

ROLL CALL

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

Maryland has Lost Ground to Rival States

PUBLICATION/ORGANIZATION	RANKING AMONG 50 STATES
Rich States, Poor States	41 st - Economic Outlook
Site Selections Magazine	46 th - Business Tax Climate Rate
U.S. News	42 nd - Best States for Economy
Forbes.com	34 th - Best States for Business
ChiefExecutive.net	32 nd - Best States for Business
CNBC	26 th - Business Friendliness
SeekCapital.com	45 th - Best and Worst States to Start a Business
WalletHub	41 st - Best and Worst States to Start a Business
Tax Foundation	46 th - Business Tax Climate
Stacker	40 th - Best States to Start a Business

Inside: What our legislators must do to change that!

How to Make Maryland's Economy Competitive Again

The reality is not pretty. Maryland continues to be mired in the bottom quintile, ranking 40th or so in nearly all national rankings of economic outlook and ability to create or attract employers among the 50 states. Why? Legislative policy.

Consider the following table, which highlights five of the most determinant factors for a state's economic competitiveness and whether it can attract/retain job creators and a thriving population. In the table heading is the national rank among the 50 states in economic outlook as calculated in Rich States, Poor States, the annual economic analysis of 15 statewide variables. The five factors below are among the most important. It is no coincidence that the states with problematic factors (red font) rank very low for economic outlook and have all lost population over the past 10 years, which is the polar opposite of the states with favorable factors (black font). Each factor is controlled by the legislature.

	Maryland	California	New York	Utah	North Carolina	Florida	Virginia
	#41	#45	#50	#1	#2	#9	#18
1) Top personal income tax rate	8.95%	13.30%	14.78%	4.85%	4.75%	0.00%	5.75%
2) Corporate Income Tax	8.25%	8.84%	18.28%	4.85%	2.50%	5.50%	7.60%
3) Death Tax?	Yes	No	Yes	No	No	No	No
4) State Minimum Wage	\$15.00	\$15.50	\$14.20	\$7.25	\$7.25	\$11.00	\$12.00
5) Right to Work?	No	No	No	Yes	Yes	Yes	Yes
Population 2012-2021	Lost 205,062	Lost 1,551,510	Lost 1,778,252	+127,932	+600,579	+1,627,395	Lost 104,205

It doesn't have to be this way! Each of the states with thriving economic prospects have achieved that status deliberately, reducing taxes and encouraging free market principles. Let's explore each factor in a bit more detail and identify whether the General Assembly mitigated or exacerbated the negative factors this session.

Top Personal Income Tax Rate

With one exception, every state with low state tax rates, defined here as less than 5%, has gained population throughout the past decade. Every state with personal income tax rates above 5% has lost population in the same period. The lone exception is Illinois with its 4.95% top marginal rate, but that state has many other high-tax problems (ranked 50th for death taxes, 42nd for property taxes, and 49th for debt service as share of tax revenues, etc.) that have caused it to lose more than a million people. The lesson is very simple: if you want to maintain or grow your population, you should reduce taxes.

Continued on Page 25

Senate Vote Key

1	SB 224	Department of the Environment – Zero-Emission Medium – and Heavy-Duty Vehicles – Regulations (Clean Trucks Act of 2023)
2	SB 291	Courts – Prohibited Liability Agreements – Recreational Facilities
3	SB 542	Public Safety – Emergency Management – Price Gouging Consumer Protections
4	SB 553	Income Tax – Subtraction Modification for Military Retirement Income (Keep Our Heroes Home Act)
5	SB 555	Fair Wage Act of 2023
6	SB 555(A)	Senate Floor Amendment 753125/1 – Fair Wage Act of 2023
7	SB 660	Office of the Comptroller – Taxpayer Advocate Division
8	HB 128	Private Passenger Motor Vehicle Liability Insurance – Enhanced Underinsured Motorist Coverage – Opt-Out Option

House Vote Key

1	HB 128	Private Passenger Motor Vehicle Liability Insurance – Enhanced Underinsured Motorist Coverage – Opt-Out Option
2	HB 230	Department of the Environment – Zero-Emission Medium – and Heavy-Duty Vehicles – Regulations (Clean Trucks Act of 2023)
3	HB 352	Railroad Company – Movement of Freight – Required Crew
4	HB 494	Labor and Employment – Private Sector Employers – Right to Work
5	HB 554	Income Tax – Subtraction Modification for Military Retirement Income (Keep Our Heroes Home Act)
6	HB 556(A)	House Floor Amendment 693525-1 – Cannabis Reform
7	HB 707	Office of the Comptroller – Taxpayer Advocate Division
8	HB 775	Public Safety – Emergency Management – Consumer Protections Against Price Gouging
9	HB 988(A)	House Floor Amendment 973724/1 – Labor and Employment - Family and Medical Leave Insurance Program – Modifications
10	HB 1015	Labor and Employment – Maryland Healthy Working Families Act – Seasonal Temporary Workers
11	SB 291	Courts – Prohibited Liability Agreements – Recreational Facilities
12	SB 555	Fair Wage Act of 2023
13	SB 555(A)	House Floor Amendment 943227/1 – Fair Wage Act of 2023

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.

2022 SCORE A legislator's score for 2022, provided for comparative purposes

CUMULATIVE Cumulative percentage is based on a legislator's votes 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.

In the vote tables, bills appended with (V) are votes on a veto override, and votes appended with (A) are votes on an amendment to the bill.



Mary-Dulany James (D)
District 34

This Harford County Senator earned the highest cumulative score (58%) amongst all Democratic veterans in the Senate (minimum 4 years' service).



Michael McKay (R) and William Folden (R)
Districts 1 & 4

Senator McKay (representing Allegany, Garrett, & Washington Counties) and Senator Folden (representing Carroll & Frederick Counties) tied for the highest cumulative score (96%) amongst all Republican veterans in the Senate (minimum 4 years' service).

MARYLAND FREE SCORES BY COUNTY

County	2023 SCORE	2022 SCORE	CUMULATIVE
CUMULATIVE SCORES GREATER THAN 70%			
Talbot	92%	100%	97%
Caroline	93%	99%	96%
Kent	94%	98%	96%
Queen Anne's	94%	98%	96%
Washington	84%	100%	94%
Cecil	92%	95%	93%
Allegany	88%	96%	93%
Somerset	100%	95%	93%
Worcester	85%	94%	91%
Carroll	83%	94%	91%
Wicomico	84%	84%	85%
Harford	76%	82%	80%
Dorchester	78%	72%	74%
CUMULATIVE SCORES BETWEEN 40% AND 70%			
Calvert	59%	70%	69%
Frederick	55%	58%	65%
Baltimore County	45%	46%	50%
Anne Arundel	38%	38%	40%
CUMULATIVE SCORES LESS THAN 40%			
Howard	24%	17%	22%
Prince George's	20%	17%	22%
Baltimore City	21%	18%	21%
Charles	20%	17%	21%
Montgomery	20%	17%	21%

Maryland Free Enterprise Foundation

MARYLAND SENATE VOTES

	SB 224	SB 291	SB 542	SB 553	SB 555	SB 555 (A)	SB 660	HB 128			
	1	2	3	4	5	6	7	8	2023 SCORE	2022 SCORE	CUMULATIVE
Allegany, Garrett, & Washington Counties											
1 Michael W. McKay (R) *	+	-	+	+	+	+	+	+	88%	100%	96%
Washington County											
2 Paul D. Corderman (R) *	+	+	+	+	+	+	+	+	100%	100%	88%
Frederick County											
3 Karen Lewis Young (D)	-	-	-	+	-	-	+	-	25%	15%	21%
Carroll & Frederick Counties											
4 William G. Folden (R) *	+	+	-	+	+	+	+	+	88%	-	96%
Carroll County											
5 Justin D. Ready (R) *	+	+	+	+	+	+	+	-	88%	91%	92%
Baltimore County											
6 Johnny Ray Salling (R) *	+	+	+	+	+	+	+	+	100%	90%	89%
Baltimore & Harford Counties											
7 J.B. Jennings (R) *	+	+	+	o	+	+	+	+	100%	91%	90%
Baltimore County											
8 Katherine A. Klausmeier (D)	-	-	-	+	-	+	+	-	38%	55%	57%
Carroll & Howard Counties											
9 Katie Fry Hester (D)	-	-	-	+	-	+	+	+	50%	30%	31%
Baltimore County											
10 Benjamin T. Brooks, Sr. (D)	-	-	-	+	-	-	+	-	25%	14%	22%
11 Shelly L. Hettleman (D)	-	-	-	+	-	-	+	-	25%	20%	23%
Baltimore & Howard Counties											
12 Clarence K. Lam (D)	-	-	-	+	-	-	+	+	38%	11%	24%
Howard County											
13 Guy J. Guzzone (D)	-	-	-	+	-	-	+	-	25%	20%	28%
Montgomery County											
14 Craig Zucker (D)	-	-	-	+	-	-	+	-	25%	20%	22%
15 Brian J. Feldman (D)	-	-	-	+	-	-	+	-	25%	27%	27%
16 Ariana B. Kelly (D)	-	-	-	+	-	-	+	-	25%	15%	23%
17 Cheryl C. Kagan (D)	-	-	-	+	-	-	+	-	25%	20%	35%
18 Jeff Waldstreicher (D)	-	-	-	+	-	-	+	-	25%	20%	22%
19 Benjamin F. Kramer (D)	-	-	-	+	-	-	+	-	25%	27%	26%
20 William C. Smith, Jr. (D)	-	-	-	+	-	-	+	-	25%	20%	22%
Anne Arundel & Prince George's Counties											
21 James C. Rosapepe (D)	-	-	-	+	-	-	+	-	25%	20%	30%
Prince George's County											
22 Alonzo T. Washington (D)	-	-	-	o	-	-	+	nv	17%	18%	20%
23 Ronald L. Watson (D)	-	-	-	+	-	-	+	-	25%	20%	18%
24 Joanne C. Benson (D)	-	-	-	o	-	-	+	-	14%	18%	32%
25 Melony G. Griffith (D)	-	-	-	+	-	-	+	-	25%	20%	27%
26 C. Anthony Muse (D)	-	o	nv	+	nv	-	+	o	50%	-	41%
Calvert, Charles, & Prince George's Counties											
27 Michael A. Jackson (D)	-	-	-	+	-	-	+	-	25%	20%	23%
Charles County											
28 Arthur Ellis (D)	-	-	-	+	-	-	+	-	25%	20%	20%

Maryland Free Enterprise Foundation

MARYLAND SENATE VOTES

	SB 224	SB 291	SB 542	SB 553	SB 555	SB 555 (A)	SB 660	HB 128	2023 SCORE	2022 SCORE	CUMULATIVE
Calvert & St. Mary's Counties											
29 John D. Bailey (R) *	+	+	+	+	+	+	+	o	100%	90%	86%
Anne Arundel County											
30 Sarah K. Elfreth (D)	-	-	-	+	-	-	+	o	29%	30%	22%
31 Bryan W. Simonaire (R) *	-	+	-	+	+	+	+	+	75%	90%	86%
32 Pamela G. Beidle (D)	-	-	-	+	-	-	+	-	25%	30%	39%
33 Dawn D. Gile (D)	-	-	-	+	-	-	+	-	25%	-	-
Harford County											
34 Mary-Dulany James (D)	-	-	-	o	+	+	+	+	57%	-	58%
Cecil & Harford Counties											
35 Jason C. Gallion (R) *	+	+	+	+	+	+	+	+	100%	90%	88%
Caroline, Cecil, Kent, & Queen Anne's Counties											
36 Stephen S. Hershey, Jr. (R) *	+	+	+	+	+	+	+	-	88%	100%	90%
Caroline, Dorchester, Talbot & Wicomico Counties											
37 John F. Mautz (R) *	+	+	-	+	+	+	+	-	75%	100%	95%
Somerset, Wicomico & Worcester Counties											
38 Mary Beth Carozza (R)*	+	+	+	+	+	+	+	+	100%	90%	89%
Montgomery County											
39 Nancy J. King (D)	-	-	-	+	-	-	+	-	25%	20%	27%
Baltimore City											
40 Antonio L. Hayes (D)	-	-	-	+	-	-	+	-	25%	27%	24%
41 Jill P. Carter (D)	-	-	-	+	-	-	+	-	25%	20%	23%
Baltimore County											
42 Christopher R. West (R)*	+	-	-	+	+	+	+	-	63%	90%	84%
Baltimore City											
43 Mary L. Washington (D)	-	-	-	+	-	-	+	+	38%	20%	30%
Baltimore County											
44 Charles E. Sydnor III (D)	-	-	-	+	-	-	+	-	25%	20%	24%
Baltimore City											
45 Cory V. McCray (D)	-	-	nv	+	nv	-	+	-	33%	29%	24%
46 William C. Ferguson, IV (D)	-	-	-	+	-	-	+	-	25%	20%	23%
Prince George's County											
47 Malcolm L. Augustine (D)	-	-	-	+	-	-	+	-	25%	27%	21%

MARYLAND HOUSE OF DELEGATES VOTES

	HB 128	HB 230	HB 352	HB 484	HB 554	HB 556 (A)	HB 707	HB 775	HB 988 (A)	HB 1015	SB 291	SB 555	SB 555 (A)	2023 SCORE	2022 SCORE	CUMULATIVE
Allegany & Garrett Counties																
1A James C. Hinebaugh, Jr. (R)	-	+	+	■	+	+	+	+	+	■	+	+	+	91%	-	-
Allegany County																
1B Jason C. Buckel (R) *	-	+	-	■	+	+	+	+	+	■	-	+	+	73%	92%	90%
Allegany & Washington Counties																
1C Terry L. Baker (R)	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	-	-
Frederick & Washington Counties																
2A William Valentine (R)	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	-	-
2A William J. Wivell (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	99%
Washington County																
2B Brooke Grossman (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
Frederick County																
3A Kristopher G. Fair (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
3A Kenneth P. Kerr (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	19%
3B Karen Simpson (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
4 Barrie S. Ciliberti (R) *	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	100%	92%
4 April Fleming Miller (R)	+	+	-	■	+	+	+	+	+	■	+	+	+	91%	-	-
4 Jesse T. Pippy (R) *	-	+	-	+	+	+	+	+	+	+	+	+	+	85%	100%	96%
Carroll & Frederick Counties																
5 Christopher E. Bouchat (R)	-	+	-	■	+	+	+	+	+	■	-	+	+	73%	-	-
5 April R. Rose (R) *	-	+	+	o	+	+	+	+	+	+	+	+	+	92%	100%	98%
5 Christopher L. Tomlinson (R)	-	+	+	■	+	+	+	+	+	■	+	+	+	91%	-	-
Baltimore County																
6 Robin L. Grammer, Jr. (R) *	+	+	+	■	+	o	+	+	+	■	-	+	+	90%	82%	92%
6 Robert B. Long (R) *	-	+	nv	■	+	+	+	+	+	■	+	+	+	90%	91%	94%
6 Richard W. Metzgar (R) *	-	+	-	■	+	+	+	+	+	■	+	+	+	82%	92%	91%
7A Ryan M. Nawrocki (R)	+	+	+	■	+	+	o	o	+	■	+	+	+	100%	-	-
7B Kathy Szeliga (R) *	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	100%	97%
Harford County																
7B Lauren C. Arian (R) *	+	+	+	■	+	+	+	+	+	■	-	+	+	91%	83%	95%
Baltimore County																
8 Nick Allen (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
8 Harry (H.B.) Bhandari (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	35%
8 Carl W. Jackson (D)	-	-	o	-	+	-	+	-	-	-	-	-	-	17%	15%	29%
Howard and Montgomery Counties																
9A Chao Wu (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
9A Natalie C. Ziegler (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
Howard County																
9B M. Courtney Watson (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	14%	19%
Baltimore County																
10 Adrienne A. Jones (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	25%
10 N. Scott Phillips (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
10 Jennifer A. White (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
11A Cheryl E. Pasteur (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
11B Jon S. Cardin (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	17%	23%
11B Dana M. Stein (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	24%
Howard County																
12A Jessica M. Feldmark (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	16%
12A Terri L. Hill (D)	-	-	-	■	+	-	+	-	-	■	-	-	nv-	18%	15%	23%
Anne Arundel County																
12B Gary Simmons (D)	-	-	o	■	o	o	o	o	-	■	-	-	-	0%	-	-

MARYLAND HOUSE OF DELEGATES VOTES

		HB 128	HB 230	HB 352	HB 494	HB 554	HB 556 (A)	HB 707	HB 775	HB 988 (A)	HB 1015	SB 291	SB 555	SB 555 (A)	2023 SCORE	2022 SCORE	CUMULATIVE
Howard County		1	2	3	4	5	6	7	8	9	10	11	12	13			
13	Vanessa E. Afterbeary (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	21%
13	Pamela Lanman Guzzone (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
13	Jennifer R. Terrasa (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
Montgomery County																	
14	Anne R. Kaiser (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	22%
14	Bernice D. Mireku-North (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
14	Pamela Queen (D)	-	-	-	-	+	-	0	0	-	-	-	-	-	9%	14%	17%
15	Linda K. Foley (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
15	David V. Fraser-Hidalgo (D)	-	0	-	-	+	-	+	-	-	-	-	-	-	17%	15%	19%
15	Lily Qi (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	14%	19%
16	Marc A. Korman (D)	-	-	0	■	+	-	+	-	-	■	-	-	-	20%	15%	22%
16	Sara N. Love (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	17%	17%
16	Sarah S. Wolek (D)	-	-	0	■	0	0	0	0	-	■	-	-	-	0%	-	-
17	Kumar P. Barve (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	33%
17	Julie Palakovich Carr (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	8%	14%
17	Joseph Vogel (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
18	Aaron M. Kaufman (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
18	Emily K. Shetty (D)	-	0	-	■	+	-	+	-	-	■	-	-	-	20%	15%	15%
18	Jared Solomon (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
19	Charlotte Crutchfield (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
19	Bonnie L. Cullison (D)	-	-	-	■	+	-	+	-	-	■	nv	-	-	20%	20%	21%
19	Vaughn M. Stewart III (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	14%
20	Lorig Charkoudian (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	14%	14%
20	David Moon (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	16%
20	Jheanelle Wilkins (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	16%
Anne Arundel & Prince George's Counties																	
21	Benjamin S. Barnes (D)	-	-	-	■	+	-	+	-	nv-	■	-	-	-	18%	15%	19%
21	Mary A. Lehman (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
21	Joseline A. Peña-Melnyk (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	21%
Prince George's County																	
22	Anne Healey (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	18%	28%
22	Ashanti F. Martinez (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
22	Nicole A. Williams (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
23	Adrian A. Boafo (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	-	-
23	Marvin E. Holmes, Jr. (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	24%
23	Kym Taylor (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
24	Tiffany T. Alston (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
24	Andrea Fletcher Harrison (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	14%	17%
24	Jazz M. Lewis (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	18%	19%
25	Darryl Barnes (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	21%
25	Nick Charles (D)	-	-	-	■	+	-	+	nv	-	■	-	-	-	20%	17%	17%
25	Karen R. Toles (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
26	Veronica L. Turner (D)	-	-	0	-	+	-	+	-	-	0	-	-	-	18%	14%	22%
26	Kriselda Valderrama (D)	-	-	-	-	+	-	+	-	nv-	-	-	-	-	15%	14%	20%
26	Jamila J. Woods (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
Charles & Prince George's Counties																	
27A	Kevin M. Harris (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
27B	Jeffrie E. Long, Jr. (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-

MARYLAND HOUSE OF DELEGATES VOTES

	HB 128	HB 230	HB 352	HB 494	HB 554	HB 556 (A)	HB 707	HB 775	HB 988 (A)	HB 1015	SB 291	SB 555	SB 555 (A)	2023 SCORE	2022 SCORE	CUMULATIVE
Calvert County																
27C Mark N. Fisher (R) *	+	+	+	+	+	+	+	+	+	o	nv	+	+	100%	100%	97%
Charles County																
28 Debra M. Davis (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	18%
28 Edith J. Patterson (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	21%
28 C.T. Wilson (D)	-	-	-	nvc	+	-	+	-	-	nvc	-	-	-	18%	15%	25%
St. Mary's County																
29A Matt Morgan (R) *	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	92%	99%
29B Brian M. Crosby (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	36%	31%
Calvert & St. Mary's Counties																
29C Todd B. Morgan (R) *	+	+	-	■	+	+	+	+	+	■	+	+	+	91%	-	-
Anne Arundel County																
30A Shaneka T. Henson (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	0%	19%
30A Dana Jones (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	21%
30B Seth A. Howard (R) *	+	+	+	+	+	+	+	nv	+	+	+	+	+	100%	93%	93%
31 Brian A. Chisholm (R) *	-	+	+	■	+	+	+	+	+	■	+	+	+	91%	92%	94%
31 Nicholaus R. Kipke (R) *	-	+	+	■	+	+	+	+	+	■	+	+	+	91%	85%	87%
31 Rachel P. Munoz (R)	-	+	+	■	+	+	+	-	+	■	-	+	+	73%	78%	75%
32 J. Sandy Bartlett (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
32 Mark S. Chang (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	23%
32 Michael J. Rogers (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	14%	18%
33A Andrew C. Pruski (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	-	-
33B Stuart M. Schmidt, Jr. (R)	+	+	-	■	+	+	+	-	+	■	+	+	+	82%	-	-
33C Heather A. Bagnall (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	22%
Harford County																
34A Andre V. Johnson, Jr. (D)	-	-	-	■	+	-	+	-	-	■	-	-	+	27%	-	-
34A Steven C. Johnson (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	15%	24%
34B Susan K. McComas (R) *	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	100%	92%
Cecil & Harford Counties																
35A Michael Griffith (R)	+	+	-	■	+	+	+	+	+	■	+	+	+	91%	100%	95%
35A Teresa E. Reilly (R)*	o	+	+	■	+	+	+	+	+	■	+	+	+	100%	92%	95%
Cecil County																
35B Kevin B. Hornberger (R) *	-	+	-	■	+	+	+	-	+	■	-	+	+	64%	85%	86%
Caroline, Cecil, Kent, & Queen Anne's Counties																
36 Steven J. Arentz (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	93%	96%
36 Jefferson L. Christ (R)*	-	+	+	■	+	+	+	+	+	■	nv	+	+	90%	100%	98%
36 Jay A. Jacobs (R) *	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	100%	98%
Dorchester & Wicomico Counties																
37A Sheree Sample-Hughes (D)	-	+	-	o	+	-	+	o	-	+	-	-	-	36%	15%	29%
Caroline, Dorcheester, Talbot & Wicomico Counties																
37B Christopher T. Adams (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	98%
37B Thomas S. Hutchinson (R)	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	-	-
Somerset, Wicomico & Worcester Counties																
38A Charles J. Otto (R) *	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	100%	97%
Wicomico County																
38B Carl L. Anderton, Jr. (R) *	-	+	-	■	+	+	+	-	+	■	+	-	+	64%	92%	90%

MARYLAND HOUSE OF DELEGATES VOTES

	HB 128	HB 230	HB 352	HB 494	HB 554	HB 556 (A)	HB 707	HB 775	HB 988 (A)	HB 1015	SB 291	SB 555	SB 555 (A)	2023 SCORE	2022 SCORE	CUMU- LATIVE
Wicomico & Worcester Counties																
38C Wayne A. Hartman (R) *	+	+	+	■	+	+	+	+	+	+	+	+	+	100%	92%	99%
Montgomery County																
39 Gabriel Acevero (D)	-	-	-	■	+	-	+	-	nv-	■	-	-	-	18%	8%	15%
39 Lesley J. Lopez (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	20%	19%
39 Kirill Reznik (D)	o	o	-	■	+	-	+	-	o	■	o	o	o	40%	15%	26%
Baltimore City																
40 Marlon D. Amprey (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	15%	16%
40 Frank M. Conaway, Jr. (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	26%
40 Melissa R. Wells (D)	-	-	-	■	+	-	nv-	-	-	■	-	-	-	9%	15%	17%
41 Dayla Attar (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	18%
41 Tony Bridges (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
41 Samuel I. Rosenberg (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	32%
Baltimore County																
42A Nino Mangione (R) *	+	+	+	■	+	+	+	+	+	■	+	+	+	100%	92%	96%
42B Michele J. Guyton (D)	-	-	-	■	+	-	+	-	-	■	-	-	+	27%	8%	27%
Carroll County																
42C Joshua J. Stonko (R)	-	+	+	■	+	o	+	+	+	■	+	+	+	90%	-	-
Baltimore City																
43A Regina T. Boyce (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	19%
43A Elizabeth M. Embry (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	18%
Baltimore County																
43B Catherine M. Forbes (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
44A Eric D. Ebersole (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	21%
44B Aletheia R. McCaskill (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
44B Sheila S. Ruth (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
Baltimore City																
45 Jacqueline T. Addison (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
45 Stephanie M. Smith (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	18%
45 Caylin A. Young (D)	-	-	-	■	+	nv-	+	-	-	■	-	-	-	18%	-	-
46 Luke H. Clippinger (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	19%
46 Mark Edelson (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-
46 Robbyn T. Lewis (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	18%
Prince George's County																
47A Diana M. Fennell (D)	-	-	-	-	+	-	+	-	-	-	-	-	-	15%	8%	20%
47A R. Julian Ivey (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	15%	17%
47B Deni L. Taveras (D)	-	-	-	■	+	-	+	-	-	■	-	-	-	18%	-	-



Harry Bhandari (D)
District 8

This Baltimore County Delegate earned the highest cumulative score (35%) 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 the highest cumulative score (99%) amongst all Republican veterans in the House of Delegates (minimum 4 years' service).



Wayne A. Hartman (R)
District 38C

This Wicomico & Worcester County Delegate tied the highest cumulative score (99%) amongst all Republican Veterans in the House of Delegates (minimum 4 years' service).



William J. Wivell (R)
District 2A

This Frederick & Washington County Delegate tied the highest cumulative score (99%) amongst all Republican veterans in the House of Delegates (minimum 4 years' service).



Do your legislators vote FOR or Against job growth?

Find Out Now! Download the free app.



Apple



Android

Maryland Free Enterprise Foundation

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.

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 economic freedom and job growth 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. 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 bring 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, meritorious 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.

2023 SENATE VOTE DESCRIPTIONS

1 SB 224 – Department of the Environment – Zero-Emission Medium and Heavy-Duty Vehicles - Regulations (Clean Trucks Act of 2023)

Senator Augustine, et al.

SB 224 requires the Maryland Department of the Environment (MDE) to: 1) adopt by December 1, 2023 regulations mandating the sale of new zero-emission medium- and heavy-duty vehicles in the State; 2) incorporate by reference the California Air Resources Board's (CARB) Advanced Clean Trucks (ACT) regulations; and 3) prepare by December 1, 2024 a needs assessment and deployment plan in consultation with several State agencies. SB 224 also increases funding for the Medium-Duty and Heavy-Duty (MHD) Zero-Emission Vehicle (ZEV) Grant Program. The ACT regulation has two components including a manufacturer sales requirement, and a user reporting requirement, as follows: A) Zero-emission truck sales: manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines must sell zero-emission trucks as an increasing percentage of their annual in-state sales from 2024 (SB 224 sets the date to 2027 for Maryland) to 2035. By 2035, zero-emission truck/chassis sales must be 55% of Class 2b-3 truck sales, 75% of Class 4-8 straight truck sales, and 40% of truck tractor sales; and B) Company and fleet reporting: large employers including retailers, manufacturers, brokers and others are required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, are required to report about their existing fleet operations.

A “+” indicates a vote against SB 224 and represents Maryland Free’s opposition to measures that are premature, unrealistic, unreasonable, and defer to the judgment of policy makers in another state to establish mandates with severe, negative economic impacts. Testimony from various industry groups showed that Maryland’s infrastructure is vastly inadequate for such mandates (e.g., Maryland currently has no charging stations to accommodate

ZEV trucks), truck purchasers will take their business out of Maryland, and certain cargo is wildly incompatible with the current realities of ZEV technology. For example, the Delmarva Chicken Association testified that an electric semi-truck can travel only 200-300 miles per charge and it takes 8-12 hours to fully charge. Compared to diesel trucks that can travel 700-900 miles on one tank of fuel and can refuel in a matter of minutes, a significant animal welfare issue is created: “If a truck carrying chicks or full-size broilers cannot make its destination in time, birds will suffer the elements and die in an inhumane manner.” This is just one example from one industry. Apparently recognizing the many infeasible aspects of the mandates, SB 224 was amended to include a needs assessment and deployment plan, but it will be delivered a year after the regulations. A more appropriate approach would be to study the issue and then promulgate law and regulations based on the results of the study. Finally, the precedent of abdicating legislative responsibility to policy makers in another state becomes even more concerning with the news that the CARB adopted a new ZEV rule on April 27, 2023 requiring 100% EV sales by 2036 (i.e., total ban on the sale of conventional medium- and heavy-duty internal-combustion trucks). Disagreeing with Maryland Free, the Senate approved SB 224, 35-12, on April 6, 2023.

2 SB 291 – Courts – Prohibited Liability Agreements – Recreational Facilities

Senator Carter

Establishes that any provision in a contract or agreement relating to the use of a “recreational facility” that purports to release the facility from, or indemnify or hold harmless the facility against, liability for bodily injury caused by or resulting from the negligence or other wrongful act of the facility or its agents or employees is against public policy and is void and unenforceable. Under the bill, a “recreational facility” is defined, in part, as a “commercial recreational facility” but the word

2023 SENATE VOTE DESCRIPTIONS

“commercial” is undefined in the bill or elsewhere in state law, rendering the definition circular and unclear. “Recreational facility” also includes a commercial athletic facility, amusement attraction, gymnasium, and swimming pool. However, a unit of State or local government that leases land or facilities to a recreational facility is specifically excluded from the scope of the bill, and the bill expressly protects against any impact on liability for tort or other claims against any governmental entity. As introduced, the bill did not address whether an array of other facilities and activities were included or excluded, including but not limited to seasonal camps, recreational events such as running festivals and marathons, recreational events for fundraising and charitable organizations, horse racing, state parks, university recreational facilities, agricultural shows, and state and county fairs.

A “+” indicates a vote against SB 291 and reflects Maryland Free’s opposition to vague legislation that increases legal liability for businesses that own and operate recreational facilities, while attempting to exempt governmental facilities from this policy. By singling out private-sector owners and operators of recreational facilities, the bill is discriminatory and arbitrary. By failing to specify the definitions and scope of the legislation, SB 291 could precipitate an avalanche of lawsuits to be filed against such businesses, which explains why the primary supporters of this legislation were personal injury lawyers. Recreational facility owners and operators, especially those that are small businesses will face cost-prohibitive insurance premium increases and lawsuits that could eliminate jobs and terminate their businesses. This is true even for owners and operators of small businesses who are not negligent, because this legislation will raise insurance rates for all recreational facilities. Disagreeing with Maryland Free’s position, the Senate approved SB 291, 35-11, on March 15, 2023.

3 SB 542 – Public Safety – Emergency Management – Price Gouging Consumer Protections

The President – By Request of Office of the Attorney General

SB 542 prohibits a person from selling an essential good or service during or for 90 days following the end of a state of emergency for a price of 15% or more of its maximum price during the period of 60 days to 4 days prior to the declaration of the state of emergency. Although a prior version of the bill declared 12 specific goods and services as “essential”, SB 542 refers to goods and services designated as essential by the Governor at the time of an emergency declaration. Under SB 542, a person may justify a price increase of 15% or more only if they can prove that 1) the increase is directly attributable to costs of goods or labor, or 2) the increase is consistent with seasonal prices charged over the past three years. Violation of the bill is an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA), triggering MCPA’s civil penalty provisions and allowances for a private right of legal action to recover damages and attorney’s fees.

A “+” indicates a vote against SB 542 and reflects Maryland Free’s opposition to: 1) arbitrary caps on prices, which disregard the myriad, dynamic factors that affect prices in free market economies; 2) measures that establish a new private right of action that could be misused by an unknown number of claimants and their attorneys and lead to a proliferation of potentially frivolous litigation for business defendants; 3) establishing an arbitrary (i.e., two months minus four days) benchmark against which to measure allowable prices; and 4) placing the burden of proof on the business owner to justify a price increase rather than the government having to prove an unjustified price increase. This is a continuing theme of legislation in recent years that establishes a guilty-until-proven-innocent precept. Finally, attempts at central control of pricing have failed throughout world economic history because

2023 SENATE VOTE DESCRIPTIONS

market forces are too numerous, dynamic, and unpredictable to harness; SB 542 ignores those economic realities. Disagreeing with Maryland Free's position, the Senate approved SB 542, 36-9, on March 17, 2023.

4 SB 553 – Income Tax – Subtraction Modification for Military Retirement Income (Keep Our Heroes Home Act)

The President (By Request - Administration) and Senator Jackson, et. al

SB 553 increases the maximum amount of military retirement income that may be exempted from Maryland income tax. Specifically, the bill increases the maximum value of the subtraction modification from \$5,000 to \$12,500 for individuals younger than age 55 and from \$15,000 to \$20,000 for individuals aged 55 and older. SB 553 takes effect July 1, 2023, and applies to tax year 2023 and beyond.

A “+” indicates a vote for SB 553 and reflects Maryland Free’s support for measures that encourage investment in Maryland and minimize migration out of Maryland, especially among our retired citizens. The state has been losing population to lower-tax, less-regulated states for many years, and SB 553 is one small step to stem the tide of out-migration. Moreover, retired military members are widely regarded by the business community as reliable, trustworthy, and capable members of the workforce who, therefore, warrant tax relief and other policy efforts for retention in Maryland. Agreeing with Maryland Free’s position, the Senate approved SB 553, 43-0, on March 20, 2023.

5 SB 555 – Fair Wage Act of 2023 *The President (By Request – Administration) and Senator Waldstreicher, et al.*

Accelerates the increase in the State minimum wage rate for all employers to \$15.00 per hour beginning January 1, 2024. Under current law, the state’s minimum wage for employers with 15 or more

employees increases in increments until the full phase-in of \$15 on January 1, 2025. For employers with 14 or fewer employees, the minimum wage rate reaches full phase-in on July 1, 2026. One other feature of current law is that the Board of Public Works can suspend for one year any of the incremental wage rate increases if it determines that, as a result of declining employment levels or revenue losses realized by the state over the prior 6-month period, such a suspension is necessary. SB 555 repeals the scheduled phase-in of wage rate increases for all employers, regardless of size, and removes the Board of Public Works authority to suspend any of the scheduled wage rate increases based on its finding of a sustained decline in employment or state revenues.

A “+” indicates a vote against SB 555 and reflects Maryland Free’s vehement opposition to wage increase mandates that are proven by empirical evidence to reduce jobs, hours, and benefits for the working poor and younger entry-level employees. In the past 10 years, through substantial analysis and deliberation, the General Assembly enacted two increases in the minimum wage, including a 48% increase during the 2019-2025 period. For each of the increases, a phase-in was provided to allow employers to absorb the economic impact of such increases and plan for future increases. The phase-in was especially important to small businesses, which were afforded 18 months of vitally needed additional time to reach the \$15 minimum wage requirement. A further safeguard for employers was the authority of the Board of Public Works to suspend any of the incremental wage increases during a significant downturn in Maryland’s economy. These safeguards in current law were the only aspects of the two prior enactments that addressed the concerns of Maryland employers. All of these safeguards have been wiped out by SB 555, undermining any reliability and predictability for Maryland employers to deal with mandated wage rates. This rush to mandate \$15/hr by year’s end, with no regard for the harm, or in some sectors devastation, to Maryland’s lower-wage workers will have lasting, detrimental effects on

2023 SENATE VOTE DESCRIPTIONS

Maryland's economy. This legislation hurts the very people it is intended to help. Disagreeing with Maryland Free's position, the Senate approved SB 555, 31-14, on March 17, 2023.

6 SB 555 – Senate Floor Amendment 753125/1 – Fair Wage Act of 2023 *Senator McKay*

See Senate Vote 5 on page 16 for a description of SB 555.

As introduced, SB 555 accelerates the increase in the State minimum wage rate for all employers to \$15.00 per hour beginning January 1, 2024. Under current law, the state's minimum wage for employers with 15 or more employees increases in increments until the full phase-in of \$15 on January 1, 2025. For employers with 14 or fewer employees, the minimum wage rate reaches full phase-in on July 1, 2026. SB 555 repeals the scheduled phase-in of wage rate increases for all employers, regardless of size. Senate Floor Amendment 753125/1 would have partially restored the incremental phase-in of the minimum wage increase mandate for small employers, allowing a one-step increase to \$13.90 in 2024 and an additional year to reach \$15 by January 1, 2025.

A "+" indicates a vote for Amendment 753125/1 and reflects Maryland Free's support for reasonable allowances for small employers with 14 or fewer employees to reach the \$15 minimum wage mandate. Minimum wage increase mandates are proven by empirical evidence to reduce jobs, hours, and benefits for the working poor and younger entry-level employees. The phase-in of the mandated wage rate increases and the 18-month time extension for small employers under current law were vitally important safeguards to help these employers address the impact of the increases and plan for future increases. These safeguards were the main aspects of the wage increase mandates that addressed the concerns of Maryland employers. For many small businesses in Maryland, the amendment was essential for preserving their low-wage jobs and the survival of

these businesses. Disagreeing with Maryland Free's position, the Senate rejected Amendment 753125/1, 16-31, on March 16, 2023.

7 SB 660 – Office of the Comptroller – Taxpayer Advocate Division *The President (By Request - Office of the Comptroller) and Senator Benson, et al.*

SB 660 establishes a six-person Taxpayer Advocate Division in the Comptroller's Office to assist taxpayers and their representatives in 1) resolving problems and complaints, and 2) representing taxpayers' interests. The head of the division is the taxpayer advocate, selected by the Comptroller, who must have a background in customer service and tax law and experience representing individual taxpayers.

A "+" indicates a vote for SB 660 and reflects Maryland Free's support for measures that mitigate, even partially, Maryland's national reputation as a difficult tax environment. Already ranked 46th worst of the 50 states by the Tax Foundation, Maryland introduces additional tax burdens on a seemingly continual basis, necessitating an advocate in the Comptroller's office to help taxpayers deal with increasingly complex problems. In addition to 2022's favorable law requiring that the Comptroller issue private letter rulings within 60 days of a taxpayer's request, SB 660 is another positive step forward. Agreeing with Maryland Free's position, the Senate approved SB 660, 47-0, on April 10, 2023.

8 HB 128 – Private Passenger Motor Vehicle Liability Insurance – Enhanced Underinsured Motorist Coverage – Opt-Out Option *Delegate Crosby*

Requires new private passenger motor vehicle insurance policies, issued, sold, or delivered in Maryland on and after July 1, 2024, to provide enhanced underinsured motorist coverage unless the

2023 SENATE VOTE DESCRIPTIONS

insurance purchaser makes an affirmative written statement that waives the enhanced underinsured motorist coverage (i.e., consumers must now opt out of this added insurance) in favor of the currently required underinsured motorist coverage (i.e., consumers opt into this added insurance if they so choose).

As introduced, HB 128 applied to all private passenger motor vehicle policies, including new and renewal. However, the Senate Finance Committee amended the bill to limit its applicability to new policies only. Additionally, the Senate amendments require the Maryland Insurance Administration (MIA) to conduct a study on the impact of converting enhanced underinsured motorist coverage from an opt-in coverage to an opt-out coverage for new private passenger motor vehicle insurance policies. The MIA must submit an interim report to the Governor and specified General Assembly committees by December 31, 2026; it must submit its final report by December 31, 2028. Finally, the bill contains a sunset provision, terminating on June 30, 2029. In the House Committee hearing on this bill, as well as the Senate committee hearing on the companion bill, the only proponents were personal injury plaintiff's lawyers.

A “+” indicates a vote against HB 128 and reflects Maryland Free’s opposition to legislation that imposes substantial increases in insurance premiums and usurps consumer choice by mandating additional insurance coverage unless affirmatively waived by the consumer in writing. Currently and with limited exceptions, most motor vehicles in Maryland are required to maintain private motor vehicle insurance that includes minimum coverages, such as uninsured motorist coverage. Under current law, a purchaser may opt into enhanced underinsured motorist coverage in lieu of uninsured motorist coverage. Because enhanced underinsured motorist coverage provides additional protections, this coverage increases—sometimes significantly—the overall cost of a private motor vehicle insurance policy, which

may be why so few (less than 2%) Maryland insureds currently opt in. At a time of rising costs of living and inflation, HB 128 is projected to increase insurance costs by \$50 to several hundreds of dollars per six-month policy period, adversely impacting Maryland motorists, including small businesses and consumers. According to consumer group testimony before the House committee, making this coverage the default option and requiring consumers to opt out from that option will result in consumers inadvertently purchasing coverage that they do not want or need. Moreover, such additional insurance coverage would further incentivize lawsuits brought by plaintiffs in personal injury cases seeking the higher recoveries made possible by increased insurance coverage amounts. Even though the amendments narrowed the scope of the bill to apply to new policies only, the mandated expansion of coverage and associated cost increases are a material adverse impact for insureds who require these policies. Disagreeing with Maryland Free’s position, the Senate passed HB 128 (in its amended form), 31-12, on April 7, 2023.

2023 HOUSE VOTE DESCRIPTIONS

1 HB 128 – Private Passenger Motor Vehicle Liability Insurance – Enhanced Underinsured Motorist Coverage – Opt-Out Option

Delegate Crosby

For a description of HB 128, see Senate Vote 8 on pages 17-18.

A “+” indicates a vote against HB 128 and reflects Maryland Free’s opposition to legislation that imposes substantial increases in insurance premiums and usurps consumer choice by mandating additional insurance coverage unless affirmatively waived by the consumer in writing. Currently and with limited exceptions, most motor vehicles in Maryland are required to maintain private motor vehicle insurance that includes minimum coverages, such as uninsured motorist coverage. Under current law, a purchaser may opt into enhanced underinsured motorist coverage in lieu of uninsured motorist coverage. Because enhanced underinsured motorist coverage provides additional protections, this coverage increases—sometimes significantly—the overall cost of a private motor vehicle insurance policy, which may be why so few (less than 2%) Maryland insureds currently opt in. At a time of rising costs of living and inflation, HB 128 is projected to increase insurance costs by \$50 to several hundreds of dollars per six-month policy period, adversely impacting Maryland motorists, including small businesses and consumers. According to consumer group testimony before the House committee, making this coverage the default option and requiring consumers to opt out from that option will result in consumers inadvertently purchasing coverage that they do not want or need. Moreover, such additional insurance coverage would further incentivize lawsuits brought by plaintiffs in personal injury cases seeking the higher recoveries made possible by increased insurance coverage amounts. Even though the amendments narrowed the scope of the bill to apply to new policies only, the mandated expansion of coverage and associated cost increases are a material adverse impact for insureds who require these policies. Disagreeing with Maryland Free’s

position, the House approved HB 128, 116-23, on April 10, 2023.

2 HB 230 Department of the Environment – Zero-Emission Medium- and Heavy-Duty Vehicles – Regulations – (Clean Trucks Act of 2023)

Delegate Love, et al.

For a description of HB 230, see Senate Vote 1 on page 14.

A “+” indicates a vote against HB 230 and represents Maryland Free’s opposition to measures that are premature, unrealistic, unreasonable, and defer to the judgment of legislators in another state to establish mandates with severe, negative economic impacts. Testimony from various industry groups showed that Maryland’s infrastructure is vastly inadequate for such mandates (e.g., Maryland currently has no charging stations to accommodate ZEV trucks), truck purchasers will take their business out of Maryland, and certain cargo is wildly incompatible with the current realities of ZEV technology. For example, the Delmarva Chicken Association testified that an electric semi-truck can travel only 200-300 miles per charge and it takes 8-12 hours to fully charge. Compared to diesel trucks that can travel 700-900 miles on one tank of fuel and can refuel in a matter of minutes, a significant animal welfare issue is created: “If a truck carrying chicks or full-size broilers cannot make its destination in time, birds will suffer the elements and die in an inhumane manner.” This is just one example from one industry. Apparently recognizing the many infeasible aspects of the mandates, HB 230 was amended to include a needs assessment and deployment plan, but it will be delivered a year after the regulations. A more appropriate approach would be to study the issue and then promulgate law and regulations based on the results of the study. Finally, the precedent of abdicating legislative responsibility to another legislature more than 2,700 miles away becomes even more concerning with the news that the CARB adopted a new ZEV rule on April 27, 2023

2023 HOUSE VOTE DESCRIPTIONS

requiring 100% EV sales by 2036 (i.e., total ban on the sale of conventional medium and heavy-duty internal-combustion trucks). Disagreeing with Maryland Free, the House approved HB 230, 98-40, on April 3, 2023.

3 HB 352 – Railroad Company – Movement of Freight – Required Crew *Delegate Stein, et. al*

Requires a train or light engine used in connection with the movement of railroad freight to have a crew of at least two individuals if it shares the rail corridor with a high-speed commuter or passenger train. In practice, HB 352 requires 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 was previously passed in both 2018 and 2019 and vetoed by Governor Hogan because of the unnecessary competitive disadvantage it would create for Maryland relative to neighboring states. HB 352 establishes criminal penalties for willful violation of the two-crew-member minimum.

A “+” vote indicates a vote against HB 352 and reflects Maryland Free’s opposition to measures that: 1) unnecessarily place the Port of Baltimore in a competitive disadvantage relative to competing ports in Norfolk, Philadelphia, and New York because of increased shipping costs; 2) unnecessarily increase interference between employers and employees and their unions; 3) are pre-empted by federal law; 4) support trade union featherbedding, the practice of increasing employment costs by unnecessarily mandating the use of additional employees, particularly when crew size is already a key aspect of more than a century of collective bargaining between the unions and the railroad companies; 5) unnecessarily subject the State of Maryland to \$6 million in additional costs; and 6) ignore multiple empirical studies demonstrating that one-person crews are no less safe than two-person crews. Although HB 352 was introduced under the guise of safety enhancement, testimony in 2019 on a

predecessor bill revealed that increased crew size does not improve safety. In fact, the Federal Railroad Administration concluded 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.” Moreover, a 2021 study found that European operations “appear to suffer no reduction in crew-related safety” and “found no evidence that railroads operating with two-person crews are statistically safer than railroads operating with one-person crews.” This finding is particularly compelling because 95% of European rail traffic is moved by one-person crews. Maryland’s MARC trains run on CSX’s privately owned rails through an operating agreement that allows 12,000 Marylanders per day to use the MARC Camden and Brunswick lines. If enacted, HB 532 would nearly double the cost of the Camden and Brunswick lines for the state, hindering efforts to increase commuter rail service in Maryland. The governing agreement requires the State of Maryland to pay CSX up to \$6 million per year if the state imposes a train crew size mandate. Finally, HB 352 is pre-empted by federal law, as determined by an Illinois federal court, in response to a similar bill enacted but struck down in that state. Disagreeing with Maryland Free’s position, the House approved HB 352, 107-28, on March 9, 2023. HB 352 did not advance in the Senate.

4 HB 494 Labor and Employment – Private Sector Employers – Right to Work *Delegate Chisholm, et al.*

Prohibits a private-sector employer from requiring, as a condition of employment, that an employee or prospective employee: (1) join or remain a member of a labor organization; (2) pay any dues, fees, assessments, or other charges to a labor organization; or (3) pay any charity or another third party an equivalent amount in lieu of a payment to a labor organization. HB 494 repeals various provisions of State law that authorize or require a private employer to negotiate the payment by an employee of a fee (service, maintenance, or representation fee) to a

2023 HOUSE VOTE DESCRIPTIONS

labor organization to which the employee is not a member. There are currently 26 states (plus Guam) with Right to Work laws on the books, including Virginia, West Virginia, and every state to our south to which Maryland has lost population and wealth for many years running.

A “+” indicates a vote in support of HB 494 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, limiting our chances of retaining and attracting new manufacturing businesses and jobs. Disagreeing with Maryland Free’s position, the House Economic Matters Committee rejected HB 494, 15-6, on February 27, 2023.

5 HB 554 – Income Tax – Subtraction Modification for Military Retirement Income (Keep Our Heroes Home Act)
The Speaker (By Request - Administration) and Delegate Rogers, et. al

See Senate Vote 4 on page 16 for description of HB 554.

A “+” indicates a vote for HB 554 and reflects Maryland Free’s support for measures that encourage investment in Maryland and minimize migration out of Maryland, especially among our retired citizens. The state has been losing population to lower-tax, less-regulated states for many years, and HB 554 is one small step to stem the tide of out-migration. Moreover, retired military members are widely regarded by the business community as reliable, trustworthy, and capable members of the workforce who, therefore, warrant tax relief and other policy efforts for retention in Maryland. Agreeing with Maryland Free’s position, the House approved HB 554, 139-0, on March 15, 2023.

6 HB 556 – House Floor Amendment 693525-1 – Cannabis Reform
Delegate Buckel

As introduced, HB 556 implements a comprehensive framework for the recreational cannabis market in Maryland, including licensing, regulation, and taxation. A key provision of the bill as introduced expressly confirmed that as the state moves to recreational cannabis use, nothing in state law may be interpreted to prohibit a Maryland employer from denying employment or imposing discipline based on positive test results for cannabis, so long as the employer was following its established drug testing policy. This employer protection language was removed by the House Economic Matters Committee in its amendments. House Floor Amendment 693525/1 would have restored the employer protection language in the bill.

A “+” indicates a vote for Amendment 693525/1 and reflects Maryland Free’s support for reasonable, common-sense protections for employers whose businesses require an effective drug testing policy. For the protection of certain employers such as utilities, fleet operators, contractors, builders, and manufacturers, drug testing is essential. These businesses also count on testing to protect their employees, contractors, customers, and the general public. Current state and federal law attempt to provide these protections in connection with testing for “controlled dangerous substances”, but they are not as clear or decisive as the cannabis-specific language contained in the amendment. The protections in the amendment are also vitally important to prevent frivolous lawsuits and legal liability for employers who rely on their established drug testing policies to keep their operations and workplaces safe. Disagreeing with Maryland Free’s position, the House rejected Amendment 693525/1, 37-99, on March 8, 2023.

2023 HOUSE VOTE DESCRIPTIONS

7 **HB 707 – Office of the Comptroller – Taxpayer Advocate Division** *The Speaker (By Request - Office of the Comptroller)*

See Senate Vote 7 on page 17 for a description of HB 707.

A “+” indicates a vote for HB 707 and reflects Maryland Free’s support for measures that mitigate, even partially, Maryland’s national reputation as a difficult tax environment. Already ranked 46th worst of the 50 states by the Tax Foundation, Maryland introduces additional tax burdens on a seemingly continual basis, necessitating an advocate in the Comptroller’s office to help taxpayers deal with increasingly complex problems. In addition to 2022’s favorable law requiring that the Comptroller issue private letter rulings within 60 days of a taxpayer’s request, HB 707 is another positive step forward. Agreeing with Maryland Free’s position, the Senate approved HB 707, 136-0, on March 20, 2023.

8 **HB 775 – Public Safety – Emergency Management – Consumer Protections Against Price Gouging** *The Speaker – (By Request – Office of the Attorney General)*

See Senate Vote 3 on page 15 for a description of HB 775.

A “+” indicates a vote against HB 775 and reflects Maryland Free’s opposition to: 1) arbitrary caps on prices, which disregard the myriad, dynamic factors that affect prices in free market economies; 2) measures that establish a new private right of action that could be misused by an unknown number of claimants and their attorneys and lead to a proliferation of potentially frivolous litigation for business defendants; 3) establishing an arbitrary (i.e., two months minus four days) benchmark against which to measure allowable prices; and 4) placing the burden of proof on the business owner to justify a price increase rather than the government having to prove an

unjustified price increase. This is a continuing theme of legislation in recent years that establishes a guilty-until-proven-innocent precept. Finally, attempts at central control of pricing have failed throughout world economic history because market forces are too numerous, dynamic, and unpredictable to harness; HB 775 is no exception to those realities. Disagreeing with Maryland Free’s position, the House approved HB 775, 101-33, on March 20, 2023.

9 **HB 988 – House Floor Amendment 973724/1 – Labor and Employment – Family and Medical Leave Insurance Program – Modifications** *Delegate Griffith*

Whereas HB 988 alters key administrative deadlines, technical definitions, and components of the Family and Medical Leave Insurance Program (FAMLI) (Time to Care Act of 2022), House Floor Amendment 973724/1 addresses the most problematic aspect of the Time to Care Act. Specifically, Amendment 973724/1 makes employer contributions optional by eliminating the mandated employer contribution to the FAMLI Fund for employers with 15 or more employees. It also eliminates the requirement in HB 988 that MDH reimburse certain community health care providers for complying with the law because this provision is no longer needed once the employer mandate is removed.

A “+” indicates a vote for Amendment 973724/1 and reflects Maryland Free’s support of measures that mitigate efforts by the state to: a) manage private sector operations; b) intrude into the employer-employee relationship; and c) impose billions of dollars of additional costs on Maryland employers who are still struggling to adjust to the cumulative impacts of the “Maryland Healthy Working Families Act,” “Maryland Parental Leave Act,” “Maryland Flexible Leave Act” and “Fight for 15” increases in the minimum wage. Disagreeing with Maryland Free’s position, the House rejected Amendment 973724/1, 39-98, on April 4, 2023.

2023 HOUSE VOTE DESCRIPTIONS

10 **HB 1015 - Labor and Employment – Maryland Healthy Working Families Act – Seasonal Temporary Workers**

Delegate Hartman, et al.

Increases the “qualifying period” during which a new employee may use paid leave by 14 days from 106 days to 120 days after the first day of employment. If an employee is rehired by the employer within 32 weeks after leaving employment, the employer must reinstate any unused earned paid leave that was not voluntarily paid out.

A “+” vote indicates a vote in favor of HB 1015 and reflects Maryland Free’s support of a reasonable allowance for seasonal employers required to comply with the paid leave mandates. Under current law, a qualifying period of 106 days was erroneously selected based on an assumption that the summer employment season would run 106 days. In fact, based on decades of experience of Maryland’s seasonal employers, the actual length is 120 days. The 106-day period creates unnecessary disruptions to both employers and employees and inhibits employers from maintaining an adequate workforce throughout the duration of the work season.

Disagreeing with Maryland Free’s position, the House Economic Matters Committee rejected HB 1015, 14-7, on March 10, 2023.

11 **SB 291 – Courts – Prohibited Liability Agreements – Recreational Facilities**

Senator Carter

For a description of SB 291, see Senate Vote 2 on pages 14-15

A “+” indicates a vote against SB 291 and reflects Maryland Free’s opposition to legislation that increases legal liability for businesses that own and operate recreational facilities, while attempting to exempt governmental facilities from this policy. By singling out private-sector owners and operators of recreational facilities, the bill is discriminatory and arbitrary. By failing to specify the definitions and

scope of the legislation, SB 291 could precipitate an avalanche of lawsuits to be filed against such businesses, which explains why the primary supporters of this legislation were personal injury lawyers. Recreational facility owners and operators, especially those that are small businesses will face cost-prohibitive insurance premium increases and lawsuits that could eliminate jobs and terminate their businesses. This is true even for owners and operators of small businesses who are not negligent, because this legislation will raise insurance rates for all recreational facilities. Disagreeing with Maryland Free’s position, the House approved SB 291, 106-31, on April 10, 2023.

12 **SB 555 – Fair Wage Act of 2023**

The President (By Request – Administration) and Senator Waldstreicher, et al.

See Senate Vote 5 on Page 16 for a description of SB 555.

A “+” indicates a vote against SB 555 and reflects Maryland Free’s vehement opposition to wage increase mandates that are proven by empirical evidence to reduce jobs, hours, and benefits for the working poor and younger entry-level employees. In the past 10 years, through substantial analysis and deliberation, the General Assembly enacted two increases in the minimum wage, including a 48% increase during the 2019-2025 time period. For each of the increases, a phase-in was provided to allow employers to absorb the economic impact of such increases and plan for future increases. The phase-in was especially important to small businesses, which were afforded 18 months of vitally needed additional time to reach the \$15 minimum wage requirement. A further safeguard for employers was the authority of the Board of Public Works to suspend any of the incremental wage increases during a significant downturn in Maryland’s economy. These safeguards in current law were the only aspects of the two prior enactments that addressed the concerns of Maryland employers. All of these safeguards have been wiped

2023 HOUSE VOTE DESCRIPTIONS

out by SB 555, undermining any reliability and predictability for Maryland employers to deal with mandated wage rates. This rush to mandate \$15/hr by year's end, with no regard for the harm, or in some sectors devastation, to Maryland's lower-wage workers will have lasting, detrimental effects on Maryland's economy. This legislation hurts the very people it is intended to help. Disagreeing with Maryland Free's position, the House approved SB 555, 102-38, on April 4, 2023.

13 SB 555 – House Floor Amendment 943227/1 – Fair Wage Act of 2023 Delegate Buckel

See Senate Vote 5 on page 16 for a description of SB 555.

As introduced, SB 555 accelerates the increase in the State minimum wage rate for all employers to \$15.00 per hour beginning January 1, 2024. Under current law, the state's minimum wage for employers with 15 or more employees increases in increments until the full phase-in of \$15 on January 1, 2025. For employers with 14 or fewer employees, the minimum wage rate reaches full phase-in on July 1, 2026. SB 555 repeals the scheduled phase-in of wage rate increases for all employers, regardless of size. House Floor Amendment 943227/1 would have partially restored the incremental phase-in of the minimum wage increase mandate for small employers, allowing a one-step increase to \$13.90 in 2024 and an additional year to reach \$15 by January 1, 2025.

A “+” indicates a vote for Amendment 943227/1 and reflects Maryland Free's support for reasonable allowances for small employers with 14 or fewer employees to reach the \$15 minimum wage mandate. Minimum wage increase mandates are proven by empirical evidence to reduce jobs, hours, and benefits for the working poor and younger entry-level

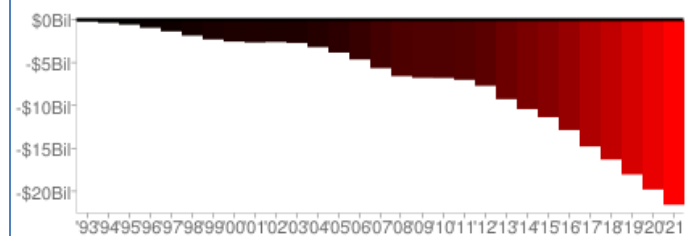
employees. The phase-in of the mandated wage rate increases and the 18-month time extension for small employers under current law were vitally important safeguards to help these employers address the impact of the increases and plan for future increases. These safeguards were the main aspects of the wage increase mandates that addressed the concerns of Maryland employers. For many small businesses in Maryland, the amendment was essential for preserving their low-wage jobs and the survival of these businesses. Disagreeing with Maryland Free's position, the House rejected Amendment 943227/1, 41-98, on April 4, 2023.

Maryland

Lost \$22.55 billion in annual AGI*

Wealth Migration 1992-2021

\$834 of adjusted gross income lost in the last 21 seconds.



Gained Wealth From:

\$5.28 billion	District of Columbia
\$2.18 billion	New York
\$1.59 billion	New Jersey
\$384.30 million	Connecticut
\$333.82 million	Illinois

Lost Wealth To:

\$11.03 billion	Florida
\$3.07 billion	North Carolina
\$2.65 billion	Virginia
\$2.06 billion	Delaware
\$1.99 billion	South Carolina

Source: <http://www.howmoneywalks.com>

(Continued from page 2)

That is exactly what North Carolina has been doing. In 2008, North Carolina's economic outlook rank was 21st among the 50 states. It is now 2nd. What has it done with its top marginal personal income tax rate throughout that period? It has gradually reduced it from 8.00% to 4.75%. The state is now a hot bed of economic growth and prosperity. In contrast, Maryland's top rate is a staggering 8.95%.

Three bills were considered this year that could affect this factor, two of which dealt with income taxes on retirees. HB 554/SB 553, which passed and became law, increased the amount of military retirement income that can be exempted from Maryland tax – although not very substantial, this is a bright spot for the legislature and a move in the right direction. **SB 461, which did not make it out of committee, would have eliminated state income tax on retirees aged 65 or older.** One bill particularly worthy of ridicule was titled "More Local Tax Relief for Working Families," which actually would have *increased* – from 3.2% to 3.7% - the maximum tax rate that a county could impose on a taxpayer. It did not advance out of committee.

Corporate Income Tax Rate

For state legislators in North Carolina, systematically reducing the personal income tax was just part of the equation; they did the same thing with corporate income taxes. From a high of 6.90% in 2008, they have reduced corporate income taxes to just 2.50%. In contrast, Maryland's rate is stuck at 8.25%.

The story in Virginia is quite the opposite. For years, Virginia was Maryland's principal competitor; when our job creators left the state, they simply went across our southern border to the Old Dominion. But just as North Carolina has been making smart policy moves, Virginia has been trending in the other direction, having ranked 5th nationally for economic outlook in 2008 (and 3rd in 2011 and 2012) and now dropping to 18th. During that time, the corporate income tax rate has risen from 6.00% to 7.60%. In logical response to these facts, **the Economic Competitiveness Act of 2023, HB 741, was introduced this session. The bill would have reduced the corporate income tax rate from 8.25% to 6.25% gradually over five years. The bill was heard but sadly received no vote in its committee of origin.**

Death Taxes

Wealthy residents leave states with death taxes. This phenomenon is so well known that only 12 states plus the District of Columbia still impose such taxes. And several of those are in the process of elimination. Until recently, only two states imposed both death taxes, which include: 1) estate taxes, wherein the estate is taxed prior to distributing assets to heirs; and 2) inheritance taxes, which tax the assets after they are received by the heirs. When New Jersey eliminated its estate tax (it still has an inheritance tax), Maryland was left holding the bag as the only state with both detrimental taxes. This is an enormous unforced error as the state takes in much less revenue from these taxes than it would if it eliminated them and kept these taxpaying residents in-state.

A proposal to eliminate Maryland's inheritance tax was introduced as SB 432. As with the corporate income tax rate reduction, this very logical bill was not even afforded a vote.

Minimum Wage

We mentioned Virginia's steady decline over the last decade and noted that increased corporate income taxes are a leading cause. In the past couple of years, steep increases in the minimum wage have exacerbated that decline. At the start of 2023, Virginia's minimum wage was \$12/hr after having been equal to the federal minimum wage of \$7.25 for many years until its increase to \$11/hr in 2022. Maryland's rate was \$13.25 in 2023. It is no coincidence that the states with the strongest economic outlooks (UT and NC) are still tied to the federal rate. These states recognize that the minimum wage is a starter wage meant for entry level employees; it is not a living wage meant to support a family. When that wage mandate is increased, those starter jobs are eliminated or hours are reduced. They also realize that they put themselves at a disadvantage if they raise their rates above those of the surrounding states, but that is exactly what Maryland has done. To ignore these realities is to reject proven economic principles, a dangerous and reckless practice.

Unfortunately, the Fair Wage Act of 2023 (SB 555) exacerbated several of the negative aspects of Maryland's minimum wage law. Although the rate had been increased twice in recent years and was being gradually implemented to minimize some of the negative economic effects, SB 555 accelerated the increase and

removed additional implementation time allowances for the smallest businesses. This minimum wage increase passed and was signed by the Governor.

Right to Work

The right to work without being forced to join or pay a union is one of the key elements of a thriving statewide economy. The top 18 states in the U.S. by economic outlook are all Right-to-Work (RTW) states. Of the bottom 10 states, only two are RTW (Wyoming and Louisiana). Simply put, it is exceedingly hard to attract employers to states that mandate union membership.

A proposal to allow Maryland employees to choose whether they want to join a union, HB 494, was voted down in committee, so it never received a floor vote.

Where Do We Go from Here?

Policy would be much easier without politics. But that is simply not the reality; legislators are subject to the passions and whims of their constituents, who more often than not are terribly uninformed regarding the pros and cons of economic policy. Moreover, as the population becomes increasingly fractured with us-vs-them rhetoric, extreme voting patterns emerge. Indeed, in the early days of Roll Call the vote distribution was a bell curve with a vast middle and only a small proportion of extreme vote records to the left and right; now, there is no middle whatsoever and the two parties vote in lockstep with their colleagues on “their” side of the aisle. **Unfortunately, policies that promote a strong economy and job growth have been deemed, somewhere along the way, to favor employers at the expense of employees. Nothing could be further from the truth.**

In this case, we have 50 laboratories of democracy, as Supreme Court Justice Louis Brandeis commented in the early 1900s. In each of these “laboratories” we have years of data to guide us. Raise taxes, lose wealth. Raise minimum wage, lose jobs. Mandate union membership, lose job creators. Tax estates, which have already been taxed numerous times during the decedent’s life, lose population and taxpayers. Unlike their counterparts in neighboring states, legislators in Raleigh are reading, understanding, and acting upon the data.

Any legislator, job creator, or taxpayer can view the data for themselves at www.RichStatesPoorStates.org. There

are extensive data for every state. And the website is interactive, allowing a user to adjust various factors to see how raising or lowering them would affect the rankings. In fact, that is what we did to compile the previous table that compares Maryland with five other states. The 2023 version of Rich States, Poor States correctly shows Maryland ranked 40th with our minimum wage at \$13.25. But since the General Assembly just accelerated the increase to minimum wage, effective January 1, 2024, we adjusted that minimum wage at the website, which pushed Maryland’s economic outlook rank to 41st. There is no doubt that the increase makes us much less competitive with our rival states, which will force or encourage some job creators to locate elsewhere.

The data discussed above, the national rankings, and the results experienced by other states unequivocally demonstrate that pro-growth policies that favor employers ALSO favor employees in the form of a thriving economy and job market. Legislators can use these data and rankings to show their constituents that not only can they start voting for such policies, but they absolutely must start doing so if we are to have any hope of a strong economic outlook again in Maryland. Simply put, our competitor states are eating us alive, and we have to admit that and start making changes. The five factors discussed above are unmistakable bellwethers of a thriving economy that create and sustain well-paying jobs for our most at-risk residents. Note that other economic development policies such as set-asides, workforce development and training, and government contracting opportunities (which are laudable and generally have our support) do not show up on these lists because they simply do not move the needle in establishing a dynamic economy. Legislators can take solace in these facts; they haven’t created the reality of what works and what doesn’t, they are simply the messengers. But message they must. They must communicate to their constituents that **class warfare and positioning employers versus employees is not helpful and will simply exacerbate the exodus of employers from the Free State**. Conversely, they must not message that raising taxes or wages (if arbitrarily mandated and not based on market forces) is stimulative to the economy. The data could not be more clear that it’s quite the opposite. People – especially job creators, and wealthy retirees - are voting with their feet, and we must reverse that trend.



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 _____

Title _____

Organization _____

Address _____

City _____ State _____ Zip Code _____

Phone _____

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

E-Mail _____

E-Mail _____

E-Mail _____

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!

Email us at info@marylandfree.org

Please make all checks payable to Maryland Free and mail to:
Maryland Free, 1280 Hopkins Alley, #185, Lisbon, MD 21765

*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.*

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:

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

I am interested in joining at the following annual level:

☐ **Trustee Level (\$15,000 per year)**

★ Invitation to join Board of Directors

☐ **Chairman (\$10,000 per year)**

★ Consideration for Board of Directors

☐ **President (\$5,000 per year)**

☐ **Leadership (\$1,000 per year)**

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

Index of Elected Officials – Senate

Senator	District	Senator	District
<u>Augustine, Malcolm</u>	47	<u>Kagan, Cheryl C.</u>	17
<u>Bailey, Jack</u>	29	<u>Kelly, Ariana B.</u>	10
<u>Beidle, Pamela</u>	32	<u>King, Nancy J</u>	39
<u>Benson, Joanne C.</u>	24	<u>Klausmeier, Katherine</u>	8
<u>Brooks, Benjamin T., Sr.</u>	10	<u>Kramer, Benjamin F.</u>	19
<u>Carozza, Mary Beth</u>	38	<u>Lam, Clarence K.</u>	12
<u>Carter, Jill P.</u>	41	<u>Mautz, John F.</u>	37
<u>Corderman, Paul D.</u>	2	<u>McCray, Cory V.</u>	45
<u>Elfreth, Sarah K.</u>	30	<u>McKay, Michael W.</u>	1
<u>Ellis, Arthur</u>	28	<u>Muse, C. Anthony</u>	26
<u>Feldman, Brian J.</u>	15	<u>Ready, Justin</u>	5
<u>Ferguson, Bill</u>	46	<u>Rosapepe, Jim</u>	21
<u>Folden, William G.</u>	4	<u>Salling, Johnny Ray</u>	6
<u>Gallion, Jason C.</u>	35	<u>Simonaire, Bryan W.</u>	31
<u>Gile, Dawn D.</u>	33	<u>Smith, William C., Jr.</u>	20
<u>Griffith, Melony</u>	25	<u>Sydnor, Charles E., III</u>	44
<u>Guzzone, Guy</u>	13	<u>Waldstreicher, Jeff</u>	18
<u>Hayes, Antonio</u>	40	<u>Washington, Alonzo T.</u>	22
<u>Hershey, Stephen S., Jr.</u>	36	<u>Washington, Mary L.</u>	43
<u>Hester, Katie Fry</u>	9	<u>Watson, Ronald L.</u>	23
<u>Hettleman, Shelly</u>	11	<u>West, Chris</u>	42
<u>Jackson, Michael A.</u>	27	<u>Young, Karen Lewis</u>	3
<u>James, Mary-Dulany</u>	34	<u>Zucker, Craig J.</u>	14
<u>Jennings, J. B.</u>	7		

Index of Elected Officials – House of Delegates

Delegate	District	Delegate	District
Acevero, Gabriel	39	Fair, Kristopher G.	3
Adams, Christopher T.	37B	Feldmark, Jessica	12A
Addison, Jacqueline T.	45	Fennell, Diana M.	47A
Allen, Nick	8	Fisher, Mark N.	27C
Alston, Tiffany T.	24	Forbes, Catherine M.	43B
Amprey, Marlon D.	40	Fraser-Hidalgo, David	15
Anderton, Carl, Jr.	38B	Ghrist, Jefferson L.	36
Arentz, Steven J.	36	Grammer, Robin L., Jr.	6
Arikan, Lauren	7B	Griffith, Mike	35A
Attar, Dalya	41	Grossman, Brooke	2B
Atterbeary, Vanessa E.	13	Guyton, Michele	42B
Bagnall, Heather	33C	Guzzone, Pamela Lanman	13
Baker, Terry L.	1C	Harris, Kevin M.	27A
Barnes, Ben	21	Harrison, Andrea Fletcher	24
Bartlett, J. Sandy	32	Hartman, Wayne A.	38C
Bhandari, Harry	8	Healey, Anne	22
Boafo, Adrian A.	23	Henson, Shaneka T.	30A
Bouchat, Christopher Eric	5	Hill, Terri L.	12A
Boyce, Regina T.	43A	Hinebaugh, James C.	1A
Buckel, Jason C.	1B	Holmes, Marvin E., Jr.	23
Cardin, Jon S.	11B	Hornberger, Kevin B.	35B
Chang, Mark S.	32	Howard, Seth A.	30B
Charkoudian, Lorig	20	Hutchinson, Thomas S.	37B
Charles, Nick	25	Ivey, Julian	47A
Chisholm, Brian	31	Jackson, Carl	8
Ciliberti, Barrie S.	4	Jacobs, Jay A.	36
Clippinger, Luke	46	Johnson, Andre V., Jr.	34A
Conaway, Frank M., Jr.	40	Johnson, Steve	34A
Crosby, Brian M.	29B	Jones, Adrienne A.	10
Crutchfield, Charlotte	19	Jones, Dana	30A
Cullison, Bonnie	19	Kaiser, Anne R.	14
Davis, Debra	28	Kaufman, Aaron M.	18
Ebersole, Eric	12	Kerr, Ken	3
Edelson, Mark	46	Kipke, Nicholas R.	31
Embry, Elizabeth M.	43A	Korman, Marc	16

Index of Elected Officials – House of Delegates

Delegate	District	Delegate	District
Lehman, Mary A.	21	Ruth, Sheila	44B
Lewis, Jazz	24	Sample-Hughes, Sheree	37A
Long, Jeffrie E., Jr.	27B	Schmidt, Stuart M., Jr.	33B
Long, Robert B.	6	Shetty, Emily	18
Lewis, Robbyn	46	Simmons, Gary	12B
Lierman, Brooke E.	46	Simpson, Karen	3
Lisanti, Mary Ann	34A	Smith, Stephanie	45
Long, Robert B.	6	Solomon, Jared	18
Lopez, Lesley J.	39	Stein, Dana	11B
Love, Sara	16	Stewart, Vaughn	19
Mangione, Nino	42A	Stonko, Joshua J.	42C
Martinez, Ashanti F.	22	Szeliga, Kathy	7A
McCaskill, Aletheia	44B	Taveras, Deni L.	47B
McComas, Susan K.	34B	Taylor, Kym	23
Metzgar, Ric	6	Terrasa, Jen	13
Miller, April Fleming	4	Toles, Karen R.	25
Mireku-North, Bernice D.	14	Tomlinson, Christopher L.	5
Moon, David	20	Turner, Veronica	26
Morgan, Matthew	29A	Valderrama, Kriselda	26
Morgan, Todd B.	29C	Valentine, William	2A
Munoz, Rachel P.	31	Vogel, Joseph	17
Nawrocki, Ryan M.	7A	Watson, Courtney	9B
Otto, Charles J.	38A	Wells, Melissa	40
Palakovich Carr, Julie	17	White, Jennifer A.	10
Pasteur, Cheryl E.	11A	Wilkins, Jheanelle K.	20
Patterson, Edith J.	28	Williams, Nicole A.	22
Pena-Melnik, Joseline A.	21	Wilson, C. T.	28
Phillips, N. Scott	10	Wims, W. Gregory	39
Pippy, Jesse T.	4	Wivell, William J.	2A
Qi, Lily	15	Wolek, Sarah S.	16
Queen, Pam	14	Woods, Jamila J.	26
Reilly, Teresa E.	35B	Wu, Chao	9A
Rogers, Mike	32	Young, Caylin A.	45
Rose, April	5	Ziegler, Natalie C.	9A
Rosenberg, Samuel I.	41		



410-280-6274 | info@MarylandFree.org | www.MarylandFree.org

