, Garrett, Somerset, and Wicomico counties; and 4) authorizes local governments to create a tax credit against the local property tax for qualified investments made within an opportunity zone.

A “+” vote indicates a vote in favor of SB 581 and reflects Maryland Free’s support for expansion of Governor Hogan’s More Jobs for Marylanders Program and the use of tax incentives to materially increase economic activity and improve Maryland’s business climate. This program will also increase employment opportunities, create and promote effective workforce training programs, and support existing and new manufacturing activity. Agreeing with Maryland Free’s position, the Senate approved SB 581, 46-0, on April 8, 2019.

12 SB 839 – Labor and Employment – Criminal Record Screening Practices (Ban the Box)

Senator Carter, et al.

Prohibits an employer with 15 or more full-time employees from requiring a job applicant, at any time before the first in-person interview, to disclose whether he or she has a criminal record or has faced a criminal accusation. SB 839 exempts certain employers expressly authorized to require criminal background information by another state or federal law or if the employer provides services to minors or vulnerable adults. SB 839 permits a local jurisdiction to enact a more restrictive criminal record screening law.

A “+” indicates a vote against SB 839 and reflects Maryland Free’s opposition to legislation that increases employer costs and hinders employment by interfering with an employer’s ability to conduct an effective and efficient background check on prospective employees. Employers, not the General Assembly, are in the best position to determine whether a person with a criminal history qualifies or is suitable for the type of employment being offered. Allowing for the enactment by state and local governments of multiple different employment screening laws will produce compliance problems and conflicting standards for businesses operating in multiple jurisdictions. Disagreeing with Maryland Free’s position, the Senate approved SB 839, 31-15 (on third reading and final passage, after adoption of the conference committee report), on April 8, 2019.

13 HB 173 – Economic Development – Job Creation Tax Credit – Sunset Extension *Chair, Ways and Means Committee, by request – Maryland Department of Commerce*

Extends from 2020 to 2022 the Job Creation Tax Credit (JCTC) program, which provides a State tax credit of \$3,000 for each net new full-time job created by a business that expands or establishes a new facility in Maryland (a \$5,000 credit is available if the job is created within a revitalization area). Due to eligibility changes to the program enacted in 2017, start-ups and small businesses in Maryland can now benefit from the program. Results reveal nearly 1,000 jobs created in Maryland under the program during the most recent fiscal year.

A “+” indicates a vote in support of HB 173 and reflects Maryland Free’s support for programs that help reward meaningful job creation, especially for small businesses. Agreeing with Maryland Free’s position, the Senate approved HB 173, 44-1, on April 8, 2019.

2019 SENATE VOTE DESCRIPTIONS

14 **HB 768 – Health – Prescription Drug Affordability Board** *Delegate Peña-Melnyk, et al.*

Creates a new independent agency of the state, the Prescription Drug Affordability Board, and an advisory Stakeholder Council, to study the pharmaceutical industry and the cost of prescription drugs. If the Board determines that the imposition of upper payment limits for certain prescription drugs is in the best interest of the State, it must present an action plan for implementing upper payment limits for approval by either the Legislative Policy Committee or both the Governor and Attorney General. If approved, the plan may be implemented for prescription drugs paid for by a unit of State or local government as early as January 1, 2022. HB 768 also requires the Board to report to the General Assembly by December 1, 2023, on whether it seeks further authority to impose upper payment limits for all prescription drug purchases—not just governmental purchases—in the State. Lastly, HB 768 provides that the Board must request legislation to fund the Board, including the imposition of fees on pharmaceutical manufacturers, benefit managers, insurers, distributors, or others.

A “+” indicates a vote against HB 768 and reflects Maryland Free’s opposition to legislation authorizing “upper payment limits” or what is more commonly known as price controls, a policy that has never worked successfully in a market economy. Because no other actionable solution to prescription drug prices is contemplated in HB 768, this legislation will likely result in the Board promulgating price controls on State or local government purchased prescription drugs. Employers and employees will bear the brunt of this legislation by paying more for prescription drugs and possibly paying a fee, or in effect a tax, to fund this new agency. Small businesses providing their employees with health insurance will experience a more substantial adverse impact, and the consequences of these new policies and costs will only worsen if the Board later imposes price controls on all prescription drugs in Maryland. Disagreeing with Maryland Free’s position, the Senate approved HB

768, 38-8 (on third reading and final passage, after adoption of the conference committee report), on April 8, 2019.

15 **HB 1124 – State Government – Regulations Impacting Small Businesses** *Delegate Brooks, et al.*

Modifies and enhances existing requirements for State agencies to identify and estimate the effects of proposed regulations on small businesses. Under current law, a State agency must submit proposed regulations to the General Assembly and the Department of Legislative Services prior to publication in the *Maryland Register*. Among other improvements, HB 1124 requires additional measures by State agencies, including the establishment of an electronic registry for small businesses, posting of the proposed regulation on the agency’s website with an opportunity for comment, and preparation of a compliance guide written in clear, plain language to assist small businesses.

A “+” indicates a vote for HB 1124 and reflects Maryland Free’s support for assisting small businesses in responding to proposed and final regulations. These measures improve Maryland’s business climate by increasing transparency and business-community participation in the regulatory process. Agreeing with Maryland Free’s position, the Senate approved HB 1124, 46-0, on April 5, 2019.

2019 HOUSE VOTE DESCRIPTIONS

1 HB 66 – Railroad Company – Movement of Freight – Required Crew *Delegate Stein, et al.*

See Senate Vote 4 on page 15 for a description of HB 66.

A “+” vote indicates a vote against HB 66 and reflects Maryland Free’s opposition to legislation that: 1) places the Port of Baltimore in a competitive disadvantage relative to competing ports in Norfolk, Philadelphia, and New York because of increased shipping costs; 2) interferes with the employer-employee relationship; 3) supports trade union featherbedding, the practice of increasing employment costs by unnecessarily mandating the use of additional employees; and 4) adversely affects Maryland’s business reputation. Moreover, the purported safety concerns are irrelevant because, in public hearings, the Federal Railroad Administration testified that it “cannot provide reliable or conclusive statistical data to suggest whether one-person crew operations are generally safer or less safe than multiple-person crew operations. Disagreeing with Maryland Free’s position, the House approved HB 66, 102-30, on March 16, 2019.

2 HB 109 – Environment – Expanded Polystyrene Food Service Products – Prohibitions *Delegate Lierman, et al.*

See Senate Vote 7 on page 16 for a description of HB 109.

A “+” indicates a vote against HB 109 and reflects Maryland Free’s opposition to policies that significantly increase the cost of doing business for employers, including many small businesses in the food service industry, without any measurable environmental or health benefit. Such first-in-the-nation measures make Maryland businesses less competitive with businesses in surrounding states and further erodes Maryland’s national business-climate reputation. Such cost increases mandated by

legislation have attendant consequences that reduce employee jobs, hours and benefits. Allowing for the enactment by state and local governments of multiple different bans on PS sale or use produce compliance problems and conflicting standards for businesses operating in multiple jurisdictions. Disagreeing with Maryland Free’s position, the House approved HB 109, 100-37, on April 3, 2019.

3 HB 126 Labor and Employment – Labor Organizations – Right to Work *Delegate W. Miller, et al.*

Prohibits an employer from requiring, as a condition of employment, that an employee or prospective employee join or remain a member of a labor organization. HB 126 provides that an employee who refuses to join the union shall not be required to pay dues, fees, or other charges to the union. There are currently 28 states with Right to Work laws on the books, including Virginia and West Virginia, which puts Maryland at a significant disadvantage when courting new manufacturing businesses as well as retaining current Maryland-based businesses.

A “+” indicates a vote in support of HB 126 and reflects Maryland Free’s support for permitting each worker in a unionized workplace to decide whether or not to join the union. By rejecting “Right to Work,” Maryland is less competitive with other states, and limits its chances of retaining and attracting new manufacturing businesses and jobs. Disagreeing with Maryland Free’s position, the House Economic Matters Committee rejected HB 126, 14-7, on February 12, 2019.

4 HB 166 – Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen) *Delegate Fennell, et al.*

See Senate Vote 5 on page 15 for a description of HB 166.

2019 HOUSE VOTE DESCRIPTIONS

A “+” indicates a vote against HB 166 and reflects Maryland Free’s opposition to draconian wage increase mandates that are proven by empirical evidence to reduce jobs, hours, and benefits for the working poor and younger entry-level employees. HB 166 negatively impacts Maryland’s economic competitiveness with every surrounding state, each of which has a known lower minimum wage. Compounding a 40% increase in the State’s minimum wage during 2015-2018 with a further 48% increase during 2019-2025 will diminish the State’s overall economic output, leading to economic devastation of Maryland’s economy. Requiring taxpayers to subsidize a small, arbitrary group of service providers at a rate of \$1 billion per year by 2026 proves the assertion of HB 166 opponents: all businesses would pay higher wages to attract and retain good employees if they could afford it, but many companies, especially small businesses, simply cannot. Disagreeing with Maryland Free’s position, the House approved HB 166, 93-41 (on third reading and final passage, after adoption of the conference committee report), on March 20, 2019.

5 HB 166 – Labor and Employment – Payment of Wages – Minimum Wage (Fight for Fifteen) – Veto Override Vote
Delegate Fennell, et al.

See Senate Vote 5 on page 15 for a description of HB 166.

A “+” indicates a vote to sustain the Governor’s veto of HB 166. Disagreeing with Maryland Free’s position, the House overrode the Governor’s veto of HB 166, 96-43, on March 28, 2019.

6 HB 173 – Economic Development – Job Creation Tax Credit – Sunset Extension
Chair, Ways and Means Committee, by request – Maryland Department of Commerce

See Senate Vote 13 on page 18 for a description of HB 173.

A “+” indicates a vote in support of HB 173 and reflects Maryland Free’s support for programs that help reward meaningful job creation, especially for small businesses. Agreeing with Maryland Free’s position, the House approved HB 173, 119-19, on March 28, 2019.

7 HB 524 – Prevailing Wage – Public Works Contracts – Suits by Employees
Delegate Wilson, et al.

See Senate Vote 8 on page 16 for a description of HB 524.

A “+” indicates a vote against HB 524 and reflects Maryland Free’s opposition to bills that expand employer liability and circumvent wage appeals processes that are working appropriately. Under current law, an employee is not permitted to file a private cause of action; instead, the employee would file a complaint with the Commissioner. If an employer who is found liable for paying damages fails to comply with the Commissioner’s order, only then may the employee sue the employer. HB 524 would short-circuit that process unnecessarily, increasing employer liability, making contractors liable for the acts of subcontractors, encouraging litigation, and raising the costs of construction projects. Disagreeing with Maryland Free’s position, the House approved HB 524, 97-42, on March 7, 2019.

2019 HOUSE VOTE DESCRIPTIONS

8 **HB 669 – Environment – Water Quality Certifications (Pipeline and Water Protection Act of 2019) – Economic Matters Committee**
Delegate Fraser-Hidalgo, et al.

Imposes state-level requirements on interstate natural gas pipeline projects for the issuance of a water quality certification. The State of Maryland already participates fully in the review of such projects pursuant to existing federal and state law. As introduced, HB 669: 1) imposes an unlimited, nonrefundable application fee; 2) open-ended application requirements; 3) emission and impact evaluations; 4) climate change and greenhouse gas analyses; 5) procedural requirements inconsistent with federal law timelines; and 6) state agency authority to reject an application. HB 669's application to interstate facilities only was found to be unconstitutional by Maryland's Attorney General. Many of these state-level requirements are more restrictive than, conflicting with, or duplicative of federal requirements for water quality certification and are intended to delay or block all natural gas pipeline projects that meet Maryland's already high water quality standards.

A "+" indicates a vote against HB 669 and reflects MBRG's opposition to anti-development, unconstitutional legislation that mandates unnecessary, duplicative, and conflicting requirements on infrastructure facilities already fully regulated under current law. Under the guise of environmental protection, HB 669 arbitrarily imposes additional state water quality standards on a single potential source of water pollution – natural gas pipelines – while ignoring pipelines transporting fuels, sewage, hazardous liquids, chemicals, storm water, and all other liquid and gaseous materials. Agreeing with MBRG's position, the House Economic Matters Committee rejected HB 669, 17-4, on April 5, 2019.

9 **HB 669 – Environment – Water Quality Certifications (Pipeline and Water Protection Act of 2019) – Environment and Transportation Committee**
Delegate Fraser-Hidalgo, et al.

See House vote 8 for a description of HB 669.

A "+" indicates a vote against HB 669 and reflects MBRG's opposition to anti-development, unconstitutional legislation that mandates unnecessary, duplicative, and conflicting requirements on infrastructure facilities already fully regulated under current law. Under the guise of environmental protection, HB 669 arbitrarily imposes additional state water quality standards on a single potential source of water pollution – natural gas pipelines – while ignoring pipelines transporting fuels, sewage, hazardous liquids, chemicals, storm water, and all other liquid and gaseous materials. Disagreeing with MBRG's position, the House Environment and Transportation Committee approved HB 669, 15-5, on April 6, 2019 (HB 669 was referred to both committees).

10 **HB 768 – Health – Prescription Drug Affordability Board**
Delegate Peña-Melnyk, et al.

See Senate Vote 14 on page 19 for a description of HB 768

A "+" indicates a vote against HB 768 and reflects Maryland Free's opposition to legislation authorizing "upper payment limits" or what is more commonly known as price controls, a policy that has never worked successfully in a market economy. Because no other actionable solution to prescription drug prices is contemplated in HB 768, this legislation will likely result in the Board promulgating price controls on State or local government purchased prescription

2019 HOUSE VOTE DESCRIPTIONS

drugs. Employers and employees will bear the brunt of this legislation by paying more for prescription drugs and possibly paying a fee, or in effect a tax, to fund this new agency. Small businesses providing their employees with health insurance will experience a more substantial adverse impact, and the consequences of these new policies and costs will only worsen if the Board later imposes price controls on all prescription drugs in Maryland.

Disagreeing with Maryland Free's position, the House approved HB 768, 96-37 (on third reading and final passage, after adoption of the conference committee report), on April 8, 2019.

11 HB 994 – Labor and Employment – Criminal Record Screening Practices (Ban the Box) *Delegate Mosby, et al.*

See Senate Vote 12 on page 18 for a description of HB 994.

A “+” indicates a vote against HB 994 and reflects Maryland Free's opposition to legislation that increases employer costs and hinders employment by interfering with an employer's ability to conduct an effective and efficient background check on prospective employees. Employers, not the General Assembly, are in the best position to determine whether a person with a criminal history qualifies or is suitable for the type of employment being offered. Allowing for the enactment by state and local governments of multiple different employment screening laws produce compliance problems and conflicting standards for businesses operating in multiple jurisdictions. Disagreeing with Maryland Free's position, the House approved HB 994, 97-40 (on third reading and final passage, after adoption of the conference committee report), on April 8, 2019.

12 HB 1091 – Public-Private Partnerships – Reforms *Delegate Solomon, et al.*

Modifies the process and conditions for the review and approval of public-private partnerships (P3s) valued at more than \$500 million. Under current law, P3s are state procurement partnerships that encourage private

investment in major transportation projects in the State, with private developers assuming responsibility to design, build, operate, and maintain the facilities. HB 1091 impedes P3 projects by imposing additional requirements and review periods for P3 projects, including: 1) a presolicitation report for each contract under the P3; 2) completion of an environmental impact statement for certain projects; and 3) legislative branch review and comment on P3 projects before approval by the State Board of Public Works. P3s are currently being utilized to develop transportation infrastructure vital to Maryland's economy, including the Purple Line and lane expansion projects for Interstates 270 and 495.

A “+” indicates a vote against HB 1091 and reflects Maryland Free's opposition to altering the current framework for transportation project P3s, a framework that has successfully attracted private investment while avoiding significant costs for Maryland taxpayers. During public hearings, the true intent of HB 1091 was revealed, which was to delay or obstruct the current Administration's plans for urgently needed lane expansion of major interstate highways in the State. Such projects are essential to the growth and vitality of Maryland's economy, and employers, employees, residents, and visitors all rely on the viability of the State's transportation network. Disagreeing with Maryland Free's position, the House approved HB 1091, 96-42, on March 18, 2019.

13 HB 1124 – State Government – Regulations Impacting Small Businesses *Delegate Brooks, et al.*

See Senate Vote 15 on page 19 for a description of HB 1124.

A “+” indicates a vote for HB 1124 and reflects Maryland Free's support for assisting small businesses in responding to proposed and final regulations. These measures improve Maryland's business climate by increasing transparency and business-community participation in the regulatory process. Agreeing with Maryland Free's position, the House approved HB 1124, 140-0, on April 6, 2019.

2019 HOUSE VOTE DESCRIPTIONS

14 SB 101 – Civil Actions – Prelitigation Discovery of Insurance Coverage *Senator Zirkin*

See Senate Vote 1 on page 14 for a description of SB 101.

A “+” indicates a vote against SB 101 and reflects Maryland Free’s opposition to legislation that incentivizes injured parties to allege damages based on insurance policy limits as opposed to actual injuries. SB 101 represents the continued use of legislation to create an uneven playing field in civil disputes and creates the potential for an increase in both litigation and insurance costs for businesses. Disagreeing with Maryland Free’s position, the House passed SB 101, 94-43, on April 8, 2019

15 SB 516 – Clean Energy Jobs *Senator Feldman, et al.*

See Senate Vote 10 on page 17 for a description of SB 516.

A “+” indicates a vote against SB 516 and reflects Maryland Free’s opposition to substantial energy cost increases created by artificial subsidies for an already-mature and growing renewable energy industry. Compounding the 2017 RPS increase with the 2019 RPS increase (a jump in just three years from 20% by 2022 to 50% by 2030) magnifies the imposition of unnecessarily higher energy costs on consumers. Rather than letting markets work freely to provide the best energy choices to consumers, SB 516 furthers the State’s policy of mandating and subsidizing renewable energy at considerable cost to energy consumers. Every Maryland employer is a consumer of energy. Disagreeing with Maryland Free’s position, the House approved SB 516, 95-41, on April 8, 2019.

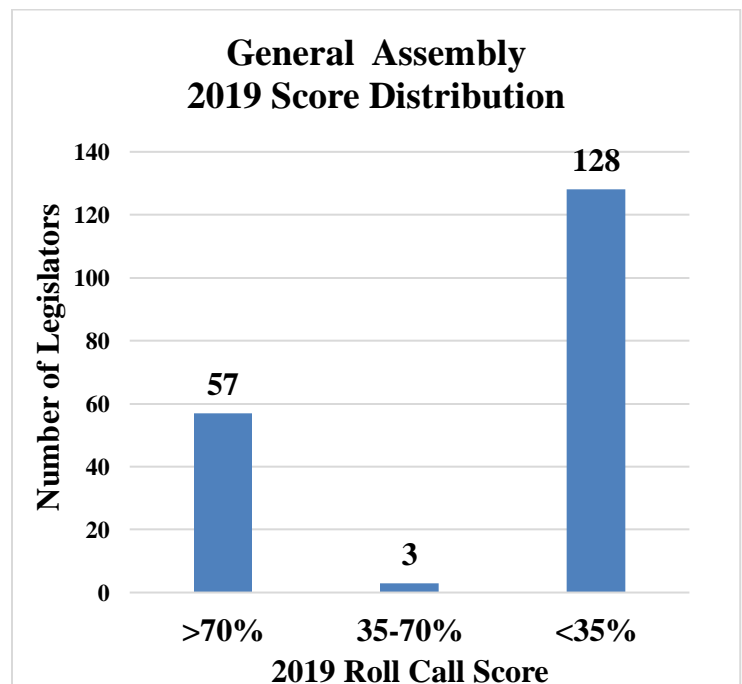
16 SB 581 – Economic, Housing, and Community Development – More Jobs for Marylanders Expansion and Opportunity Zone Enhancements *Senator Ferguson*

See Senate Vote 11 on page 17 for a description of SB 581.

A “+” vote indicates a vote in favor of SB 581 and reflects Maryland Free’s support for expansion of Governor Hogan’s More Jobs for Marylanders Program and the use of tax incentives to materially increase economic activity and improve Maryland’s business climate. This program will also increase employment opportunities, create and promote effective workforce training programs, and support existing and new manufacturing activity. Agreeing with Maryland Free’s position, the House approved SB 581, 126-6, on April 5, 2019.

Polarized Politicians

The gap between the highest and lowest scoring legislators has never been higher, and never has the ‘middle ground’ been so empty.



(Continued from page 2)

Judicial System Manipulation

An annual mainstay of the Maryland legislature is the introduction of bills that attempt to legislate an advantage in litigation, to the disadvantage of businesses who are defendants. They typically include incremental changes that make litigation more likely and frequent, and set precedents that can be used against defendants in other areas of law. Examples include the expansion of pre-litigation discovery in SB 101, that adversely affects the insurance industry, as well as SB 102, which allows claimants to sue an insurance company directly without suing the person actually involved in the incident. The undue advantage SB 102 would create for plaintiffs in jury trials that are litigated or eventually settled would undermine the fairness and balance that have long been hallmarks of Maryland jurisprudence.

Perhaps the most extreme example of attempted manipulation of Maryland's judicial system was an attempt to avoid taking a large number of asbestos-related claims in Baltimore City to trial, and instead, produce a mass settlement. The first attempt sought to insert language into the budget among the many technical amendments offered on the budget bill (HB 100) and was thwarted on the Senate Floor. The second attempt was SB 1049, first introduced long past the bill introduction deadlines on March 25, which, on the surface, sought to create a mediation step to help reduce the backlog of asbestos cases in the City. As revealed in the Senate amendments and subsequently in public hearings in the House, however, SB 1049 was an attempt to force an array of business defendants, including insurers and manufacturers, to settle all these cases in a mass payout rather than litigating each case on its own merits. With business litigants counting on a fair and balanced judicial system, free and clear of legislative interference, efforts such as these could produce irreparable harm to Maryland's business climate. Although the bill passed in the Senate, it

fortunately did not achieve final passage, as a result of extensive amendments approved in the House.

Party Line Voting and the Loss of Moderation

Finally, another pernicious trend that significantly affects the ability of Maryland businesses to thrive, expand, and increase employment is the increasingly common practice of party-line voting. Common-sense amendments or counterproposals that would represent compromise and lessen the damaging economic effects of bills are reflexively dismissed along party lines. In many cases, such mediating measures don't even receive a vote. The unfortunate result of such a trend is that competition of ideas and policies, where the best ones win out, is nonexistent.

Review of the various bill summaries in Roll Call clearly illustrate this phenomenon. For example, there are 99 Democrats and 42 Republicans in the House. In the Senate, there are 32 Democrats and 15 Republicans. Many of the votes in Roll Call reflect that spread with most deviations resulting more from absences or non-votes rather than an individual legislator "crossing the aisle" to cast their vote.

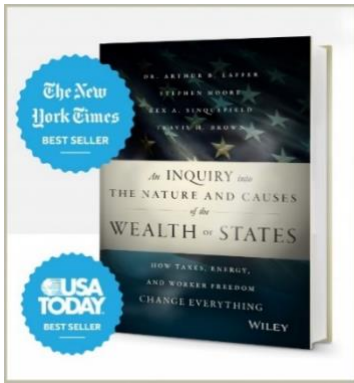
Such steadfast adherence to party results in a lack of meaningful debate — and, most importantly, compromise. Perhaps this is most apparent in the \$15 minimum wage legislation, where reputable and unrefuted empirical data on economic harm and a common-sense compromise offer by the Governor were both utterly ignored by the majority party. The results of this legislation could prove, as the Governor explained, devastating to Maryland's economy.

Suggested Reading

Although these might not be examples of traditional “beach reading,” the following three books adroitly articulate why a positive business climate is of critical importance to a thriving state economy, so we highly recommend them for summer reading lists. We are convinced that an understanding, particularly among legislators, of the lessons within these publications will help produce an ever-strengthening economy and pro-job climate in Maryland.

In each case, the authors use actual data from all 50 states to clearly demonstrate the policies that either strengthen or diminish a state economy. The first two descriptions below are taken directly from their respective websites. The third is our own summary.

Wealth of States



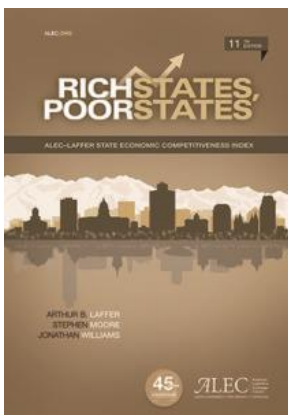
An Inquiry into the Nature and Causes of the Wealth of States is a detailed and critical look into the tax and regulatory policies across the 50 states and the subsequent economic growth or malaise that follows from these state policy choices. In short, the authors conclude you can’t tax a state into prosperity, nor can a poor person spend himself into wealth. Along the same lines, if you tax rich people and give the money to poor people, sooner or later you’ll have lots and lots of poor people and no rich people. Based on their detailed quantitative analysis with graphical evidence and colorful anecdotes sprinkled throughout, the authors’ detailed exposition evaluates the impact state and local government policies have on a state’s relative performance and lays down a roadmap to sound economic policies that lead to growth and prosperity.

Some of the most important variables examined in-depth include:

- Personal and corporate income tax rates
- Total tax burden as a percentage of personal income
- Estate and inheritance taxes
- Right-to-work laws

Visit www.wealthofstates.com to order.

Rich States, Poor States

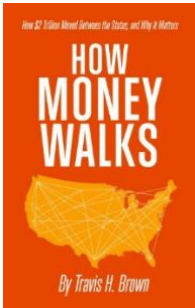


Rich States, Poor States examines the latest trends in state economic growth. The data ranks the 2018 economic outlook of states using 15 equally weighted policy variables, including various tax rates, regulatory burdens and labor policies. The eleventh edition examines trends over the last few decades that have helped or hurt states’ economies.

Used by state lawmakers across America since 2008, Rich States, Poor States: ALEC-Laffer State Economic Competitiveness Index, is authored by White House Advisor and economist Dr. Arthur B. Laffer, White House Advisor and Economist Stephen Moore, and Jonathan Williams, Vice President of the American Legislative Exchange Council Center for State Fiscal Reform.

Visit www.alec.org to purchase a hard copy or download for free.

How Money Walks



Although we recommend the book, there is a wealth of free information on the website, where legislators can see that Maryland lost a net \$13.4 billion in annual adjusted gross income (AGI) between 1992 and 2016 as money “walked” to other states. This wealth migration continues at the rate of about \$85,000 each hour! The interactive maps, which are derived from actual IRS data, clearly demonstrate a mass migration of wealth from high-tax states (and counties) to low-tax states (and counties).

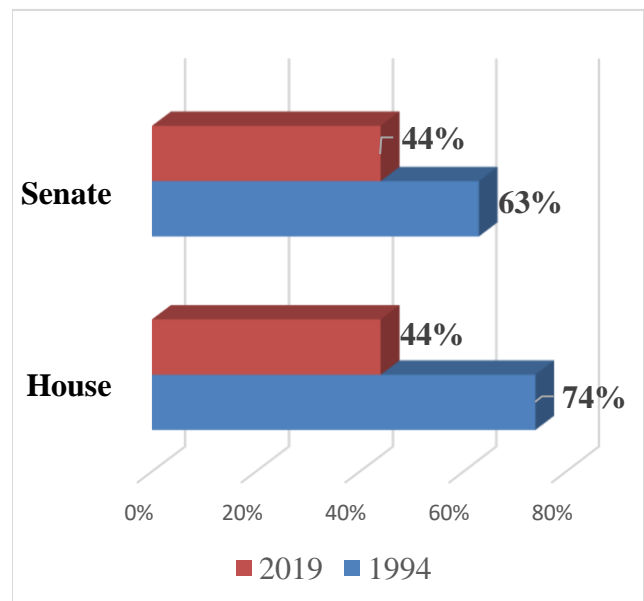
Visit www.howmoneywalks.com to explore the information.

MBRG Scores by County Delegation

County	2019 SCORE	2018 SCORE	CUMU- LATIVE
Greater than 70% CUMULATIVE			
Allegany	98%	100%	92%
Calvert	67%	60%	67%
Caroline	95%	100%	96%
Carroll	91%	99%	96%
Cecil	92%	97%	94%
Dorchester	81%	81%	81%
Frederick	60%	49%	53%
Harford	81%	86%	84%
Kent	94%	100%	97%
Queen Anne's	94%	100%	97%
Somerset	90%	100%	95%
St. Mary's	78%	100%	97%
Talbot	95%	100%	95%
Washington	93%	98%	93%
Wicomico	86%	87%	85%
Worcester	93%	100%	95%
Between 70%-40% CUMULATIVE			
Anne Arundel	45%	56%	62%
Baltimore County	50%	50%	53%
Howard	35%	42%	46%
Less Than 40% CUMULATIVE			
Baltimore City	23%	17%	27%
Charles	24%	18%	33%
Montgomery	19%	17%	24%
Prince George's	22%	17%	28%

Generation Gap

Maryland Free has been keeping score of our state legislators for 36 years. Maryland's current legislature is one of the most polarized (and lowest scoring ever).



Maryland Free Enterprise Foundation



Maryland Free Enterprise Foundation Membership Application

YES! I want to help Maryland Free and *Roll Call* improve Maryland's business climate.

Name _____

Please make all checks payable to Maryland Free and mail to:
Maryland Free, 6310 Stevens Forest Rd., Suite 260
Columbia, MD 21046

Title _____

Contributions to Maryland Free, a 501(c)(6), and its affiliates may be tax deductible to the extent permitted by law. Maryland Free is not a lobbying organization.

Organization _____

Address _____

We recognize that among businesses there are many variables in choosing a membership level. Please consider your company's annual gross revenues for guidance on an appropriate membership level. The recommended levels are:

City _____ State _____ Zip Code _____

Phone _____

Over \$50 million	Trustee
\$10 to \$50 million	Chairman
\$5 to \$10 million	President
\$1 to \$5 million	Leadership

Please provide the e-mail addresses for those who are interested in receiving important information from Maryland Free:

E-Mail _____

I am interested in joining at the following annual level:

E-Mail _____

☐ **Trustee Level (\$15,000 per year)**
★ Invitation to join Board of Directors

E-Mail _____

☐ **Chairman (\$10,000 per year)**
★ Consideration for Board of Directors

All Maryland Free members receive:

- ★ Member rates to Maryland Free events
- ★ Notification of *Roll Call* publication
- ★ Copies of *Roll Call*
- ★ Access to top business leaders
- ★ Opportunity to change Maryland's business climate!

☐ **President (\$5,000 per year)**

☐ **Leadership (\$1,000 per year)**

☐ **Individual (\$500 per year)**

Email us at info@marylandfree.org

If you could change one thing about Maryland, what would it be?

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<u>Benson, Joanne C.</u>	24	<u>Lee, Susan C.</u>	16
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Otto, Charles J.	38A	Wilson, C. T.	28
Carr, Julie	17	Wivell, William J.	2A
Parrott, Neil	2A	Young, Karen Lewis	3A
Patterson, Edith J.	28	Young, Pat	44B



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“A recent study on the issue of a \$15 minimum wage concluded that **Maryland private sector employment would be reduced by over 99,000 jobs** and our state’s economic output would **decline by more than \$61 billion** over the next decade.”

“Small businesses faced with the choice between a \$7.25 wage in Virginia or \$15 in Maryland will be **forced to create jobs in the lower cost location** and possibly reduce jobs or eliminate operations in Maryland.”

Excerpts from the Governor’s letter to the Maryland State Legislature on vetoing the \$15 minimum wage increase.