JUNE 2024 | VOLUME 39 | MARYLANDFREE.ORG

ROLL CALL

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

The Calm Before the Storm

Inside: Imprudent, Multi-Year Legislative Commitments Fueling Economic Headwinds

MARYLAND FREE

2024 Overview; Featuring Insights from State Senator Chris West

The data could not be clearer: Maryland loses tremendous amounts of wealth (and therefore, tax receipts) to lower-tax, freer states every year as our highest-paid taxpayers pick up and move. For 40 years, Maryland Free has highlighted the legislative policy that leads to this wealth exodus and has long proclaimed that "we don't have a revenue problem in Maryland; we have a spending problem." We were heartened in early 2024 when both Governor Moore[a] and Comptroller Lierman[b], two of the most powerful leaders in the state, not only acknowledged that "Marylanders are moving away to states where cost of living is even lower," but recognized that the answers to our economic challenges lie in "fiscal responsibility" and must be solved "without raising taxes."

The 2024 General Assembly saw a continuance of bad bills in the House of Delegates that would raise taxes, erect additional disincentives for businesses to hire, and limit economic freedom. Fortunately, Senate President Ferguson largely hewed to Governor Moore's commitment to not raise taxes, and most of those bad bills failed. But we remain very concerned that many of those bills – several of which are detailed herein – will return because the legislature in recent years committed the state to more spending and self-imposed economic hurdles without identifying funding sources. Below is an excerpt from a constituent newsletter by one of our more moderate legislators that we think encapsulates the concerns most succinctly.

*****

Senator Chris West, R-42
Baltimore & Carroll Counties

Serious storm clouds are approaching Maryland, and the gale that is about to hit us is entirely the fault of the Maryland General Assembly. History is filled with cases of well-intentioned governments committing to long-term programs, only to suffer terrible disappointment when their plans didn't work out. Maryland is at the verge of experiencing multiple failures of this type.

In recent years, the Maryland General Assembly, at the behest of well-funded and well-connected advocacy groups, has passed various pieces of legislation establishing in law very ambitious timetables for transformative policy goals. Although these laws were enacted with the best of intentions, their collateral consequences will inevitably visit much pain and financial suffering on Maryland citizens. As the storm clouds approach, let's consider three of the impending problems.

(1), Starting in 2035, just eleven years from now**, Maryland car dealers will not be able to sell new cars containing internal combustion engines**. Further, by model year 2027, which is just around the corner, a new regulation requires that at least 43% of vehicles sold in Maryland be zero emission. As of last year, however, less than 1% of light-duty vehicles registered in Maryland were zero emission, and just 2% of the vehicles sold in Maryland were electric or hybrid. Does anyone really think we can achieve the 43% benchmark in just three years?

Right now, electric vehicles require heavy discounts to move them off the showroom floors. Car manufacturers are losing money because most people don't want to buy zero emission cars. In fact, some manufacturers are either already in bankruptcy (Lordstown Motors, Arrival, and Fisker) or are flirting with it (Lucid, Rivian, VinFast, and Polestar). Polls show that 68% of Marylanders oppose the 2035 zero emissions mandate, partly due to the paucity of charging stations in Maryland, lengthy charging times, and the low range of EVs in cold weather. None of these collateral consequences were considered by the General Assembly when the underlying legislation was passed.

(2) Legislation passed in 2022 known as **the Climate Solutions Now Act requires a 60 percent reduction in greenhouse gas emissions in Maryland by 2031**, just seven years from now. However, as enacted, the bill contained no cost estimates and no dedicated funding mechanism to achieve this goal. Last summer, a workgroup reported that the cost of meeting this target would exceed $1 Billion annually between now and 2031. Unfortunately, again, the workgroup failed to identify any source of revenue to pay for this. *(Continued on Page 26)*

Senate Vote Key

1	SB 38	Wage Payment and Collection – Pay Stubs and Pay Statements – Required Information
2	SB 452	Courts – Prohibited Liability Agreements – Recreational Facilities
3	SB 474	Certificate of Public Convenience and Necessity and Related Approvals – Definition of Generating Station (Critical Infrastructure Streamlining Act of 2024)
4	SB 485	Family and Medical Leave Insurance Program – Modifications
5	SB 525	Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency
6	SB 538	Civil Actions – Noneconomic Damages – Personal Injury and Wrongful Death
7	SB 574	Sales and Use Tax Exemption – Aircraft Parts and Equipment – Repeal of Reporting Requirement and Extension of Sunset
8	SB 653	Standing – Environmental and Natural Resources Protection Proceedings (Clean Water Justice Act of 2024)
9	SB 1169	Real Estate Brokers – Commercial Transactions – Buyer's Rights
10	HB 136	Employment Standards, Prevailing Wage, and Living Wage – Employer Adverse Actions and Enforcement
11	HB 836(FIN)	Major Highway Capacity Expansion Projects – Impact Assessments and Workgroup (Transportation and Climate Alignment Act of 2024)
12	HB 836(BUD)	Major Highway Capacity Expansion Projects – Impact Assessments and Workgroup (Transportation and Climate Alignment Act of 2024
13	HB 947	Civil Actions – Public Nuisances – Firearm Industry Members (Gun Industry Accountability Act of 2024)
14	HB 1299	Consumer Protection – Maryland Consumer Protection Act – Trade or Commerce Violations

House Vote Key

1	HB 24	Department of the Environment - Environmental Justice Evaluation of Environmental Permit Applications
2	HB 136	Employment Standards, Prevailing Wage, and Living Wage – Employer Adverse Actions and Enforcement
3	HB 385	Wage Payment and Collection – Pay Stubs and Pay Statements – Required Information
4	HB 557	Sales and Use Tax Exemption – Aircraft Parts and Equipment – Repeal of Reporting Requirement and Extension of Sunset
5	HB 571	Family and Medical Leave Insurance Program – Modifications
6	HB 649	Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency
7	HB 697	Real Estate Brokers – Commercial Transactions – Buyer's Rights
8	HB 836	Major Highway Capacity Expansion Projects – Impact Assessments and Workgroup (Transportation and Climate Alignment Act of 2024)
9	HB 947	Civil Actions – Public Nuisances – Firearm Industry Members (Gun Industry Accountability Act of 2024)
10	HB 1101	Standing – Environmental and Natural Resources Protection Proceedings (Clean Water Justice Act of 2024)
11	HB 1299	Consumer Protection – Maryland Consumer Protection Act – Trade or Commerce Violations
12	SB 452	Courts – Prohibited Liability Agreements – Recreational Facilities
13	SB 474	Certificate of Public Convenience and Necessity and Related Approvals – Definition of Generating Station (Critical Infrastructure Streamlining Act of 2024)

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.

2023 SCORE A legislator's score for 2023, 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.

Katherine Klausmeier (D) and Mary-Dulany James (D)
Districts 8 & 34

Senator Klausmeier (representing Baltimore County) and Senator James (representing Harford County) tied for the highest cumulative score (57%) amongst all Democratic veterans in the Senate (minimum 4 years service).

John F. Mautz (R)
District 37

This Caroline, Dorchester, Talbot, and Wicomico County Senator earned the highest cumulative score (95%) amongst all Republican veterans in the Senate (minimum 4 years' service).

MARYLAND FREE SCORES BY COUNTY

County	2024 SCORE	2023 SCORE	CUMU-LATIVE
CUMULATIVE SCORES GREATER THAN 70%			
Talbot	97%	92%	98%
Caroline	97%	93%	97%
Kent	96%	94%	96%
Queen Anne's	96%	94%	96%
Allegany	87%	88%	94%
Cecil	93%	90%	93%
Somerset	91%	100%	93%
Worcester	94%	88%	92%
Carroll	92%	83%	90%
Wicomico	90%	83%	87%
Washington	77%	84%	83%
Dorchester	80%	78%	81%
St. Mary's	79%	77%	78%
Calvert	79%	79%	76%
Harford	73%	76%	74%
CUMULATIVE SCORES BETWEEN 40% AND 70%			
Frederick	58%	55%	58%
Baltimore County	47%	44%	47%
Anne Arundel	42%	40%	40%
CUMULATIVE SCORES LESS THAN 40%			
Prince George's	25%	20%	22%
Howard	24%	24%	22%
Baltimore City	25%	21%	22%
Charles	26%	20%	22%
Montgomery	23%	19%	21%

MARYLAND SENATE VOTES

	SB 38	SB 452	SB 474	SB 485	SB 525	SB 538	SB 574	SB 653	SB 1169	HB 136	HB 836 (FIN)	HB 836 (B&T)	HB 947	HB 1299			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	2024 SCORE	2023 SCORE	CUMU-LATIVE
Allegany, Garrett, & Washington Counties																	
1 Michael W. McKay (R) *	+	-	+	-	-	+	+	+	+	-	■	■	+	■	64%	88%	93%
Frederick & Washington Counties																	
2 Paul D. Corderman (R) *	+	-	+	+	+	+	+	+	+	+	□	+	+	□	92%	100%	89%
Frederick County																	
3 Karen Lewis Young (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	22%
Frederick County																	
4 William G. Folden (R) *	+	-	+	o	-	+	+	+	o	+	□	□	+	□	78%	88%	93%
Carroll & Frederick Counties																	
5 Justin D. Ready (R) *	+	-	+	+	-	+	+	+	+	+	+	■	+	+	85%	88%	91%
Baltimore County																	
6 Johnny Ray Salling (R) *	+	-	o	+	-	+	+	+	+	+	□	o	+	□	80%	100%	88%
Baltimore & Harford Counties																	
7 J.B. Jennings (R) *	+	-	+	+	-	+	+	o	+	+	■	+	+	■	82%	100%	90%
Baltimore County																	
8 Katherine A. Klausmeier (D)	-	-	+	+	-	+	+	-	+	-	-	□	+	+	54%	38%	57%
Howard & Montgomery Counties																	
9 Katie Fry Hester (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	50%	30%
Baltimore County																	
10 Benjamin T. Brooks, Sr. (D)	-	-	o	-	-	-	+	-	+	-	□	□	-	□	20%	25%	22%
11 Shelly L. Hettleman (D)	-	-	o	-	-	-	o	-	+	-	□	n	-	□	11%	25%	22%
Anne Arundel & Howard Counties																	
12 Clarence K. Lam (D)	-	-	+	-	-	+	+	-	+	-	-	■	-	-	31%	38%	25%
Howard County																	
13 Guy J. Guzzone (D)	-	-	+	-	-	-	+	-	+	-	□	-	-	□	25%	25%	28%
Montgomery County																	
14 Craig Zucker (D)	-	-	o	-	-	-	o	-	o	-	■	o	-	■	0%	25%	21%
15 Brian J. Feldman (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	27%
16 Ariana B. Kelly (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	23%
17 Cheryl C. Kagan (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	34%
18 Jeff Waldstreicher (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	22%
19 Benjamin F. Kramer (D)	-	-	+	-	-	-	+	-	+	-	-	■	-	-	23%	25%	26%
20 William C. Smith, Jr. (D)	-	-	+	o	-	-	+	-	+	-	■	■	-	■	30%	25%	23%
Anne Arundel & Prince George's Counties																	
21 James C. Rosapepe (D)	-	-	nv-	-	-	-	+	-	+	-	□	-	-	□	17%	25%	29%
Prince George's County																	
22 Alonzo T. Washington (D)	-	o	nv-	-	-	o	+	-	+	-	-	■	-	+	27%	17%	21%
23 Ronald L. Watson (D)	-	-	+	-	-	-	+	nv	+	-	■	■	+	■	40%	25%	21%
24 Joanne C. Benson (D)	o	-	+	-	-	-	+	-	nv-	-	■	-	-	■	18%	14%	31%
25 Nick Charles (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	20%	19%
26 C. Anthony Muse (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	50%	40%
Calvert, Charles, & Prince George's Counties																	
27 Michael A. Jackson (D)	-	-	+	-	-	-	+	-	+	-	□	-	-	□	25%	25%	23%
Charles County																	
28 Arthur Ellis (D)	-	-	+	-	-	-	+	-	+	+	-	■	-	+	38%	25%	23%

MARYLAND SENATE VOTES

	SB 38 1	SB 452 2	SB 474 3	SB 485 4	SB 525 5	SB 538 6	SB 574 7	SB 653 8	SB 1169 9	HB 136 10	HB 836 (FIN) 11	HB 836 (B&T) 12	HB 947 13	HB 1299 14	2024 SCORE	2023 SCORE	CUMU-LATIVE
Calvert & St. Mary's Counties																	
29 John D. Bailey (R) *	+	o	+	+	-	o	+	+	+	+	■	+	+	■	90%	100%	86%
Anne Arundel County																	
30 Sarah K. Elfreth (D)	-	-	+	-	-	-	+	-	+	-	■	-	-	■	25%	29%	23%
31 Bryan W. Simonaire (R) *	-	-	+	+	-	+	+	+	+	+	■	■	+	■	73%	75%	85%
32 Pamela G. Beidle (D)	-	-	+	-	-	+	+	-	+	-	-	■	-	-	31%	25%	38%
33 Dawn D. Gile (D)	-	-	+	-	-	+	+	-	+	-	-	■	-	+	38%	25%	33%
Harford County																	
34 Mary-Dulany James (D)	-	-	+	-	-	+	+	-	+	-	■	■	+	■	45%	57%	57%
Cecil & Harford Counties																	
35 Jason C. Gallion (R) *	+	-	+	+	+	+	+	+	+	+	■	■	+	■	91%	100%	88%
Caroline, Cecil, Kent, & Queen Anne's Counties																	
36 Stephen S. Hershey, Jr. (R) *	+	-	+	+	-	+	+	+	+	+	+	■	+	+	85%	88%	89%
Caroline, Dorchester, Talbot & Wicomico Counties																	
37 John F. Mautz (R) *	+	-	+	o	o	+	+	+	+	+	+	■	+	+	91%	75%	95%
Somerset, Wicomico & Worcester Counties																	
38 Mary Beth Carozza (R)*	+	-	+	+	-	+	+	+	+	+	■	■	+	■	82%	100%	88%
Montgomery County																	
39 Nancy J. King (D)	-	-	+	-	-	-	+	-	+	-	■	-	-	■	25%	25%	27%
Baltimore City																	
40 Antonio L. Hayes (D)	-	-	+	-	-	-	+	-	+	-	-	■	-	+	31%	25%	25%
41 Jill P. Carter (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	23%
Baltimore & Carroll Counties																	
42 Christopher R. West (R)*	+	-	+	+	+	+	+	+	+	+	■	■	+	■	91%	63%	85%
Baltimore City & Baltimore County																	
43 Mary L. Washington (D)	-	-	+	-	-	+	+	-	+	-	■	■	-	■	36%	38%	30%
Baltimore County																	
44 Charles E. Sydnor III (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	24%
Baltimore City																	
45 Cory V. McCray (D)	-	-	+	-	-	-	+	-	+	-	■	-	-	■	25%	33%	25%
46 William C. Ferguson, IV (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	23%
Prince George's County																	
47 Malcolm L. Augustine (D)	-	-	+	-	-	-	+	-	+	-	■	■	-	■	27%	25%	22%

Front and back cover image:

Cumulus clouds roiling over Chincoteague Bay with an abandoned crab and oyster processing plant silhouetted against the skyline. Credit: Stock photo ID #116640386, https://www.istockphoto.com/portfolio/joesboy"

MARYLAND HOUSE OF DELEGATES VOTES

	HB 24 1	HB 136 2	HB 385 3	HB 557 4	HB 571 5	HB 649 6	HB 697 7	HB 836 8	HB 947 9	HB 1101 10	HB 1299 11	SB 452 12	SB 474 13	2024 SCORE	2023 SCORE	CUMU-LATIVE
Allegany & Garrett Counties																
1A James C. Hinebaugh, Jr. (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	91%	96%
Allegany County																
1B Jason C. Buckel (R) *	+	+	+	+	+	+	+	+	+	+	+	-	+	92%	73%	90%
Allegany & Washington Counties																
1C Terry L. Baker (R)	+	+	+	+	+	+	+	+	+	+	+	-	+	92%	100%	96%
Frederick & Washington Counties																
2A William Valentine (R)	+	+	+	+	+	+	+	+	+	+	+	-	+	92%	100%	98%
2A William J. Wivell (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	99%
Washington County																
2B Brooke Grossman (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
Frederick County																
3 Kristopher G. Fair (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
3 Kenneth P. Kerr (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
3 Karen Simpson (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
4 Barrie S. Ciliberti (R) *	+	+	+	+	+	+	+	+	+	+	+	-	o	92%	100%	92%
4 April Fleming Miller (R)	+	+	+	+	+	+	+	+	+	o	+	+	+	100%	91%	96%
4 Jesse T. Pippy (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	85%	97%
Carroll & Frederick Counties																
5 Christopher E. Bouchat (R)	+	+	+	+	+	+	+	+	+	+	+	-	+	92%	73%	83%
5 April R. Rose (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	92%	98%
5 Christopher L. Tomlinson (R)	+	+	+	+	+	+	+	+	+	+	+	-	+	92%	91%	92%
Baltimore County																
6 Robin L. Grammer, Jr. (R) *	+	+	+	+	+	+	+	+	+	-	+	o	+	92%	90%	92%
6 Robert B. Long (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	90%	95%
6 Richard W. Metzgar (R) *	+	+	+	o	+	+	+	+	o	o	+	+	o	100%	82%	91%
7A Ryan M. Nawrocki (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	100%
7A Kathy Szeliga (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	97%
Harford County																
7B Lauren C. Arikan (R) *	+	+	+	+	+	+	+	+	+	+	+	-	+	92%	91%	95%
Baltimore County																
8 Nick Allen (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
8 Harry (H.B.) Bhandari (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	33%
8 Carl W. Jackson (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	17%	28%
Howard and Montgomery Counties																
9A Chao Wu (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
9A Natalie C. Ziegler (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
Howard County																
9B M. Courtney Watson (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
Baltimore County																
10 Adrienne A. Jones (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
10 N. Scott Phillips (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	25%
10 Jennifer A. White Holland (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
11A Cheryl E. Pasteur (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
11B Jon S. Cardin (D)	-	-	nv	+	-	-	+	-	-	-	-	-	+	25%	18%	23%
11B Dana M. Stein (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	24%
Howard County																
12A Jessica M. Feldmark (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	17%
12A Terri L. Hill (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	20%	23%
Anne Arundel County																
12B Gary Simmons (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	0%	16%

MARYLAND HOUSE OF DELEGATES VOTES

District	Delegate	1 HB 24	2 HB 136	3 HB 385	4 HB 557	5 HB 571	6 HB 649	7 HB 697	8 HB 836	9 HB 947	10 HB 1101	11 HB 1299	12 SB 452	13 SB 474	2024 SCORE	2023 SCORE	CUMU-LATIVE
Howard County																	
13	Vanessa E. Atterbeary (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
13	Pamela Lanman Guzzone (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
13	Jennifer R. Terrasa (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	18%
Montgomery County																	
14	Anne R. Kaiser (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	22%
14	Bernice D. Mireku-North (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
14	Pamela Queen (D)	-	-	-	+	-	nv	+	-	-	o	-	nv	+	30%	9%	18%
15	Linda K. Foley (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
15	David V. Fraser-Hidalgo (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	17%	19%
15	Lily Qi (D)	-	-	nv	+	nv	o	+	-	-	-	-	-	+	30%	15%	20%
16	Marc A. Korman (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	20%	22%
16	Sara N. Love (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	18%
16	Sarah S. Wolek (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	0%	16%
17	Julie Palakovich Carr (D)	-	-	-	-	-	-	+	-	-	-	-	-	+	15%	18%	14%
17	Ryan Spiegel (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	-	-
17	Joseph Vogel (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
18	Aaron M. Kaufman (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
18	Emily K. Shetty (D)	-	-	-	+	-	-	+	-	-	-	-	-	nv-	17%	20%	15%
18	Jared Solomon (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	18%
19	Charlotte Crutchfield (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	18%
19	Bonnie L. Cullison (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	20%	21%
19	Vaughn M. Stewart III (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	15%
20	Lorig Charkoudian (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	15%	15%
20	David Moon (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	17%
20	Jheanelle Wilkins (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	17%
Anne Arundel & Prince George's Counties																	
21	Benjamin S. Barnes (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	20%	20%
21	Mary A. Lehman (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	18%
21	Joseline A. Peña-Melnyk (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
Prince George's County																	
22	Anne Healey (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	28%
22	Ashanti F. Martinez (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
22	Nicole A. Williams (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	18%
23	Adrian A. Boafo (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	15%	19%
23	Marvin E. Holmes, Jr. (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	24%
23	Kym Taylor (D)	o	o	nv	+	-	-	+	o	-	-	o	-	+	38%	18%	26%
24	Tiffany T. Alston (D)	-	-	-	+	-	-	+	-	+	-	-	-	+	31%	18%	25%
24	Andrea Fletcher Harrison (D)	-	-	-	+	-	o	+	-	-	-	-	-	+	25%	15%	18%
24	Jazz M. Lewis (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
25	Kent Roberson (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	-	-
25	Denise Roberts (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	-	-
25	Karen R. Toles (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
26	Veronica L. Turner (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	22%
26	Kriselda Valderrama (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	17%	20%
26	Jamila J. Woods (D)	-	-	-	+	-	-	+	-	o	o	-	o	+	30%	18%	24%
Charles & Prince George's Counties																	
27A	Kevin M. Harris (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
27B	Jeffrie E. Long, Jr. (D)	-	-	-	+	-	-	+	-	o	-	-	-	+	25%	18%	22%

MARYLAND HOUSE OF DELEGATES VOTES

	HB 24 1	HB 136 2	HB 385 3	HB 557 4	HB 571 5	HB 649 6	HB 697 7	HB 836 8	HB 947 9	HB 1101 10	HB 1299 11	SB 452 12	SB 474 13	2024 SCORE	2023 SCORE	CUMU-LATIVE
Calvert County																
27C Mark N. Fisher (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	98%
Charles County																
28 Debra M. Davis (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
28 Edith J. Patterson (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
28 C.T. Wilson (D)	-	-	-	+	-	-	+	-	nv	-	-	-	+	25%	18%	25%
St. Mary's County																
29A Matt Morgan (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	99%
29B Brian M. Crosby (D)	-	-	-	+	-	-	+	-	nv	-	-	o	+	27%	15%	31%
Calvert & St. Mary's Counties																
29C Todd B. Morgan (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	91%	96%
Anne Arundel County																
30A Shaneka T. Henson (D)	-	-	o	+	o	-	+	-	-	-	-	-	+	27%	18%	20%
30A Dana Jones (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	22%
30B Seth A. Howard (R) *	+	+	+	+	+	o	+	+	+	+	+	-	+	92%	100%	93%
31 Brian A. Chisholm (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	91%	95%
31 Nicholaus R. Kipke (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	91%	88%
31 Rachel P. Munoz (R)	+	+	+	+	+	o	+	+	o	o	+	o	o	100%	73%	82%
32 J. Sandy Bartlett (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	18%
32 Mark S. Chang (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	23%
32 Michael J. Rogers (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	15%	18%
33A Andrew C. Pruski (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	15%	19%
33B Stuart M. Schmidt, Jr. (R)	-	-	+	+	+	-	+	-	+	+	+	-	+	62%	82%	71%
33C Heather A. Bagnall (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	22%
Harford County																
34A Andre V. Johnson, Jr. (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	27%	25%
34A Steven C. Johnson (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	15%	24%
34B Susan K. McComas (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	93%
Cecil & Harford Counties																
35A Michael Griffith (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	91%	96%
35A Teresa E. Reilly (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	96%
Cecil County																
35B Kevin B. Hornberger (R) *	+	+	+	+	+	+	+	+	+	+	-	-	+	85%	64%	85%
Caroline, Cecil, Kent, & Queen Anne's Counties																
36 Steven J. Arentz (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	97%
36 Jefferson L. Ghrist (R)*	nv	nv	+	+	+	+	+	o	+	+	+	+	+	100%	90%	98%
36 Jay A. Jacobs (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	98%
Dorchester & Wicomico Counties																
37A Sheree Sample-Hughes (D)	-	-	-	+	-	o	+	-	+	o	-	-	o	30%	36%	29%
Caroline, Dorcheester, Talbot & Wicomico Counties																
37B Christopher T. Adams (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	99%
37B Thomas S. Hutchinson (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	100%
Somerset, Wicomico & Worcester Counties																
38A Charles J. Otto (R) *	+	+	+	o	+	+	+	+	nv	+	+	+	+	100%	100%	98%
Wicomico County																
38B Carl L. Anderton, Jr. (R) *	+	+	+	o	+	nv	+	+	+	+	+	+	+	100%	64%	91%

MARYLAND HOUSE OF DELEGATES VOTES

	HB 24	HB 136	HB 385	HB 557	HB 571	HB 649	HB 697	HB 836	HB 947	HB 1101	HB 1299	SB 452	SB 474			
	1	2	3	4	5	6	7	8	9	10	11	12	13	2024 SCORE	2023 SCORE	CUMU-LATIVE
Wicomico & Worcester Counties																
38C Wayne A. Hartman (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	99%
Montgomery County																
39 Gabriel Acevero (D)	-	-	-	-	-	-	+	-	-	-	nv	-	+	17%	20%	16%
39 Lesley J. Lopez (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	20%
39 W. Gregory Wims (D)	-	-	-	+	-	-	nv-	-	-	-	-	-	+	17%	-	-
Baltimore City																
40 Marlon D. Amprey (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	15%	18%
40 Frank M. Conaway, Jr. (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	26%
40 Melissa R. Wells (D)	-	-	-	+	-	-	+	-	nv	o	-	-	+	27%	10%	18%
41 Dayla Attar (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
41 Samuel I. Rosenberg (D)	-	-	-	+	-	-	+	-	-	-	-	-	nv-	17%	18%	31%
41 Malcolm Ruff (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	-	-
Baltimore County																
42A Nino Mangione (R) *	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%	96%
42B Michele J. Guyton (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	27%	26%
Carroll County																
42C Joshua J. Stonko (R)	+	+	+	+	+	+	+	+	+	+	+	-	+	92%	90%	91%
Baltimore City																
43A Regina T. Boyce (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	20%
43A Elizabeth M. Embry (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
Baltimore County																
43B Catherine M. Forbes (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	18%
44A Eric D. Ebersole (D)	-	-	-	nv-	-	-	+	-	-	-	-	-	+	17%	18%	21%
44B Aletheia R. McCaskill (D)	-	-	-	o	-	-	+	nv	-	-	-	-	+	18%	18%	18%
44B Sheila S. Ruth (D)	-	-	-	+	-	-	+	-	-	-	-	-	nv-	17%	18%	17%
Baltimore City																
45 Jacqueline T. Addison (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
45 Stephanie M. Smith (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
45 Caylin A. Young (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	20%	22%
46 Luke H. Clippinger (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
46 Mark Edelson (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	21%
46 Robbyn T. Lewis (D)	-	-	-	+	-	-	+	-	-	-	-	-	+	23%	18%	19%
Prince George's County																
47A Diana M. Fennell (D)	-	-	-	+	-	-	+	-	o	o	-	-	+	27%	15%	20%
47A R. Julian Ivey (D)	-	-	o	+	o	-	+	-	-	-	-	-	+	27%	18%	18%
47B Deni L. Taveras (D)	-	-	-	nv-	-	-	+	-	-	-	-	-	+	17%	18%	17%

Harry Bhandari (D)
District 8
This Baltimore County Delegate earned the highest cumulative score (33%) amongst all Democratic 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).

Christopher T. Adams
District 37B
This Caroline, Dorchester, Talbot, & Wicomico County Delegate tied the highest cumulative score (99%) amongst all Republican 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).

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).

A Message to our Legislators

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

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.

2024 SENATE VOTE DESCRIPTIONS

1 SB 38 – Wage Payment and Collection – Pay Stubs and Pay Statements – Required Information

Senator Washington

SB 38 expands information that an employer must give an employee each pay period and mandates that it be in writing on a physical pay stub or online pay statement. The information must include: the employer's name registered with the State, address, and telephone number; the date of payment and the beginning and ending dates of the pay period; the number of hours worked during the pay period, unless the employee is exempt from federal and State overtime requirements; the rates of pay; the gross and net pay earned during the pay period; the amount and name of all deductions; a list of additional bases of pay, including bonuses, commissions on sales, or other bases; and the applicable piece rates of pay and the number of pieces completed at each piece rate for each employee paid at a piece rate. An administrative penalty of up to $500 per employee applies for non-compliance.

A "+" indicates a vote against SB 38 and reflects Maryland Free's opposition to measures that make it more burdensome and costly to employ Marylanders, which thwarts Maryland's economic growth. Small businesses that cannot afford the pay stub and reporting services of third-party payroll companies will be especially harmed. Disagreeing with Maryland Free's position, the Senate approved SB 38, 34-12, on February 22, 2024.

2 SB 452 – Courts – Prohibited Liability Agreements – Recreational Facilities

Senator Carter

SB 452 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 "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. Although SB 452 excludes lodging establishments and health club services agreements, 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, agritourism, state and county fairs, or water sport activities and fishing charters, all of which are key components of Maryland's tourism, recreational, and equestrian economies. Notwithstanding the vague definitions in SB 452, it appears that all of the aforementioned facilities and activities, to the extent they are commercial in nature, are subject to the prohibitions under the bill on entering into waivers or agreements for limited liability.

A "+" indicates a vote against SB 452 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. 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 452 could precipitate an avalanche of lawsuits against such businesses, which explains the near universal opposition to this bill. Recreational facility owners and operators, especially those that are small businesses will face cost-prohibitive insurance premium increases and lawsuits that could

2024 SENATE VOTE DESCRIPTIONS

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 not specifically exempted from the law. Disagreeing with Maryland Free's position, the Senate approved SB 452, 45-0, on March 18, 2024.

3 SB 474 – Certificate of Public Convenience and Necessity and Related Approvals – Definition of Generating Station (Critical Infrastructure Streamlining Act of 2024)

By Request – Governor Moore

Allows generating units or facilities that provide emergency back-up power to data centers (and other critical infrastructure facilities such as hospitals) to be constructed without obtaining from the Public Service Commission (PSC) either: (1) a certificate of public convenience and necessity (CPCN), or (2) approval to construct from the PSC under the CPCN exemption process. Under the bill, all existing state and local government permitting processes remain in place for power generation by power plants, other generators, and electrical transmission facilities. SB 474 also provides for 15% of the state income tax revenue generated by qualified data centers beginning in 2026 to be distributed to the Maryland Strategic Energy Investment Fund.

A "+" indicates a vote for SB 474 and reflects Maryland Free's support for exempting critical facilities, such as data centers, from the extensive and lengthy state and local permitting approvals traditionally required for utility-scale electricity generation. SB 474 removes barriers to the growth of data centers, which are a promising element of Maryland's 21st-century technology sector. SB 474 will foster growth and resilience of this technology that will ensure Maryland remains competitive in the rapidly evolving global economy. Concerns for environmental harm are unfounded, as backup generators are used only during power outages and other emergencies, and as the extensive CPCN process will be kept in place for its intended purpose of permitting electrical power generation and transmission facilities. SB 474 recognizes that data centers and other essential infrastructure require a reliable power supply for safe and continuous operation. By having a dependable power source during emergencies that is exempt from traditional power generation permitting, critical businesses can more economically and efficiently safeguard lives, protect valuable assets and data, and ensure the continuity of essential services. Agreeing with Maryland Free's position, the Senate approved SB 474, 42-0, on April 5, 2024.

4 SB 485 – Family and Medical Leave Insurance Program – Modifications

Senator Hayes

SB 485, among other provisions: (1) delays by nine additional months the start dates of the Family and Medical Leave Insurance (FAMLI) program; (2) gives the Maryland Department of Labor (MDL) authority to issue grants funded by employer/employee contributions; (3) gives MDL total control to file a complaint against an employer, investigate that complaint itself, and then adjudicate the complaint and carry out any enforcement action it deems appropriate; and (4) removes an employer's ability to meet the benefit requirements outside of the state plan through a combination of commercial and self-insured coverage; they now must choose one or the other.

A "+" indicates a vote against SB 485 and reflects Maryland Free's opposition to legislation giving a single cabinet department the unfettered power to adjudicate every step of a complaint process with no outside input or checks and balances. Moreover, it is inappropriate to allow that same department to issue unlimited grants with the employers'/employees' funds, without a specifically stated purpose, at least until financial solvency is established. Finally, with such an expensive mandate on employers, there should be more flexibility and additional options for

2024 SENATE VOTE DESCRIPTIONS

meeting the benefit requirements outside of the state plan, not less. Disagreeing with Maryland Free's position, the Senate approved SB 485, 33-11, on March 14, 2024.

5 SB 525 – Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency

Senators Kelly and Gile

SB 525 places new requirements on employers to proactively publish certain wage, benefit, and other compensation information when posting a public or internal job opportunity. SB 525 also requires employers to retain records for three years and expands existing civil penalty violations to include penalties for each employee, in addition to each applicant, for whom the employer is not in compliance.

A "+" indicates a vote against SB 525 and reflects Maryland Free's opposition to measures that make it more burdensome and costly to employ Marylanders, which thwarts Maryland's economic growth. The record keeping requirements for an employer to retain all "compliance" records for each job is overly burdensome, especially for small employers who cannot afford the pay stub and reporting services of a payroll company. Employers will need to keep track of every disclosure, including things as simple as conversations with potential applicants, for at least three years. Disagreeing with Maryland Free's position, the Senate approved SB 525, 43-3, on March 14, 2024.

6 SB 538 – Civil Actions – Noneconomic Damages – Personal Injury and Wrongful Death

Senator Waldstreicher et al.

Increases the dollar amount of the cap on noneconomic damages for non-medical negligence actions to $1,750,000 and increases the cap escalator to $20,000 per year. Noneconomic damages are damages that may be awarded for pain and suffering in negligence actions. Under current law, these damages are capped at $935,000, and the cap increases each year by $15,000. Maryland's cap, dating back to 1986 when the General Assembly chose to limit noneconomic damages to balance the need for recovery for these difficult-to-quantify injuries with the avoidance of excessive awards, has helped produce affordable and available liability insurance in a stable civil liability environment in Maryland for nearly 40 years. SB 538 calls for increases that are not tied to inflation or any other index or standard, producing percentage increases of 87% in the cap, and 33% in the annual cap escalator, which would go into effect on an overnight basis in 2024 and 2025, respectively.

A "+" indicates a vote against SB 538 and reflects Maryland Free's opposition to arbitrary, unfounded, and excessive increases to the cap on noneconomic damages in Maryland. Over decades, the current cap has proven to be a prudent and reasonable public policy, stabilizing liability insurance premiums, and ensuring availability and affordability of liability insurance in Maryland. Although the cap was established in 1986 to solve a severe insurance liability crisis that hit the state in the mid-1980s, it has largely kept up with inflation as a result of the $15,000 annual escalator. Consumers, businesses, and especially small businesses, rely on the affordability and availability of liability insurance to run their businesses and households. A majority of states have a cap on noneconomic damages, ranging from $250,000 to $1 million, so Maryland's current cap is already adequate, if not generous. SB 538 would increase payouts to plaintiffs, which the Maryland Insurance Administration concluded would produce adverse impacts on affordability and availability of liability insurance over time. In addition, SB 538 would increase the legal fees collected by plaintiffs' lawyers by the same percentages as the cap and annual escalator increases, which explains why the <u>only</u> proponents of SB 538 were plaintiffs' lawyers. Disagreeing with Maryland Free's position, the Senate approved SB 538, 27-18, on March 18, 2024.

2024 SENATE VOTE DESCRIPTIONS

7 SB 574 – Sales and Use Tax Exemption – Aircraft Parts and Equipment – Repeal of Reporting Requirement and Extension of Sunset
Senator Corderman et al.

SB 574 extends by five years the sunset of the sales tax exemption for certain materials, parts, and equipment used to repair, maintain, or upgrade aircraft.

A "+" indicates a vote for SB 574 and reflects Maryland Free's support of policies that promote commerce, and therefore employment, within Maryland to foster economic growth by encouraging investment in expanded aviation infrastructure and workforce. Virginia, West Virginia, and Pennsylvania (PA) all have similar exemptions (although PA has no sunset at all), so extension of Maryland's sunset keeps us more competitive with neighboring states at least for the next five years. Agreeing with Maryland Free's position, the Senate approved SB 574, 45-0, on April 5, 2024.

8 SB 653 – Standing – Environmental and Natural Resources Protection Proceedings (Clean Water Justice Act of 2024)
Senator Augustine et al.

Expands legal standing for individual persons to participate in lawsuits involving wetlands, waterways, and an array of other environmental resource determinations. SB 653 authorizes an individual person meeting the expanded definition of standing to bring a civil action against any person, entity, or political subdivision that is alleged to be in violation of applicable environmental requirements, thereby creating a private right of action by citizens. The legislation effectively adopts the definition of standing in federal environmental determinations, a more expansive definition than ever previously recognized under Maryland state law. Under current Maryland law, civil and criminal enforcement authority over state and local environmental resource determinations has long been vested with state and local government agencies that operate in the public interest, subject to General Assembly and local government oversight. Under SB 653, that authority is expanded to include private persons and interests, who for the first time in state history would be permitted to bring their own enforcement and other compliance lawsuits.

A "+" indicates a vote against SB 653 and reflects Maryland Free's opposition to legislation expanding legal standing in environmental resource determinations and to creating a right of private action in these determinations. Under current law, private individuals may already participate in governmental determinations on wetlands, water quality permits, and associated enforcement actions initiated by MDE and other state and local government agencies. SB 653 will allow even greater participation by these individuals to initiate independently their own enforcement actions. Regulated developers and landowners could be subjected to litigation from private individuals even if the responsible governmental enforcement agency chose not to take action. SB 653 will further allow permit opponents to initiate tactical litigation to delay or alter permitted activities, even after permits have been approved, based on aesthetic impacts, personal concerns, or other subjective claims. Current law requires party participants to be affected or injured by an environmental determination, but under SB 653 individual persons seeking to intervene need not live near, nor be affected or injured by, the alleged violation to trigger a legal challenge, ***allowing anyone in Maryland to file suit against any development activity located anywhere in Maryland.*** *These expansions to legal standing will materially deter investment and economic development in the State.* Disagreeing with Maryland Free's position, the Senate approved SB 653, 33-12, on April 3, 2024.

2024 SENATE VOTE DESCRIPTIONS

9 SB 1169 – Real Estate Brokers – Commercial Transactions – Buyer's Rights

Senator Hershey

SB 1169 allows buyers in commercial real estate transactions to choose their own title insurance company, settlement company, escrow company, or title lawyer. It further establishes that a seller may not be prohibited from offering owner financing as a condition of settlement.

A "+" indicates a vote in favor of SB 1169 and reflects Maryland Free's support of freedom of choice in business transactions. Not only does SB 1169 logically align with current law in residential real estate, but it is a positive—albeit small—step toward making it easier to do business in Maryland, which is a critically important component of improving Maryland's economic outlook. Agreeing with Maryland Free's position, the Senate approved SB 1169, 44-0 on April 4, 2024.

10 HB 136 – Employment Standards, Prevailing Wage, and Living Wage – Employer Adverse Actions and Enforcement

By Request - Maryland Department of Labor

Prohibits employers from taking or threatening to take adverse action against employees and adding new legal process for determining and enforcing penalties on employers retaliating against employees asserting labor and wage violations, under an array of six current labor law statutes -- Employment of Minors, Equal Pay for Equal Work, Maryland Wage and Hour, Maryland Wage Payment and Collection, Workplace Fraud, and Living Wage laws. HB 136 further authorizes the Commissioner of Labor and Industry to: (1) investigate a violation, (2) request that the Attorney General bring a legal action against the employer on behalf of an employee, and (3) bring a civil action to enforce a Commissioner's Order with potential imposition of severe penalties to be imposed against employers, including treble (triple) damages and unlimited punitive damages. The legislation also authorizes an employee to bring a civil action against the employer, in addition to the allowance in the bill for actions brought by the Attorney General. HB 136 additionally provides that an employer may not hinder or delay the Commissioner from enforcing any of the six statutes, and a person may not make or cause to be made a groundless or malicious complaint or in bad faith bring an action or proceeding related to the six affected statutes. If an employer wishes to appeal an adverse decision by the Commissioner, HB 136 is silent on allowances or other provisions for an appeal, leaving only a court to review the Commissioner's action.

A "+" indicates a vote against HB 136 and reflects Maryland Free's opposition to anti-employer, duplicative, and excessively onerous legislation governing the employer and employee relationship. Current Maryland law already penalizes employers that knowingly discriminate, threaten, or retaliate against employees on matters involving labor and wage issues. HB 136 unnecessarily creates an imbalance favoring the safeguarding of employee rights over protecting against unwarranted financial burdens for employers. Moreover, HB 136 allows for unwarranted excessive penalties to be imposed upon employers in the form of treble and unlimited punitive damages. Exposing employers to excessive and unlimited liability for violations of Commissioner orders, with no provision for employer appeals at the agency level, constitutes a negative environment for Maryland employers, businesses, and economic growth in Maryland. Disagreeing with Maryland Free's position, the Senate approved HB 136, 34-13, on April 4, 2024.

2024 SENATE VOTE DESCRIPTIONS

11 HB 836 (Finance Commtitee) – Major Highway Capacity Expansion Projects – Impact Assessments and Workgroup (Transportation and Climate Alignment Act of 2024)

Delegate Edelson et al.

HB 836 requires the Maryland Department of Transportation, in consultation with the Maryland Department of the Environment, to establish a process for performing major highway capacity expansion project impact assessments over and above the comprehensive process already required at the federal level.

A "+" indicates a vote against HB 836 and reflects Maryland Free's opposition to: (1) duplicative processes that create delays and added costs to critical infrastructure projects; (2) exacerbating a challenging, at best, regulatory environment for approving badly needed transportation projects that benefit all Maryland businesses and residents; and (3) the use of inappropriate, ideologically loaded evaluation measures that stack the deck against the one transportation mode that carries roughly 90% of all daily trips in Maryland – our aging roads and bridges. The proposed impact assessments required under the bill are obviated by the existing provisions of the National Environmental Policy Act. In addition, HB 836 inappropriately calls for the use of vehicle miles traveled (VMT) as one of the main criteria of the assessments, as VMT is not an industry-accepted standard for transportation project evaluation. A better metric would have been "increased access to jobs," "reducing the percentage of congested VMT," or "reducing peak-period travel times," which are common, industry-accepted performance metrics for transportation projects.
Disagreeing with Maryland Free's position, the Senate Finance Committee approved HB 836, 8-3, on April 3, 2024.

12 HB 836 (Budget & Tax Committee) – Major Highway Capacity Expansion Projects – Impact Assessments and Workgroup (Transportation and Climate Alignment Act of 2024)

Delegate Edelson et al.

See Senate Vote 11 on this page for a description of HB 836.

Disagreeing with Maryland Free's position, the Senate Budget and Taxation Committee approved HB 836, 8-3, on April 3, 2024.

13 HB 947 – Civil Actions – Public Nuisances – Firearm Industry Members (Gun Industry Accountability Act of 2024)

Delegate Phillips et al.

HB 947: (1) prohibits a firearm manufacturer, distributor, or seller (Firearm Industry Member) from knowingly creating, maintaining, or contributing to harm to the public through the sale, manufacture, distribution, importation, or marketing of firearms, ammunition, and other associated products by engaging in conduct that is unlawful or unreasonable under the totality of the circumstances; (2) requires a Firearm Industry Member to establish and implement reasonable controls regarding the sale, manufacture, distribution, importation, marketing, possession, and use of its firearm-related products; and (3) establishes that a violation of these provisions is a public nuisance. The terms "unreasonable under the totality of the circumstances" and "reasonable controls" are undefined in the bill. HB 947 also authorizes the Attorney General, a county attorney, or the Baltimore City Solicitor to bring an action against a Firearm Industry Member for a public nuisance caused by a violation, with no provision requiring proof that the

2024 SENATE VOTE DESCRIPTIONS

defendant proximately caused a harm to the public. Penalties for violations include unlimited compensatory and punitive damages.

A "+" indicates a vote against HB 947 and reflects Maryland Free's opposition to arbitrary and vague legislation that creates unwarranted and unlimited civil liability for one specific industry -- the firearm industry -- for the criminal misuse of its products subsequent to the manufacture or sale of that product, and with no actual requirement that it proximately caused any harm. There is no precedent for this form of liability in the history of the State of Maryland. Under HB 947, Maryland firearm businesses face an uninsurable risk, forcing them to terminate their operations or relocate out of state, causing Maryland to lose tax revenue and jobs to surrounding states. Singling out one industry, while ignoring all other manufactured products that may be criminally misused after their manufacture or sale, creates a hostile business climate for Maryland. In this regard, by way of example, there is no law—nor should there be—in Maryland holding automobile manufacturers civilly liable for the criminal misuse of their products by drunk drivers, or a cutlery company being responsible for the criminal use of a chef's knife. Disagreeing with Maryland Free's position, the Senate approved HB 947, 31-16, on April 8, 2024.

14 HB 1299 – Consumer Protection – Maryland Consumer Protection Act – Trade or Commerce Violations

Chair, Economic Matters Committee (By Request – Office of the Attorney General)

HB 1299 expands provisions of the Maryland Consumer Protection Act to apply to any business-to-business transactions within the State of Maryland.

A "+" indicates a vote against HB 1299 and reflects Maryland Free's opposition to state government intervention in a business-to-business dispute. As succinctly argued by the Maryland Bankers Association in testimony on HB 1299 "for over 50 years, the Attorney General's Office has implemented the Maryland Consumer Protection Act to protect Maryland consumers from unlawful business practices. The injunctive relief, fines, and possible jail sentences provided for in the Act were never intended to apply to business-to-business transactions. If a business believes that they have been subject to an unfair, abusive, or deceptive trade practice by another business, they have the right to retain an attorney and seek damages in court. If it is believed that certain commercial events should be subject to the penalties outlined in the Maryland Consumer Protection Act, then the General Assembly can pass legislation saying so, as has been done before." Agreeing with Maryland Free's position, the Senate Finance Committee rejected HB 1299, 8-3, on March 29, 2024

2024 HOUSE VOTE DESCRIPTIONS

1 HB 24 – Department of the Environment – Environmental Justice Evaluation of Environmental Permit Applications

Delegate Boyce et al.

HB 24 requires that the Maryland Department of Environment (MDE) conduct a climate and environmental equity evaluation of permit applications made for locations within an underserved or overburdened community that scores in the 75th percentile or higher using the MDE Environmental Justice Screening Tool. As part of the evaluation, MDE may consider cumulative impacts as defined in the U.S. Environmental Protection Agency's Cumulative Impacts Research Recommendations.

A "+" indicates a vote against HB 24 and reflects Maryland Free's opposition to overly broad, open-ended, and unnecessary measures that may hamper economic growth, especially in underserved areas. HB 24's provisions apply to almost all air and water discharge permits, including intense activities such as waste-water treatment plants and hazardous waste facilities as well as minor activities such as restaurant grills, heating boilers, and backup power generators. Because it applies to permits regardless of the intensity of use, HB 24 will serve as a disincentive to commercial and residential redevelopment projects in underserved and overburdened communities. The bill also does not specify a clear standard by which MDE would approve, deny, or modify a permit, nor any limitations on conditions it could apply. Finally, there is nothing in HB 24 that would ensure greater environmental protections or pollutant reductions beyond the practices currently employed by MDE in reviewing development and redevelopment permit applications. Disagreeing with Maryland Free's position, the House approved HB 24, 102-37, on March 18, 2024.

2 HB 136 – Employment Standards, Prevailing Wage, and Living Wage – Employer Adverse Actions and Enforcement

Delegate Love et al.

See Senate Vote 10 on page 18 for a description of HB 136.

A "+" indicates a vote against HB 136 and reflects Maryland Free's opposition to anti-employer, duplicative, and excessively onerous legislation governing the employer and employee relationship. Current Maryland law already penalizes employers that knowingly discriminate, threaten, or retaliate against employees on matters involving labor and wage issues. HB 136 unnecessarily creates an imbalance favoring the safeguarding of employee rights over protecting against unwarranted financial burdens for employers. Moreover, HB 136 allows for unwarranted excessive penalties to be imposed upon employers in the form of treble and unlimited punitive damages. Exposing employers to excessive and unlimited liability for violations of Commissioner orders, with no provision for employer appeals at the agency level, constitutes a negative environment for Maryland employers, businesses, and economic growth in Maryland. Disagreeing with Maryland Free's position, the House approved HB 136, 102-37, on March 18, 2024.

3 HB 385 – Wage Payment and Collection – Pay Stubs and Pay Statements – Required Information

Delegate J. Long et al

See Senate Vote 1 on Page 14 for a description of HB 385

A "+" indicates a vote against HB 385 and reflects Maryland Free's opposition to measures that make it more burdensome and costly to employ Marylanders, which thwarts Maryland's economic growth. Small businesses that cannot afford the pay stub and reporting services of third-party payroll companies

2024 HOUSE VOTE DESCRIPTIONS

will be especially harmed. Disagreeing with Maryland Free's position, the House approved HB 385, 97-39, on March 12, 2024.

4 HB 557 – Sales and Use Tax Exemption – Aircraft Parts and Equipment – Repeal of Reporting Requirement and Extension of Sunset

Delegate Chisholm et al.

See Senate Vote 7 on page 17 for a description of HB 557.

A "+" indicates a vote for HB 557 and reflects Maryland Free's support of policies that promote commerce, and therefore employment, within Maryland to foster economic growth by encouraging investment in expanded aviation infrastructure and workforce. Virginia, West Virginia, and Pennsylvania (PA) all have similar exemptions (although PA has no sunset at all), so extension of Maryland's sunset keeps us more competitive with neighboring states at least for the next five years. Agreeing with Maryland Free's position, the House approved HB 557, 133-2, on April 2, 2024.

5 HB 571 – Family and Medical Leave Insurance Program – Modifications

Delegate Qi et al.

See Senate Vote 4 on page 15 for description of HB 571.

A "+" indicates a vote against HB 571 and reflects Maryland Free's opposition to legislation giving a single cabinet department the unfettered power to adjudicate every step of a complaint process with no outside input or checks and balances. Moreover, it is inappropriate to allow that same department to issue unlimited grants with the employers'/employees' funds, without a specifically stated purpose, at least until financial solvency is established. Finally, with such an expensive mandate on employers, there should be more flexibility and additional options for meeting the benefit requirements outside of the state plan, not less. Disagreeing with Maryland Free's position, the House approved HB 571, 99-39, on March 12, 2024.

6 HB 649 – Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency

Delegate White Holland et al.

See Senate Vote 5 on page 16 for a description of HB 649.

A "+" indicates a vote against HB 649 and reflects Maryland Free's opposition to measures that make it more burdensome and costly to employ Marylanders, which thwarts Maryland's economic growth. The record keeping requirements for an employer to retain all "compliance" records for each job is overly burdensome, especially for small employers who cannot afford the pay stub and reporting services of a payroll company. Employers will need to keep track of every disclosure, including things as simple as conversations with potential applicants, for at least three years. Disagreeing with Maryland Free's position, the House approved HB 649, 99-35, on March 15, 2024.

7 HB 697 – Real Estate Brokers – Commercial Transactions – Buyer's Rights

Delegate Griffith

See Senate Vote 9 on page 18 for a description of HB 697.

A "+" indicates a vote in favor of HB 697 and reflects Maryland Free's support of freedom of choice in business transactions. Not only does HB 697 logically align with current law in residential real estate, but it is a positive—albeit small—step toward making it easier to do business in Maryland, which is a critically important component of improving Maryland's economic outlook. Agreeing with Maryland Free's position, the House approved HB 697, 140-0 on March 7, 2024.

2024 HOUSE VOTE DESCRIPTIONS

8 HB 836 – Major Highway Capacity Expansion Projects – Impact Assessments and Workgroup (Transportation and Climate Alignment Act of 2024)

Delegate Edelson et al.

See Senate Vote 11 on page 19 for a description of HB 836.

A "+" indicates a vote against HB 836 and reflects Maryland Free's opposition to: (1) duplicative processes that create delays and added costs to critical infrastructure projects; (2) exacerbating a challenging, at best, regulatory environment for approving badly needed transportation projects that benefit all Maryland businesses and residents; and (3) the use of inappropriate, ideologically loaded evaluation measures that stack the deck against the one transportation mode that carries roughly 90% of all daily trips in Maryland – our aging roads and bridges. The proposed impact assessments required under the bill are obviated by the existing provisions of the National Environmental Policy Act. In addition, HB 836 inappropriately calls for the use of vehicle miles traveled (VMT) as one of the main criteria of the assessments, as VMT is not an industry-accepted standard for transportation project evaluation. A better metric would have been "increased access to jobs," "reducing the percentage of congested VMT," or "reducing peak-period travel times," which are common, industry-accepted performance metrics for transportation projects. Disagreeing with Maryland Free's position, the House approved HB 836, 101-37, on March 18, 2024.

9 HB 947 – Civil Actions – Public Nuisances – Firearm Industry Members (Gun Industry Accountability Act of 2024)

Delegate Phillips et al.

See Senate Vote 13 on page 19 for a description of HB 947.

A "+" indicates a vote against HB 947 and reflects Maryland Free's opposition to arbitrary and vague legislation that creates unwarranted and unlimited civil liability for one specific industry -- the firearm industry -- for the criminal misuse of its products subsequent to the manufacture or sale of that product, and with no actual requirement that it proximately caused any harm. There is no precedent for this form of liability in the history of the State of Maryland. Under HB 947, Maryland firearm businesses face an uninsurable risk, forcing them to terminate their operations or relocate out of state, causing Maryland to lose tax revenue and jobs to surrounding states. Singling out one industry, while ignoring all other manufactured products that may be criminally misused after their manufacture or sale, creates a hostile business climate for Maryland. In this regard, by way of example, there is no law—nor should there be—in Maryland holding automobile manufacturers civilly liable for the criminal misuse of their products by drunk drivers, or a cutlery company being responsible for the criminal use of a chef's knife. Disagreeing with Maryland Free's position, the House approved HB 947, 94-38, on April 5, 2024.

10 HB 1101 - Standing – Environmental and Natural Resources Protection Proceedings (Clean Water Justice Act of 2024)

Delegate Love et al.

See Senate Vote 8 on page 17 for a description of HB 1101.

A "+" indicates a vote against HB 1101 and reflects Maryland Free's opposition to legislation expanding legal standing in environmental resource determinations and to creating a right of private action in these determinations. Under current law, private individuals may already participate in governmental determinations on wetlands, water quality permits, and associated enforcement actions initiated by MDE and other state and local government agencies. HB 1101 will allow even greater participation by these individuals to initiate

2024 HOUSE VOTE DESCRIPTIONS

independently their own enforcement actions. Regulated developers and landowners could be subjected to litigation from private individuals even if the responsible governmental enforcement agency chose not to take action. HB 1101 will further allow permit opponents to initiate tactical litigation to delay or alter permitted activities, even after permits have been approved, based on aesthetic impacts, personal concerns, or other subjective claims. Current law requires party participants to be affected or injured by an environmental determination, but under HB 1101 individual persons seeking to intervene need not live near, nor be affected or injured by, the alleged violation to trigger a legal challenge, ***allowing <u>anyone</u> in Maryland to file suit against <u>any</u> development activity located <u>anywhere</u> in Maryland.*** *These expansions to legal standing will materially deter investment and economic development in the State.* Disagreeing with Maryland Free's position, the House approved HB 1101, 98-35, on April 5, 2024.

11 HB 1299 – Consumer Protection – Maryland Consumer Protection Act – Trade or Commerce Violations

Chair, Economic Matters Committee (By Request – Office of the Attorney General)

See Senate Vote 14 on page 20 for a description of HB 1299.

A "+" indicates a vote against HB 1299 and reflects Maryland Free's opposition to state government intervention in a business-to-business dispute. As succinctly argued by the Maryland Bankers Association in testimony on HB 1299 "for over 50 years, the Attorney General's Office has implemented the Maryland Consumer Protection Act to protect Maryland consumers from unlawful business practices. The injunctive relief, fines, and possible jail sentences provided for in the Act were never intended to apply to business-to-business transactions. If a business believes that they have been subject to an unfair, abusive, or deceptive trade practice by another business, they have the right to retain an attorney and seek damages in court. If it is believed that certain commercial events should be subject to the penalties outlined in the Maryland Consumer Protection Act, then the General Assembly can pass legislation saying so, as has been done before." Disagreeing with Maryland Free's position, the House approved HB 1299, 101-38, on March 18, 2024.

12 SB 452 – Courts – Prohibited Liability Agreements – Recreational Facilities

Senator Carter

See Senate Vote 2 on Page 14 for a description of SB 452.

A "+" indicates a vote against SB 452 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. 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 452 could precipitate an avalanche of lawsuits against such businesses, which explains the near universal opposition to this bill. 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 <u>not</u> negligent, because this legislation will raise insurance rates for <u>all</u> recreational facilities not specifically exempted from the law. Disagreeing with Maryland Free's position, the House approved SB 452, 110-26, on April 8, 2024.

2024 HOUSE VOTE DESCRIPTIONS

13 SB 474 – Certificate of Public Convenience and Necessity and Related Approvals – Definition of Generating Station (Critical Infrastructure Streamlining Act of 2024)

By Request – Governor Moore

See Senate Vote 3 on page 15 for a description of SB 474.

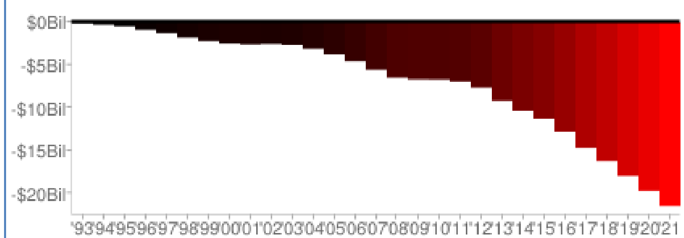
A "+" indicates a vote for SB 474 and reflects Maryland Free's support for exempting critical facilities, such as data centers, from the extensive and lengthy state and local permitting approvals traditionally required for utility-scale electricity generation. SB 474 removes barriers to the growth of data centers, which are a promising element of Maryland's 21st-century technology sector. SB 474 will foster growth and resilience of this technology that will ensure Maryland remains competitive in the rapidly evolving global economy. Concerns for environmental harm are unfounded, as backup generators are used only during power outages and other emergencies, and as the extensive CPCN process will be kept in place for its intended purpose of permitting electrical power generation and transmission facilities. SB 474 recognizes that data centers and other essential infrastructure require a reliable power supply for safe and continuous operation. By having a dependable power source during emergencies that is exempt from traditional power generation permitting, critical businesses can more economically and efficiently safeguard lives, protect valuable assets and data, and ensure the continuity of essential services. Agreeing with Maryland Free's position, the House approved SB 474, 134-0, on April 3.

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)
Environmentalists are now hugely upset that the State Budget passed in the 2024 General Assembly Session does not set aside the suggested $1 Billion for the 2025 fiscal year, and, given the yawning deficits projected for the following fiscal years, the prospects of achieving anything close to a 60% reduction in greenhouse gas emissions by 2031 look very dubious. Again, none of these collateral consequences were discussed by the General Assembly when the Climate Solutions Now Act was passed.

(3) Finally, **the famous 'Blueprint for Maryland's Future',** passed in 2021 by the General Assembly and then delayed a year by the pandemic, **set up a 13-year, $32 Billion program envisioned to transform Maryland's public schools** into the best performing schools on the planet. Again, no dedicated funding source was identified to pay for the astronomical cost of this program, and the costs were designed to ramp up over time, starting out with modest annual cost increments and growing larger and larger as the thirteen-year timeline progressed.

Several years into the Blueprint, how are things going? The most recent (2023) Report Card issued by the Maryland Department of Education shows that, far from making progress toward becoming the best schools in the world, Maryland's schools are actually declining. Two years ago, 215 public schools in Maryland earned a five-star rating; last year, only 85 schools earned five stars. Last year, Maryland's elementary schools garnered 9.7 points out of a possible 20 points, under 50%. The State's middle schools earned just 8.7 out of 20 points. The high schools achieved 15.2 out of 30 points, barely over 50%. Nationally, Maryland ranked 23rd in education, a far cry from being Number 1 in the world. Even one of the principal architects of the Blueprint wrote that it contains "enormous uncertainties and risks" and that "[n]o school system in the U. S. (or the world) has undertaken, much less implemented, such a transformation." In short, the Blueprint moves us into uncharted territory, and with a massive unfunded cost.

Indeed, while Maryland schools have declined under the Blueprint, its costs have not. The extra cost, on top of Maryland's base budget, will increase each year until 2032 and will start at $3.4 Billion. The ramp up over the course of the next several years will be significant. The most recent State Spending Affordability Committee Report shows that the State's projected deficit for next year of $761 Million will climb to $917 Million, then to $1.18 Billion, then to $2.379 Billion, and onwards and upwards, largely driven by ever-higher Blueprint costs. The gnashing of teeth that occurred in Annapolis over this year's State Budget is merely a prelude to far more serious strife as legislators try to balance future budgets in the face of massive deficits.

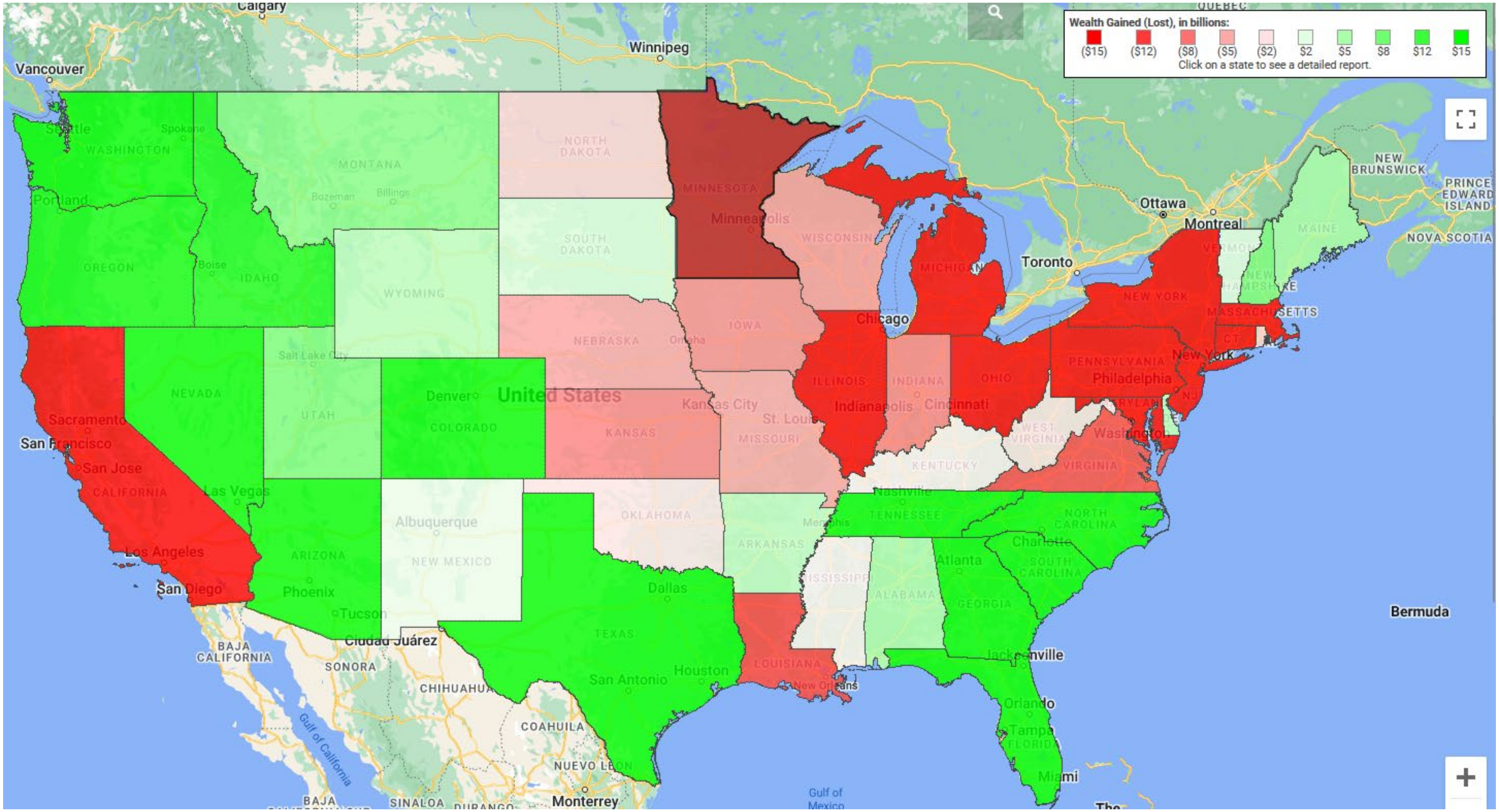
Beyond the sheer cost of the Blueprint and its failure thus far to yield any improvement in Maryland public schools, a huge additional problem is its "one-size-fits-all" approach. It puts all of its eggs in particular baskets and forces each county to implement that basket without regard to the considerable differences between the various counties. Consequently, virtually all of the county school systems are currently grappling with the short- and long-term difficulties of conforming to the new strictures, benchmarks, and arbitrary deadlines set forth in the Blueprint.

This is causing considerable anguish in the county school systems and serious concern that adherence to the Blueprint will gravely impair the education offered to Maryland schoolchildren by local elementary, middle, and high schools. Unfortunately, because of legislative mandates, there is little that can be done to head off these impending problems. A bill passed this year will add some flexibility to the Blueprint, but what is really needed is a fundamental and comprehensive re-thinking of the mission, implementation, and cost of the Blueprint. That is not happening.

In all three respects described above, imprudent multi-year legislative commitments have produced very expensive impending policy train-wrecks. Now that the 2024 General Assembly Session has adjourned, it is truly unfortunate that nothing can be done about these problems until 2025 at the earliest.
Senator Chris West is a Republican representing District 42, which covers parts of Baltimore and Carroll Counties.

[a] https://governor.maryland.gov/news/press/pages/governor-moore-releases-mooremiller-administration-fy-2025-budget-proposal.aspx
[b] https://www.marylandtaxes.gov/reports/static-files/SOTE.pdf

Net US Wealth Migration



Source: www.howmoneywalks.com

Maryland Free Enterprise Foundation
Membership Application

MARYLAND FREE

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
Augustine, Malcolm	47	Kagan, Cheryl C.	17
Bailey, Jack	29	King, Nancy J.	39
Beidle, Pamela	32	Klausmeier, Katherine	8
Benson, Joanne C.	24	Kramer, Benjamin F.	19
Brooks, Benjamin T., Sr.	10	Lam, Clarence K.	12
Carozza, Mary Beth	38	Love, Sara N.	16
Carter, Jill P.	41	Mautz, John F.	37
Charles, Nick	25	McCray, Cory V.	45
Corderman, Paul D.	2	McKay, Michael W.	1
Elfreth, Sarah K.	30	Muse, C. Anthony	26
Ellis, Arthur	28	Ready, Justin	5
Feldman, Brian J.	15	Rosapepe, Jim	21
Ferguson, Bill	46	Salling, Johnny Ray	6
Folden, William G.	4	Simonaire, Bryan W.	31
Gallion, Jason C.	35	Smith, William C., Jr.	20
Gile, Dawn D.	33	Sydnor, Charles E., III	44
Guzzone, Guy	13	Waldstreicher, Jeff	18
Hayes, Antonio	40	Washington, Alonzo T.	22
Hershey, Stephen S., Jr.	36	Washington, Mary L.	43
Hester, Katie Fry	9	Watson, Ronald L.	23
Hettleman, Shelly	11	West, Chris	42
Jackson, Michael A.	27	Young, Karen Lewis	3
James, Mary-Dulany	34	Zucker, Craig J.	14
Jennings, J. B.	7		

Index of Elected Officials – House of Delegates

Index of Elected Officials – House of Delegates

MARYLAND FREE

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