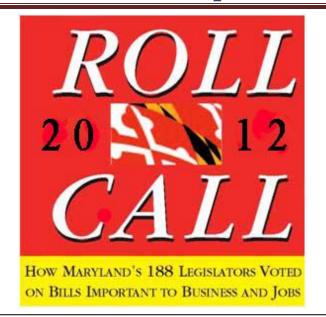
MBRG

Maryland Business for Responsive Government 8830 Orchard Tree Lane, Suite B, Towson, MD 21286

www.mbrg.org









Finding the Point Between Austerity and Taxation

"Value" is not a complex proposition. It is defined by Webster's Dictionary as "a fair return or equivalent in goods, services or money for something in exchange; a relative worth, utility or importance." Economic value is defined as the value of an asset deriving from its ability to generate income. "Value" is not a proposition that can be understood in isolation. Inherent in these concepts is the idea of cost. Yet, these two ideas--cost and value--seem to be propositions that have polarized if not altogether eluded Maryland lawmakers.

Let's take a look at politics underlying the value of Maryland's economy in the first half of 2012. Amid plans for a special session of the legislature, our State Treasurer found herself in the unenviable position of having to defend the future of Maryland's economy

"Federal dollars are not going to drive this economy forward anymore," said Economist Aniban Basu in a June Baltimore Sun article, "It's got to be private dollars."

to Wall Street. Moody's gave Maryland a negative outlook but maintained its coveted AAA bond rating, gambling in part on the ability of state legislators to raise revenue (read: increase taxes) whenever needed.

Our Democratic Comptroller publicly chided our Democratic

Governor's call for the special session: "the process by which we adopt changes to our tax laws appears, far too often, to be arbitrary, improperly vetted and highly politicized."

Shortly after the legislature adjourned from the Special Session where it increased a bevy of taxes again, the U.S. Department of Labor reported a loss of 5,400 jobs in April and 7,500 jobs in May in Maryland, one of the largest losses in the country for the second month in a row. The numbers of employers adding jobs in May was the lowest it has been for *any* May since 1976. (Continued on Page 21)

Includes Regulari
Special Special
Special

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 for companies 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 6. Is there another way to solve the problem or address 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 building?
- 5. Will the legislation promote or impede the competitive market by removing or imposing legal, economic and/or regulatory burdens, taxes, or costs?
- 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

o determine an accurate picture of the Maryland legislature's attitudes toward business, jobs, economic growth, and investment in the state, MBRG's 30-member State Advisory Council selects recorded votes from the last regular and special General Assembly sessions that have practical or philosophical importance to the widest possible range of Maryland businesses, trade associations, and chambers of commerce.

In order to arrive at the most accurate measure of the legislature's position on business matters, we include votes from different stages of the legislative process: final (third reader), committee, 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. MBRG neither gives pass/fail scores nor expressly or implicitly endorses or rejects any incumbent on the basis of certain selected votes.

A complete evaluation of a legislator's support for business should be made by examining committee and floor votes and considering unrecorded matters such as performance on subcommittees, communication with business representatives, and service to constituent businesses. *Roll Call* is intended to improve the understanding by elected and appointed officials of the effect of public policy on businesses and the willingness and ability of businesses to create jobs, invest, and prosper in Maryland. It is our belief that a positive business climate is critical to all other social progress. 😯

<u>Se</u>	nate Vote	<u>Key</u>
1	SB 236	Floor Amendment - (Senator Middleton) Sustainable Growth and Agricultural Preservation Act of 2012
2	SB 269	Maryland Business Tax Fairness Act
3	SB 272	Labor and Employment - Workplace Fraud Act - Revisions
4	SB 667	Criminal Records - Shielding - Nonviolent Convictions
5	SB 797	Courts and Judicial Proceedings - Witnesses - Privileged Communications or Information Involving Labor Organizations
6	SB 1301	Floor Amendment - (Senator Kittleman) - Budget Reconciliation and Financing Act of 2012
7	SB 1302	Special Session - State and Local Revenue and Financing Act of 2012
8	SB 1302	Special Session - Floor Amendment - (Senator Kittleman) State and Local Revenue and Financing Act of 2012
9	SB 1302	Special Session - Floor Amendment - (Senator Reilly) State and Local Revenue and Financing Act of 2012
10	HB 446	Environment - Bay Restoration Fund - Fees and Uses
<u>Ho</u>	ouse Vote	<u>Key</u>
1	HB 146	Transportation Trust Fund Protection Act
2	HB 183	Civil Rights – Discrimination by a Place of Public Accommodation – Enforcement and Remedies
3	HB 446	Environment - Bay Restoration Fund - Fees and Uses
4	HB 567	Education - Parent-Teacher Meetings - Unpaid Leave
5	HB 907	Environment - Natural Gas Production - Severance Tax
6	HB 1204	The Marcellus Shale Safe Drilling Study Fee and Performance Bond Act
7	HB 1364	Labor and Employment - Workplace Fraud Act – Revisions
8	SB 152	Floor Amendment - (Delegate Szeliga) Budget Reconciliation and Financing Act of 2012
9	SB 797	Courts and Judicial Proceedings - Witnesses - Privileged Communications or Information Involving Labor Organizations
10	SB 1302	
11	SB 1302	
		Financing Act of 2012
12	SB 1302	Special Session – Floor Amendment – (Delegate Fisher) State and Local Revenue and
		Financing Act of 2012
13	SB 1302	Special Session – Floor Amendment – (Delegate Kach) State and Local Revenue and
		Financing Act of 2012

2012 SENATE VOTE DESCRIPTIONS

SB 236 – Floor Amendment – (Senator Middleton) – Sustainable Growth and Agricultural Preservation Act of 2012

The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

SB 236 requires local governments to establish four growth tiers detailing where new major subdivisions on septic systems may be located. Establishes land use and sewerage criteria and restrictions applicable to each of these four tiers. Only Tier III and in very limited circumstances Tier IV areas are permitted to develop a "major" subdivision on septic. The Floor Amendment eliminates Maryland Department of Environment (MDE) and Maryland Department of Planning approval of local growth tiers. Under the Floor Amendment, agencies may issue a statement about whether county plans comply with the growth tiers, but the ultimate approval decision remains with the county. The Floor Amendment also eliminates a provision in SB 236 that would have expanded MDE's subdivision approval authority.

A (+) indicates a vote in favor of the Floor Amendment and reflects MBRG's support for maintaining zoning decisions and subdivision approvals at the local level, where the views of businesses and other affected parties are best considered. Agreeing with MBRG's position, the Senate approved the Floor Amendment, 31-14, on March 23, 2012, at 7:49 p.m.

SB 269 – Maryland Business Tax Fairness Act Senators Pinsky, Benson, Conway, Currie, Ferguson,

Frosh, Jones-Rodwell, Kelley, Madaleno, Manno, Montgomery, Ramirez, Raskin, Rosapepe, Stone, and Young

Requires certain affiliated corporations under common ownership to compute their Maryland corporate income tax liability as part of a combined group, rather than based on the profits and losses of each separate corporate entity. SB 269 causes massive shifts in tax liability among Maryland corporations and imposes a vague and complex tax

system on employers that does not exist in Maryland's competitor states. SB 269 excessively delegates key issues to be determined by regulation, and unwisely ties those regulations to the Multistate Tax Commission, of which Maryland is not even a voting member. The Comptroller would be given broad authority to adopt regulations to define and implement the combined reporting legislation, consistent with standards of the Multistate Tax Commission.

A "+" indicates a vote against SB 269 and reflects MBRG's opposition to tax measures that make Maryland's business tax structure more complex and unstable, and less competitive with other states. Agreeing with MBRG's position, the Senate Budget and Taxation Committee rejected SB 269, 7-6, on March 16, 2012.

SB 272 – Labor and Employment –
Workplace Fraud Act – Revisions
Senators Peters, Pugh, Young, Astle, Glassman, Kelley,
Kittleman, Klausmeier, Mathias, Middleton, and Muse

Exempts certain business owners from the presumption under current Maryland law that an employer-employee relationship exists between a business owner and an individual working for the business owner, if the business owner presents certain documentation. This is a reasonable exemption and establishes for businesses clearer guidelines for complying with the law, thereby resolving an array of concerns and problems for businesses that arose with the 2009 enactment of the Workplace Fraud Act.

A "+" indicates a vote in support of SB 272 and reflects MBRG's support for a reasonable, more workable solution to Maryland's burdensome employer-employee presumption. Agreeing with MBRG's position, the Senate approved SB 272, 45-0, on March 26, 2012 at 6:38 p.m.

2012 SENATE VOTE DESCRIPTIONS

SB 667 - Criminal Records - Shielding - Nonviolent Convictions

Senator Jones-Rodwell (By Request - Task Force on Prisoner Reentry) and Senator Frosh

Requires that court records and police records relating to nonviolent convictions be made inaccessible to the public, including employers, for three to five years, depending on the offense. SB 667 denies businesses the ability to conduct background checks on current and prospective employees, especially when a crime is related to a particular work duty (for example, a pharmacy checking for drug offenses or a trucking company checking for drunk driving history). SB 667 may also interfere with federal law, which prohibits certain companies from employing persons convicted of certain crimes.

A "+" indicates a vote against SB 667 and reflects MBRG's opposition to unwarranted restrictions on an employer's legitimate need to evaluate the suitability of job applicants for hiring, promotion or transfer. Agreeing with MBRG's position, the Senate Judicial Proceedings Committee rejected SB 667, 6-5, on March 22, 2012.

SB 797 – Courts and Judicial Proceedings – Witnesses – Privileged Communications or Information Involving Labor Organizations Senators Frosh, Gladden, Forehand, Ramirez, Raskin, Stone,

and Zirkin

Prohibits a labor organization or its agent from being compelled to disclose any information or communication acquired or received from an employee while the labor organization/agent was acting in a representative capacity concerning an employee grievance. An employee grievance is broadly defined to include an investigation, or civil court, administrative, arbitration or other grievance proceeding. An employee is broadly defined as an individual represented by a labor union regardless of whether that individual is a member of the labor union. The employee's privilege continues after the

termination of the employee's employment or the representative relationship of the labor organization/agent with the employee. SB 797 extends a privilege, reserved for certain licensed professionals and clergy on the basis of need for confidentiality, to labor organizations without any demonstrated need for the privilege. Only one other state has enacted such a law.

A "+" indicates a vote against SB 797 and reflects MBRG's opposition to extraordinary legislation that shields labor organizations/agents from revealing important information about employees that could assist an employer in making an informed decision relative to an employee grievance, and that inappropriately extends a privilege to labor union organizations/agents. Disagreeing with MBRG's opposition, the Senate approved SB 797, 35-12, on April 9, 2012 at 3:52 p.m.

SB 1301 – Floor Amendment – (Senator Kittleman) – Budget Reconciliation & Financing Act of 2012

The President (By Request - Administration)

SB 1301 allows the transfer of \$50 million in policyholder surplus from the Injured Workers Insurance Fund (IWIF) to the state's General Fund. SB 1301 also authorizes up to \$100 million in additional surplus transfer fees ostensibly to offset the benefit IWIF has realized from its association with the state as it seeks to establish itself independently from the state. IWIF, funded by premiums paid by Maryland businesses, is the worker's compensation carrier of last resort to Maryland employers and it provides worker's compensation coverage to 22-25% of Maryland businesses. Under SB 1301, the 21,000 Maryland employers that have built up substantial reserves in the IWIF through their payments of workers compensation premiums will see those reserves, supposedly held in trust, siphoned off by the state for other uses. The Floor Amendment would

2012 SENATE VOTE DESCRIPTIONS

prevent the transfer of IWIF funds to the state's General Fund.

A "+" indicates a vote in favor of support for the Floor Amendment and reflects MBRG's opposition to a raid of dedicated funding derived from business premiums. The transfer of \$50 million now and additional funds later will be a drain on IWIF's surplus and could lead to an increase in worker's compensation premiums for Maryland businesses otherwise unable to obtain the insurance.

Disagreeing with MBRG's position, the Senate rejected the Floor Amendment, 32-14, on May 14, 2012 at 5:01p.m.

SB 1302 – Special Session – State and Local Revenue and Financing Act of 2012
The President (By Request - Administration)

Imposes the following on Maryland businesses: (1) substantially increases income taxes, adds new income tax brackets, and reduces or eliminates personal exemptions for taxpayers with federal adjusted gross incomes over \$100,000; (2) increases taxes on tobacco products other than cigarettes; (3) applies the local recordation tax to indemnity mortgages and deeds of trust, important longstanding financing tools used by Maryland businesses; (4) repeals the corporate income tax credit for 60% of state and local property taxes paid on telecommunications property; (5) imposes income taxes on certain business trusts, and (6) increases various other fees for state services. Income tax increases and personal exemption decreases for earners over \$100,000 have a devastating effect on businesses organized as partnerships, S corporations, LLCs and sole proprietorships, which pay income taxes on income that flows through to their owners.

A "+" indicates a vote against SB 1302 and reflects MBRG's opposition to increased taxes that

are unnecessary, excessive, and harmful to jobs and businesses in Maryland. Enacting such a broad and substantial tax increase on businesses during a severe recession creates economic hardship and competitive disadvantage for Maryland businesses. Disagreeing with MBRG's position, the Senate approved SB 1302, 27-19, on May 15, 2012 at 12:10 p.m.

SB 1302 – Special Session – Floor Amendment – (Senator Kittleman) – State and Local Revenue and Financing Act of 2012

The President (By Request – Administration)

SB 1302 extends the local recordation tax to an indemnity mortgage or indemnity deed of trust ("IDOT") of over \$1 million for the purpose of enhancing county revenues to make up for shortfalls caused by state-mandated county expenditures for state obligations such as teacher pension payments. This purpose disregards the original and proper purpose of recordation taxes, which was to fund the land records system in each county. An IDOT involves a loan made by a lender to a person or business and the guaranty of that loan by a different person or business, a common and important financing device utilized by Maryland businesses for more than 60 years. The Floor Amendment would have removed this new tax from SB 1302.

A "+" indicates a vote in favor of the Floor Amendment and reflects MBRG's opposition to unfounded new taxes on business financing activity, especially during times of severe recession in the national and local Maryland economies. Disagreeing with MBRG's position, the Senate rejected the Floor Amendment, 29-17, on May 14, 2012 at 6:08 p.m.

2012 SENATE VOTE DESCRIPTIONS

SB 1302 – Special Session – Floor Amendment – (Senator Reilly) – State and Local Revenue and Financing Act of 2012 The President (By Request – Administration)

SB 1302 increases the income tax rate from 4.75 % to 5.00% on individuals with Maryland taxable income greater than \$100,000, and on married couples filing jointly with Maryland taxable income greater than \$150,000. Taxes are increased on higher income amounts to a maximum rate of 5.75% on Maryland taxable incomes of more than \$250,000 on individuals and of more than \$300,000 on married couples filing jointly. Income tax increases in times of economic downturn have a particularly devastating effect on businesses organized as partnerships, S corporations, LLCs and sole proprietorships, as these organizations pay taxes on the income that flows through to their owners. The new top state-local tax bracket makes Maryland among the top five highest in the nation and materially detracts from Maryland's competitive business posture in an already challenging economic climate. The Floor Amendment intended to remove these income tax increases from SB 1302.

A "+" indicates a vote for the Floor Amendment and reflects MBRG's opposition to income tax rate increases that negatively and significantly impact the ability of the private sector to compete effectively in the global marketplace, create jobs, expand business opportunities, and invest in Maryland communities. Disagreeing with MBRG's position, the Senate rejected the Floor Amendment, 29-17, on May 14, 2012 at 6:30 p.m. HB 446 – Environment – Bay Restoration Fund – Fees and Uses The Speaker (By Request – Administration) and Delegates Beidle, Bobo, Clippinger, Feldman, Frush, Gaines, Glenn, Hucker, McIntosh, Mitchell, Neimann, S. Robinson, and Rosenberg

Doubles the "Flush Tax" on most residences and businesses in Maryland. The original Flush Tax was established in 2004 to protect the value of the Chesapeake Bay as one of the primary natural resources in Maryland. Proceeds of the tax were set aside in a Bay Restoration Fund. HB 446 creates an unnecessary tax increase brought about by repeated raids on the fund totaling \$290 million in the past three years. These raids triggered a downgrade by Moody's on \$44 million in revenue bonds issued on the fund, thereby creating even higher costs for taxpayers.

A "+" indicates a vote against HB 446 and reflects MBRG's opposition to increased, unnecessary taxes brought about by diversion of the funds earmarked for Chesapeake Bay restoration. Disagreeing with MBRG's position, the Senate approved HB 446, 28-18, on April 7, 2012 at 5:20 p.m.

2012 HOUSE VOTE DESCRIPTIONS

HB 146 – Transportation Trust Fund Protection Act

Delegates Krebs, Afzali, Aumann, Barkley, Bates, Beitzel, Boteler, Cluster, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Haddaway-Riccio, Hershey, Hogan, Hough, Jacobs, Kach, Kipke, McComas, McConkey, McDermott, McDonough, McMillan, W. Miller, Norman, Otto, Parrott, Ready, Schuh, Schulz, Smigiel, Stifler, Stocksdale, Szeliga, Vitale, and Wood

Amends the state constitution to protect Maryland's Transportation Trust Fund (TTF) by limiting the use of monies assigned to the TTF to payment of the principal and interest on transportation bonds, any lawful purpose related to construction and maintenance of an adequate highway system, or any other transportation-related purpose. HB 146 prohibits the diversion of TTF revenues to the general fund or any special fund. The only exception to this prohibition is if: (1) there is a defense or relief purpose arising from invasion of the state or a major catastrophe, (2) the Governor proclaims a state of emergency, and declares that TTF funds are necessary for the immediate preservation of public health or safety, and proposes a plan to repay TTF within five years; and (3) the General Assembly approves legislation, by a threefifths vote of both houses, authorizing the use of the TTF for defense or relief purposes and approving a repayment plan.

A "+" indicates a vote in favor of HB 146 and reflects MBRG's support for restoring a credible, reliable system for funding Maryland's essential transportation infrastructure and for the use of taxpayer funds for their intended purposes. Disagreeing with MBRG's position, the House Appropriations Committee rejected HB 146, 15-8, on March 23, 2012.

HB 183 – Civil Rights – Discrimination by a Place of Public Accommodation – Enforcement and Remedies

Delegates Rosenberg, Carter, Cullison, Elliott, Frank, Gutierrez, Love, Luedtke, Mizeur, Oaks, Summers, and Tarrant

Expands the remedies available for discrimination by a place of public accommodation, and extends provisions of law related to discrimination by a place of public accommodation to the website of many Maryland businesses, including those that: (1) are a place of public accommodation or provide goods, services, entertainment, recreation, or transportation to any person in the state through the Internet, and (2) had at least \$1.0 million in annual revenues. Any information posted to the business website would have to be accessible to the visually impaired, the hearing impaired, and other disabled persons. Failure to comply with the requirement would constitute a violation of the law and could result in the award of compensatory damages, back pay and other remedies.

A "+" indicates a vote against HB 183 and reflects MBRG's opposition to burdensome, unrealistic requirements that increase the costs of doing business in the state and expand liability for businesses. Agreeing with MBRG's position, the House Health and Government Operations Committee rejected HB 183, 17-5, on February 24, 2012.

2012 HOUSE VOTE DESCRIPTIONS

HB 446 – Environment – Bay Restoration Fund – Fees and Uses The Speaker (By Request -- Administration) and Delegates Beidle, Bobo, Clippinger, Feldman, Frush, Gaines, Glenn, Hucker, McIntosh, Mitchell, Neimann, S. Robinson, and Rosenberg

See Senate Vote 10, on page 8 for a description of HB 446.

A "+" indicates a vote against HB 446 and reflects MBRG's opposition to increased, unnecessary taxes brought about by diversion of the funds earmarked for Chesapeake Bay restoration. Disagreeing with MBRG's position, the House approved HB 446, 89-48, on April 9, 2012 at 11:42 a.m.

HB 567 – Education – Parent – Teacher Meetings – Unpaid Leave

Delegates Luedtke, Rosenberg, Barkley, Barve, Cullison, Gutierrez, Hucker, Ivey, A. Kelly, Reznik, Stukes, and Summers

Requires Maryland employers to offer employees up to four hours of "unpaid leave" as often as four times per year (twice per semester) to attend parent-teacher meetings. Most employers provide paid and unpaid leave for employees and no compelling case was made that would justify this mandate. HB 567 imposes on employers a different criteria for unpaid employee leave and creates yet another potential area for frivolous lawsuits.

A "+" indicates a vote against HB 567 and reflects MBRG's opposition to arbitrary government intervention into employer/employee labor relations. Agreeing with MBRG's position, the House Economic Matters Committee rejected HB 567, 14-7, on March 23, 2012.

HB 907 – Environment and Natural Gas Production – Severance Tax Delegates McIntosh and Hixson

Imposes a 7.5% state severance tax on the wholesale market value of natural gas extracted from the Marcellus Shale formation in Maryland, and creates a new cause of action by the Maryland Department of the Environment to recover costs from persons already paying to clean up negative impacts from natural gas exploration and production. The state severance tax imposed would be in addition to the local severance taxes already imposed in Garrett and Allegany counties of 5.5% and 7.0%, respectively. At 7.5%, such a tax is the highest known state severance tax in the United States, and far exceeds the zero or *de minimis* severance taxes imposed in neighboring Marcellus Shale states.

A "+" indicates a vote against HB 907 and reflects MBRG's opposition to: (1) confiscatory taxation of businesses and landowners; (2) excessive and unwarranted authority to recover more costs from persons who already paid clean up costs for negative impacts; and (3) tax and environmental policies that discourage investment in an affordable energy source that would enhance U.S. economic competitiveness and benefit a depressed area of the state with increased economic activity and jobs. Disagreeing with MBRG's position, the House approved HB 907, 82-51, on March 26, 2012 at 6:34 p.m.

2012 HOUSE VOTE DESCRIPTIONS

HB 1204 – The Marcellus Shale Safe Drilling Safety Fee

Delegates Mizeur, Holmes, Bobo, Carr, Frick, Frush, Healey, Hubbard, Hucker, Luedtke, McHale, McIntosh, Morhaim, Niemann, Reznik, B. Robinson, S. Robinson, Stein, F. Turner, and Washington

Requires the owner of a natural gas interest in Maryland real property above the Marcellus Shale formation to pay a fee of \$15 per acre within 60 days of acquiring the interest. HB 1204 also imposes a penalty of up to \$10,000 per day and possible denial of natural gas exploration or production permits for failure to pay the fee. Proceeds of the fees and penalties will fund a study of natural gas extraction from the Marcellus Shale formation mandated by a 2011 Executive Order. From 2009 through the completion of the study in 2014, no permits can be issued allowing exploration or production of natural gas in Maryland, and whether the state will issue permits after 2014 is unknown. Studying natural gas extractions for at least five years before issuing permits, and imposing fees and penalties even if no natural gas permit is ever issued after the study, are practices not implemented in any other state.

A "+" indicates a vote against HB 1204 and reflects MBRG's opposition to imposing onerous fees and penalties on businesses and landowners who may never be issued a permit. This policy will discourage investment in an affordable energy source that would enhance U.S. economic competitiveness and benefit a depressed area of the state with increased economic activity and jobs. Disagreeing with MBRG's position, the House approved HB 1204, 88-49, on March 20, 2012 at 11:54 a.m.

HB 1364 – Labor and Employment –
Workplace Fraud Act – Revisions
Delegates Schulz, Afzali, Bates, Clagett, Eckardt,
Elliott, Frank, George, Haddaway-Riccio, Hershey,
Hogan, Jacobs, Krebs, McComas, W. Miller, Minnick,
Norman, O'Donnell, Otto, Schuh, Stifler, Vitale, Barkley,
Davis, Feldman, Jameson, Love, McHale, Olszewski, and
Vaughn

See Senate Vote 3, on page 5 for a description of HB 1364.

A "+" indicates a vote in support of HB 1364 and reflects MBRG's support for a reasonable, more workable solution to Maryland's burdensome employer-employee presumption. Agreeing with MBRG's position, the House approved HB 1364, 138-0, on April 6, 2012 at 11:25 a.m.

SB 152 – Floor Amendment – (Delegate Szeliga) – Budget Reconciliation & Financing Act of 2012

The President (By Request - Administration)

SB 152 allows the transfer of \$50 million in policyholder surplus from the Injured Workers Insurance Fund (IWIF) to the state's General Fund. SB 1301 also authorizes up to \$100 million in additional surplus transfer fees ostensibly to offset the benefit IWIF has realized from its association with the state as it seeks to establish itself independently from the state. IWIF, funded by premiums paid by Maryland businesses, is the worker's compensation carrier of last resort to Maryland employers and it provides worker's compensation coverage to 22-25% of Maryland businesses. Under SB 1301, the 21,000 Maryland employers that have built up substantial reserves in the IWIF through their payments of workers compensation premiums will see those reserves, supposedly held in trust, siphoned off by the state for other uses. The Floor Amendment would prevent the transfer of IWIF funds to the state's General Fund.

2012 HOUSE VOTE DESCRIPTIONS

A "+" indicates a vote in favor of support for the Floor Amendment and reflects MBRG's opposition to a raid of dedicated funding derived from business premiums. The transfer of \$50 million now and additional funds later will be a drain on IWIF's surplus and could lead to an increase in worker's compensation premiums for Maryland businesses otherwise unable to obtain the insurance.

Disagreeing with MBRG's position, the Senate rejected the Floor Amendment, 32-14, on May 14, 2012 at 5:01p.m.

SB 797 – Courts and Judicial Proceedings – Witnesses – Privileged Communications or Information Involving Labor Organizations

Senators Frosh, Gladden, Forehand, Ramirez, Raskin, Stone and Zirkin

See Senate Vote 5, on page 6 for a description of SB 797.

A "+" indicates a vote against SB 797 and reflects MBRG's opposition to extraordinary legislation that shields labor organizations/agents from revealing important information about employees that could assist an employer in making an informed decision relative to an employee grievance, and that inappropriately extends a privilege to labor union organizations/agents. Disagreeing with MBRG's opposition, the House approved SB 797, 91-44, on April 9, 2012 at 11:20 a.m.

SB 1302 – Special Session – State and Local Revenue and Financing Act of 2012

See Senate Vote 7, on page 7 for a description of SB 1302.

A "+" indicates a vote against SB 1302 and reflects MBRG's opposition to increased taxes that are unnecessary, excessive, and harmful to jobs and businesses in Maryland. Enacting such a broad and substantial tax increase on businesses during a severe recession creates economic hardship and competitive disadvantage for Maryland businesses. Disagreeing with MBRG's position, the House approved SB 1302, 77-60, on May 16, 2012 at 1:28 p.m.

SB 1302 – Special Session – Floor Amendment (Delegate Bates) – State and Local Revenue Financing Act of 2012

The President (By Request – Administration)

SB 1302 increases income and certain excise taxes, expands the recordation tax, and reduces or eliminates personal exemptions for businesses and individuals in Maryland on a retroactive basis, as a result of its January 1, 2012 effective date. SB 1302 requires individuals making estimated income tax payments and employers depositing withholding taxes to recalculate the amounts due and file amended reports. The Floor Amendment would have changed the effective date of the tax increases to the beginning of the next calendar year, January 1, 2013, thereby removing the retroactivity.

A "+" indicates a vote for the Floor Amendment and reflects MBRG's opposition to retroactive increases in business taxes, which create unexpected costs and interfere with the business planning. Disagreeing with MBRG's position, the House rejected the Floor Amendment, 82-47, on May 15, 2012 at 5:52 p.m.

2012 HOUSE VOTE DESCRIPTIONS

SB 1302 – Special Session – Floor Amendment (Delegate Fisher) – State and Local Revenue and Financing Act of 2012

The President (By Request – Administration)

See Senate Vote 8, on page 7 for description of this amendment relative to SB 1302.

A "+" indicates a vote in favor of the Floor Amendment and reflects MBRG's opposition to unfounded new taxes on business financing activity, especially during times of severe recession in the national and local Maryland economies. Disagreeing with MBRG's position, the House rejected the Floor Amendment, 80-51, on May 15, 2012 at 6:20 p.m.

SB 1302 – Special Session – Floor Amendment – (Delegate Kach) - State and Local Revenue and Financing Act of 2012

The President (By Request – Administration)

See Senate Vote 9, on page 8 for description of this amendment relative to SB 1302.

A "+" indicates a votes for the Floor Amendment and reflects MBRG's opposition to income tax rate increases that negatively and significantly impact the ability of the private sector to compete effectively in the global marketplace, create jobs, expand business opportunities, and invest in Maryland communities. Disagreeing with MBRG's position, the House rejected the Floor Amendment, 82-48, on May 15, 2012 at 5:45 p.m.

MBRG RATING SYSTEM

- * Legislators with stars next to their names served at least four years in the House or Senate and achieved an MBRG Cumulative Percentage (CUM %) of 70% or greater. Every four years, these legislators are recognized with *John Shaw Awards*.
- + A "right" vote, supporting MBRG's position for business and jobs.
- A "wrong" vote, opposing MBRG's position for business and jobs.
- 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 that MBRG has taken a position of opposition, resulting in no change in the legislator's rating.
- **nv-** Legislator did not vote on a bill that MBRG 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.

MBRG 2011 A legislator's score for 2011, provided for comparative purposes.

MBRG CUM %

Cumulative percentage is based on a legislator's voting record since the year MBRG began rating the legislator, as early as 1986 or since that legislator's first year in an earlier House seat, through 2012. 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.

2012 %tile (Percentile) In

order to compare a legislator's score with his or her colleagues, both Senate and House members have been ranked by percentiles. The percentile represents where a legislator's 2012 MBRG % rating ranks in relation to other legislators' ratings. For example, a Senator with a percentile ranking of 78 has a 2012 MBRG rating greater than 78 percent of his or her fellow Senators during this time period.

MARYLAND SENATE V O T E S

	29.26		300	30	> T	1,00	3/17		1.46	5				
	1	2	3	4	5	6	7	8	9	10	MBRG 2012	MBRG 2011	MBRG CUM %	2012 %tile
Allegany, Garrett & Washington Counties 1 George C. Edwards (R) *	+	+	+		+	+	+	+	+	+	100%	100%	84%	76
Washington County 2 Christopher B. Shank (R) *	+	-	+	+	+	+	+	+	+	+	100%	100%	90%	76
Frederick & Washington Counties 3 Ronald N. Young (D)	+		+			-		+	-	_	38%	44%	41%	54
Carroll & Frederick Counties 4 David R. Brinkley (R) *	+	+	+	•	+	+	+	+	+	+	100%	100%	92%	76
Baltimore & Carroll Counties 5 Joseph M. Getty (R) *	+		+	+	+	+	+	+	+	+	100%	100%	95%	76
Baltimore County 6 Norman R. Stone, Jr. (D)	+		+	+		_	+	+	-	+	67%	20%	46%	69
Baltimore & Harford Counties 7 J.B. Jennings (R) *	+		+		+	+	+	+	+	+	100%	100%	91%	76
Baltimore County 8 Katherine A. Klausmeier (D)	+	•	+	•	-	0	0	0	0	-	50%	45%	62%	58
Carroll & Howard Counties 9 Allan H. Kittleman (R) *	+		+		+	+	+	+	+	+	100%	100%	98%	76
Baltimore County 10 Delores G. Kelley (D)			+			_			_		13%	18%	37%	13
11 Robert A. Zirkin (D)	0	▣	+	+	Ŀ	Ŀ	+	+	+	-	63%	11%	38%	65
Baltimore & Howard Counties 12 Edward J. Kasemeyer (D)	+	+	+			-	-	-	-	-	33%	45%	58%	50

Howard County

MARYLAND SENATE VOTES

3	6 0	9/	5 0	7 9	2//				Xe	3				
											MBRG	MBRG	MBRG	2012
	1	2	3	4	5	6	7	8	9	10	2012	2011	CUM %	%tile
25 Ulysses Currie (D)	+	-	+		-	-	-	-	-	-	22%	27%	47%	26
26 C. Anthony Muse (D)	+		+		-	-	+	-	-	+	50%	27%	42%	58
Calvert & Prince George's Counties														
27 Thomas V. Mike Miller, Jr. (D)	+		+		-	-	-	-	-	-	25%	11%	57%	34
Charles County														
28 Thomas M. Middleton (D)	+		+		-	-	-	-	-	-	25%	36%	55%	34
Calvert, Charles, & St. Mary's Counties														
29 Roy P. Dyson (D)	+		+		-	+	+	-	+	+	75%	56%	55%	73
Anne Arundel County														
30 John C. Astle (D)	+		nv-		-	-	+	_	+	+	50%	73%	67%	58
31 Bryan W. Simonaire (R) *	+		+		+	+	+	+	+	+	100%	88%	92%	76
32 James E. DeGrange, Sr. (D) *	+	+	+		-	-	-	-	-	+	44%	91%	71%	56
33 Edward R. Reilly (R)	+		+		+	+	+	+	+	+	100%	100%	100%	76
Cecil & Harford Counties														
34 Nancy Jacobs (R) *	+		0	+	+	+	+	+	+	+	100%	100%	93%	76
Harford County														
35 Barry Glassman (R) *	+		+		+	+	+	+	+	+	100%	82%	83%	76
Caroline, Cecil, Kent,														
& Queen Anne's Counties														
36 E. J. Pipkin (R) *	+		+		+	+	+	+	+	+	100%	100%	85%	76
Caroline, Dorchester, Talbot														
& Wicomico Counties														
37 Richard F. Colburn (R) *	+	+	+		+	+	+	+	+	+	100%	100%	84%	76
Somerset, Wicomico &														
Worcester Counties														
38 James N. Mathias, Jr. (D)	+		+			_	+	+	+	_	63%	45%	55%	65
Montgomery County														
39 Nancy J. King (D)	+	١.	+		-	-	-	_	_	_	22%	40%	31%	26
Baltimore City														
40 Catherine E. Pugh (D)	+		+						_	_	25%	27%	36%	34
41 Lisa A. Gladden (D)	-		+	١.	-	_	-	-	-	-	11%	30%	30%	0
Baltimore County														
42 James Brochin (D)	-		+	+	-	+	+	+	+	-	67%	44%	41%	69
Baltimore City														
43 Joan Carter Conway (D)	-		+		-	_	-	_	_	-	13%	22%	32%	13
44 Verna L. Jones-Rodwell (D)	+	-	+		-	_	-	_	_	-	22%	9%	31%	26
45 Nathaniel J. McFadden (D)	+	+	+		-	-	-	_	_	-	33%	27%	44%	50
46 William C. Ferguson, IV (D)	+		+		-	-	-	_	-	-	25%	22%	24%	34
Prince George's County														
47 Victor R. Ramirez (D)	-		+	-	-	-	-	-	-	-	11%	10%	23%	0
• /														

**	146 7	1/6 ×	1/6 S	18	18 Te	\$ 730 24 730	OF S	20 -3	36 736 95 36	302 (A	302 (A	303 (A	4				
	0.	5	9			×	×	7					7	MPDC	MDDC	MBRG	2012
	1	2	3	4	5	6	7	8	9	10	11	12	13	2012	2011	CUM%	
Allegany, Garrett & Washington Counties		_	_	Ť			-			10		12	10	2012	2011	CONT70	/01110
1A Wendell R. Beitzel (R) *			١.	ı	١.	١.	١,	١.	١.	١	١.	١.	١.	100%	82%	82%	72
	+		+		+	+	+	+	+	+	+	+	+	70%	55%		
1B Kevin Kelly (D)		_	+		+	+	+	-	-	+	+	nv-	+			65%	67
1C LeRoy E. Myers, Jr. (R) *	_		+		+	+	+	+	+	+	0	0	0	100%	100%	87%	72
Washington County																	
2A Andrew A. Serafini (R) *			+		+	+	+	+	+	0	0	0	0	100%	100%	89%	72
2B Neil C. Parrott (R)			+		+	+	+	+	+	+	+	+	+	100%	100%	100%	72
2C John P. Donoghue (D)		+	+		+	+	+	-	-	-	nv-	-	-	45%	25%	57%	64
Frederick & Washington Counties																	
3A Galen R. Clagett (D)			l -		+	+	+	_	_	_		_	_	27%	18%	34%	56
3A Patrick N. Hogan (R) *			+		+	+	+	+	+	+	+	+	+	100%	83%	85%	72
3B Michael J. Hough (R)			+		+	+	+	+	+	+	+	+	+	100%	91%	95%	72
Carroll & Frederick Counties		-	'	-	-	i i	'	'	'	-	-	'	-	100 / 0	71 /0	7570	12
		l _	١.	l _	١.	١.	١.		١.	١. ا	١.	١.		100%	100%	100%	70
4A Kathryn L. Afzali (R)			+		+	+	+	0	+	+	+	+	+				72
4A Kelly M. Schulz (R)	-	-	+	+	+	+	+	+	+	+	+	+	+	100%	100%	100%	72
4B Donald B. Elliott (R) *		+	<u> </u>		+	+	+	+	+	+	+	+	+	91%	67%	84%	71
Baltimore & Carroll Counties																	
5A Justin D. Ready (R)		+	+		+	+	+	+	+	+	+	+	+	100%	100%	100%	72
5A Nancy R. Stocksdale (R) *	+		0		+	+	+	+	0	+	+	+	+	100%	82%	87%	72
5B A. Wade Kach (R) *		+	+		+	+	+	+	+	+	+	+	+	100%	83%	81%	72
Baltimore County																	
6 Joseph J. Minnick (D)			+	+	+	+	+	_	١.	+		+	+	73%	64%	65%	68
			_						[[36%	14%	30%	60
				Ŀ	+	-	+	-		+		-	+	70%			
6 Michael H. Weir, Jr. (D)	-		+		+	+	+	-	-	+	_	+	+	70%	50%	59%	67
Baltimore & Harford Counties																	
7 Richard K. Impallaria (R) *			+	+	+	+	+	+	+	+	+	+	+	100%	100%	89%	72
7 Patrick L. McDonough (R) *		+	+		+	+	+	+	+	+	+	+	+	100%	100%	88%	72
7 Kathy Szeliga (R)	+		+		+	+	+	+	+	+	+	+	+	100%	100%	100%	72
Baltimore County																	
8 Joseph C. Boteler, III (R) *			+		+	+	+	+	+	+	+	+	+	100%	100%	93%	72
8 Eric M. Bromwell (D)		+	+		-	+	+	+	-	+	١.	+	_	64%	42%	56%	66
8 John W.E. Cluster, Jr. (R) *			+		+	+	+	+	+	+	+	+	+	100%	100%	94%	72
Carroll & Howard Counties						-					-		-			7 1 1 1	
9A Gail H. Bates (R) *			١.		١.	١.	١,	١.	١.	١	١.	١,	١.	100%	100%	94%	72
	+		+	_	+	+	+	+	+	+	+	+	+				
9A Warren E. Miller (R) *			+	+	+	+	+	+	+	+	+	+	+	100%	100%	96%	72
9B Susan W. Krebs (R) *	-	+	+		+	+	+	+	+	+	+	+	+	100%	100%	85%	72
Baltimore County																	
10 Emmett C. Burns, Jr. (D)		-	-	+	-	-	0	-	-	-	nv-	nv-	nv-	10%	17%	37%	14
10 Adrienne A. Jones (D)	-		-		-	-	+	-	-	-	-	-	-	9%	9%	27%	1
10 Shirley Nathan-Pulliam (D)		-	-		-	-	+	-	-	-	-	-	nv-	9%	9%	29%	1
11 Jon S. Cardin (D)			-		0	o	+	-	-	-	nv-	nv-	nv-	13%	9%	24%	42
11 Dan K. Morhaim (D)		+	-			-	+	nv-	-	+	0	0	0	38%	0%	35%	62
11 Dana M. Stein (D)			١.		١.	١.	+	_		_	ı .	_	_	10%	17%	27%	14
11 Dana IVI. Sicili (D)							т							10/0	1//0	21 /0	17

187	HB 76	THE R	1/65	140	46 78	14 730 24 730	OB S	25 13 25 13	04 130 04 130	1302 (2)	302 (A)	7302 (c)	Ď.				
	1	2	3	4	5	6	7	8	9	10	11	12	13	MBRG 2012	MBRG 2011	MBRG CUM%	2012 %tile
Baltimore & Howard Counties	Ė	_			Ť		Ė			10			10	2012	2011	CCN170	/othe
12A Steven J. DeBoy, Sr. (D)	-		-		+	+	+	-	-	+	-	-	-	36%	18%	41%	60
12A James E. Malone, Jr. (D)			-		-	-	+	-	-	-	-	-	-	10%	17%	45%	14
12B Elizabeth Bobo (D)			-		-	-	+	-	-	-	-	-	-	10%	8%	23%	14
Howard County																	
13 Guy Guzzone (D)	-		-		-	-	+	-	-	-	nv-	-	-	9%	9%	33%	1
13 Shane E. Pendergrass (D)		+	-		-	-	+	-	-	-	-	-	-	18%	8%	30%	46
13 Frank S. Turner (D)		0	-		nv	-	-	-	-	-	-	-	-	0%	9%	31%	0
Montgomery County																	
14 Anne R. Kaiser (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	23%	14
14 Eric G. Luedtke (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	10%	14
14 Craig J. Zucker (D)	-		-		-	-	+	-	-	-	-	-	-	9%	9%	9%	1
15 Kathleen M. Dumais (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	24%	14
15 Brian J. Feldman (D)			-	-	-	-	+	-	-	-	-	-	-	9%	8%	26%	1
15 Aruna Miller (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	10%	14
16 C. William Frick (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	17%	14
16 Ariana B. Kelly (D)		+	-		-	-	+	-	-	+	-	-	+	36%	8%	22%	60
16 Susan C. Lee (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	21%	14
17 Kumar P. Barve (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	39%	14
17 James W. Gilchrist (D)			-		-	-	+	-	-	-	-	-	-	10%	8%	22%	14
17 Luiz R.S. Simmons (D)			-		-	-	+	-	-	0	0	0	0	17%	9%	24%	44
18 Alfred C. Carr, Jr. (D)			-		-	-	+	-	-	-	-	-	-	10%	8%	24%	14
18 Ana Sol Gutiérrez (D)	-		-		-	-	+	-	-	+	-	-	-	18%	11%	25%	46
18 Jeffrey D. Waldstreicher (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	23%	14
19 Sam Arora (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	10%	14
19 Bonnie F. Cullison (D)		+	-		-	-	+	-	-	-	-	-	-	18%	8%	13%	46
19 Benjamin F. Kramer (D)			-	-	-	-	+	-	-	-	+	-	-	18%	14%	29%	46
20 Sheila E. Hixson (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	35%	14
20 Tom Hucker (D)			-	-	-	-	+	-	-	-	-	-	-	9%	8%	20%	1
20 Heather R. Mizeur (D)	-				<u> </u>	-	+	_	-	-	-	-	-	9%	9%	21%	1
Anne Arundel & Prince George's Counties																	
21 Benjamin S. Barnes (D)			-	-	-	-	+	-	-	-	-	-	-	9%	7%	20%	1
21 Barbara A. Frush (D)			-		-	-	+	-	-	-	-	-	-	10%	8%	29%	14
21 Joseline A. Peña-Melnyk (D)		-	-		-	-	+	-	-	-	-	-	-	9%	8%	22%	1
Prince George's County																	
22 Tawanna P. Gaines (D)	-		-		-	-	+	-	-	-	-	-	-	9%	9%	22%	1
22 Anne Healey (D)			-		-	-	+	-	-	-	-	-	-	10%	11%	32%	14
22 Justin D. Ross (D)	-		-		-	-	+	-	-	-	-	-	-	10%	10%	22%	14
23A James W. Hubbard (D)		-	-	-	-	-	+	-	-	-	-	-	-	9%	8%	24%	1
23A Geraldine Valentino-Smith (D)			-		-	-	+	-	0	-	-	-	-	11%	18%	15%	40
23B Marvin E. Holmes, Jr. (D)			-		-	-	+	-	-	0	0	0	0	17%	17%	27%	44
24 Tiffany Alston (D)			-		-	-	+	-	-	+	-	-	+	30%	9%	19%	58
24 Carolyn J. B. Howard (D)			-		-	-	+	-	-	-	-	-	-	10%	13%	35%	14
24 Michael L. Vaughn (D)			-	+	-	-	+	-	-	-	-	-	-	18%	14%	31%	46

118	146 16	16 ×	HAS.	148	18 18 18 18 18 18 18 18 18 18 18 18 18 1	14 730 04 730	OB S	\$ 13 \$\frac{1}{2}	25 136 26 136	25 (A)	1302 (A	1302	6			
	1	2	3		5	6	7	8	9	10	11	12	13	MBRG 2012	MBRG 2011	MBRG CUM%
Prince George's County	1		3		<i>.</i>	U	_	0		10	11	12	13	2012	2011	COM170
25 Aisha N. Braveboy (D)			-	-	_	-	+	-	-	-	-		-	9%	7%	23%
25 Dereck E. Davis (D)			-	nvc	_	-	+	-	-	-	-	-	-	10%	8%	36%
25 Melony G. Griffith (D)	-		-		-	-	+	-	-	-	-	-	-	9%	9%	30%
26 Veronica L. Turner (D)		0	0		0	0	0	0	0	-	-	-	-	0%	8%	25%
26 Kris Valderrama (D)			-		-	-	+	-	-	0	0	0	0	17%	9%	23%
26 Jay Walker (D)			nv		-	-	+	-	-	-	-	+	-	22%	10%	34%
Calvert & Prince George's Counties																
27A James E. Proctor, Jr. (D)	-	■	-		-	-	+	-	-	-	-	-	-	9%	10%	37%
27A Joseph F. Vallario, Jr. (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	37%
27B Mark N. Fisher (R)		▝	+		+	+	+	+	+	+	+	+	+	100%	91%	95%
Charles County																
28 Sally Y. Jameson (D)			-	+	-	-	+	-	-	-	-	-	-	18%	23%	48%
28 Peter F. Murphy (D)		+	-		-	-	+	-	-	-	nv-	-	-	18%	8%	25%
28 C.T. Wilson (D)	_		-		-	-	+	-	-	-	-	+	-	20%	25%	23%
Calvert, Charles, & St. Mary's Counties																
29A John F. Wood, Jr. (D) *	+		+		+	+	+	nv-	+	+	+	+	+	91%	82%	76%
29B John L. Bohanan, Jr. (D)	1 -		-		-	-	+	-	+	+	-	+	-	36%	33%	53%
29C Anthony J. O'Donnell (R) *			+		+	+	+	+	+	+	+	+	+	100%	100%	94%
Anne Arundel County	_	_												100/		
30 Michael E. Busch (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	48%
30 Ronald A. George (R) *			+		+	+	+	+	+	+	+	+	+	100%	91%	87%
30 Herbert H. McMillan (R) *			+		+	+	+	+	-	+	+	+	+	90%	83%	84%
31 Donald H. Dwyer, Jr. (R) *			+		+	+	+	+	+	+	+	+	+	100%	100%	90%
31 Nicholaus R. Kipke (R) *		+	+		0	-	+	+	-	+	+	+	+	80%	50%	76%
31 Steven R. Schuh (R) *			+	+	+	+	+	+	+	+	+	+	+	100%	93%	91%
32 Pamela G. Beidle (D)			-		nv	-	+	-	-	+	+	+	-	44%	50%	49%
32 Mary Ann E. Love (D)			-	+	-	-	+	-	-	-		-	-	18%	14%	47%
32 Theodore J. Sophocleus (D) 33A Tony McConkey (R) *	0		-		0	0	0	0	-	+	+	-	-	33% 100%	27% 91%	60%
33A Cathleen M. Vitale (R)	+		+		+	+	+	+	+	+	+	+	+	100%	91%	84% 95%
33B Robert A. Costa (R) *		I	+		+	+	+	+	+	+	+	+	+	73%	45%	77%
Cecil & Harford Counties	-	+	-		+	-	+	+	-	+	+	+	+	1370	4570	1170
34A Glen Glass (R)		١.	١.		١.	١.	١.	١. ا	١	١. ا	١. ا	١.	١.	100%	100%	100%
34A Mary-Dulany James (D)			+ +		+	+	+	+	+	+	+	+	+ nv-	50%	18%	59%
34B David D. Rudolph (D)	nv		+		-		+ +		+ +	+ + +		+ +	- IIV	55%	21%	52%
Harford County		_	7	7	_		7		7	7		T	Ė	22/0	21/0	52/0
35A Wayne Norman, Jr. (R) *			+		+	+	+	+	+	+	+	+	+	100%	100%	85%
35A Donna M. Stifler (R) *			+	+	+	+	+	+	+	+	+	+	+	100%	100%	88%
35B Susan K. McComas (R) *	15		+		+	+	+	+	+	+	+	+	+	100%	100%	84%
Caroline, Cecil, Kent,	+-												-	100/0	10070	0.70
& Queen Anne's Counties																
36 Stephen S. Hershey (R)			+		+	+	+	+	+	+	+	+	+	100%	100%	100%
36 Jay A. Jacobs (R)			+	•	+	+	+	+	+	+	+	+	+	100%	100%	100%
36 Michael D. Smigiel, Sr. (R) *			+		+	+	+	+	+	+	+	+	+	100%	91%	75%

1/10	1/B 7	140	1/65	160	16/2	\$ 73.	OF Z	\$ 13 SP 1	Sp 130	7303 03 (1	7302 (s)	7302 (A					
																MBRG	2012
	1	2	3	4	5	6	7	8	9	10	11	12	13	2012	2011	CUM%	%tile
Caroline, Dorchester, Talbot &																	
Wicomico Counties	_	l _		_										100/	001		
37A Rudolph C. Cane (D)	=		-		-	-	+	-	-	-	-	-	-	10%	9%	34%	14
37B Adelaide C. Eckardt (R) *	+		+	•	+	+	+	+	+	+	+	+	+	100%	100%	87%	72
37B Jeannie Haddaway-Riccio (R) *	-		+	+	+	+	+	+	+	+	+	+	+	100%	93%	84%	72
Somerset, Wicomico &																	
Worcester Counties		_												1000/	1000/	1000/	72
38A Charles J. Otto (R)	-		+		+	+	+	+	+	+	+	+	+	100%	100%	100% 57%	72 53
38B Norman H. Conway (D)	-		l -		nv	•	+	-	+	-	-	-	-	20% 100%	20% 100%	100%	55 72
38B Michael A. McDermott (R)	-	_	+		+	+	+	+	+	+	+	+	+	100%	100%	100%	14
Montgomery County 39 Charles E. Barkley (D)							١.							27%	14%	25%	56
39 Kirill Reznik (D)				Ė	-	[+			+	+			27%	8%	32%	56
39 Shane Robinson (D)	▮ੂ	+	:				+ +			+	[10%	8%	9%	30 14
Baltimore City	-	_	_	H	_	Ë	-	_	_	_	_	_	-	10 /0	0 /0	770	17
40 Frank M. Conaway, Jr. (D)			nv		+		+	_	nv	_	_	_		25%	9%	30%	55
40 Barbara A. Robinson (D)	1.		"."		L		+	_		_	_	_	_	9%	9%	21%	1
40 Shawn Z. Tarrant (D)		1 -			_	_	+	_	_	_	_	_	_	9%	8%	26%	1
41 Jill P. Carter (D)					_	_	+	nv-	_	_	_	_	_	10%	0%	24%	14
41 Nathaniel T. Oaks (D)		-	١.		_	_	+	0	_	_	_	_	_	10%	8%	34%	14
41 Samuel I. Rosenberg (D)					_		+	_	nv	_	_	_	_	11%	9%	37%	40
Baltimore County																	
42 Susan L. M. Aumann (R) *	+		+		+	+	+	+	+	+	+	+	+	100%	91%	84%	72
42 William J. Frank (R) *		+	+		+	+	+	+	+	+	+	+	+	100%	92%	88%	72
42 Stephen W. Lafferty (D)			-		-	-	+	-	-	-	-	-	-	10%	17%	28%	14
Baltimore City																	
43 Curtis S. Anderson (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	32%	14
43 Maggie L. McIntosh (D)			-		-	-	+	-	-	-	-	-	-	10%	8%	29%	14
43 Mary L. Washington (D)	-		-		-	-	+	-	-	-	-	-	-	9%	9%	36%	1
44 Keith E. Haynes (D)	-		-		-	-	+	-	-	-	-	-	-	9%	9%	27%	1
44 Keiffer J. Mitchell Jr. (D)			-		0	nv	+	-	nv	-	-	-	-	14%	9%	11%	42
44 Melvin L. Stukes (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	23%	14
45 Talmadge Branch (D)			-		-	-	+	-	-	-	-	-	-	10%	10%	40%	14
45 Cheryl D. Glenn (D)			-		-	-	+	-	-	-	-	-	-	10%	8%	24%	14
45 Hattie N. Harrison (D)			-	0	-	-	+	-	-	-	0	0	0	14%	14%	47%	42
46 Luke Clippinger (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	10%	14
46 Peter A. Hammen (D)		+	-		-	-	+	-	-	-	-	-	-	18%	8%	37%	46
46 Brian K. McHale (D)			-	+	-	-	+	-	-	-	-	-	-	18%	7%	36%	46
Prince George's County																	
47 Jolene Ivey (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	22%	14
47 Doyle L. Niemann (D)			-	•	-	-	+	-	-	-	-	-	-	10%	17%	27%	14
47 Michael G. Summers (D)			-		-	-	+	-	-	-	-	-	-	10%	9%	10%	14

(Continued from Page 1)

It's no secret that since 2003, Maryland's budget has ballooned from \$22.4 billion to \$35.5 billion. Repeated claims by some that the state is making "spending cuts" are hollow and have no basis in fact.

Spending increase advocates argue Maryland is providing its citizens, including businesses, with a better quality of life. That the state is providing "value" to its residents in its education system, in its infrastructure, in its healthcare system, in its workforce development system and maintaining its commitment to improve the environment was an argument echoed in the State House halls during the special session.

This very fact was pointed out by the U.S. Chamber of Commerce when it ranked Maryland among the top five states in the country for job creation, economic growth and innovation, noting in particular Maryland's emphasis on information technology and its attachment to the federal economy. A state can always create a good quality of life for whom it *wants* to attract, but that really doesn't do much for the bigger, longer term picture of competitiveness or the companies that have had a longtime shared commitment to Maryland.

"Attention must be paid to both basic and advanced industries since innovation and technology growth alone cannot turn around most regions in the State," warned Margaret Spellings, President of the U.S. Forum for Policy Innovation whose group published the U.S. Chamber of Commerce report. The most significant areas of concern when it comes to Maryland's economic development climate expressed by the U.S. Chamber: taxes and regulation.

Maryland businesses and taxpayers who pick up the tab for this "better quality of life" are trying to communicate to State leaders that easy solutions and tax increases unduly and unfairly impact Maryland's job creators and working families. The perceived value of the increased benefits given the increased costs falls far short of expectations.

Disingenuous dedicated fund transfers (and empty promises to repay them) lead directly to failing roads and bridges, delayed sewage treatment plant repairs, and higher costs of doing business in Maryland. The raiding of dedicated funds to meet other priorities is irresponsible and near-reckless fiscal policy.

Throwing accountability and fiscal integrity to the wind for the "quick fix" tax increases is simply taking the easy way out. The ripple effects inherent in this approach sends signals of uncertainty and instability in our state's economic climate far and wide. It discourages real investment in technology, innovation and Maryland's communities.

Add to all this Maryland's dependence on federal spending and looming federal cutbacks and doing business in Maryland is becoming risky business. "Federal dollars are not going to drive this economy forward anymore," said Economist Aniban Basu in a June <u>Baltimore Sun</u> article, "It's got to be private dollars."

If Maryland policymakers continue down the road of spend and tax without a long term strategy that genuinely includes the private sector, they will be taxing Marylanders and Maryland job creators into a corner...and this year's revenue needs will look like lunch money in future years.

Before that happens, elected officials need to consider real, systematic spending reform, comprehensive long term tax and economic development policies that encourage private sector growth (including manufacturing), and true fiscal integrity and accountability. That's when the whole concept of "value" becomes an asset, rather than a liability, to Maryland. That's the point where savings meets tax policy, truthfully fostering a solid reputation for Maryland as the land of opportunity for generations to come.

And that's exactly the point eluding Maryland's elected officials.

The Meaning of "Business Friendly"

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

Fiscal Responsibility

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

Regulations

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

Employer - Employee Relations

• A market based wage and benefit structure that reflects changes in the U.S. economy and ensures that all workers are compensated based on performance and value in the marketplace.

- A workers compensation, unemployment, and health insurance system that yields benefits consistent with the reasonable needs of the beneficiary.
- A labor environment that allows every worker free choice concerning union affiliation.

Civil Liability and Business Law

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

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 MBRG

MBRG'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 and federal legislators enable MBRG and its members to hold politicians accountable for the state's economic well-being like no other organization.

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

Index of Elected Officials

Senate

- Astle, John C. (D), District 30
- Benson, Joanne C. (D), District 24
- Brinkley, David R. (R), District 4
- Brochin, James (D), District 42
- Colburn, Richard F. (R), District 37
- Conway, Joan Carter (D), District 43
- Currie, Ulysses (D), District 25
- DeGrange, James E., Sr. (D), District 32
- Dyson, Roy P. (D), District 29
- Edwards, George C. (R), District 1
- Ferguson, William C., IV (D), District 46
- Forehand, Jennie M. (D), District 17
- Frosh, Brian E. (D), District 16
- Garagiola, Robert J. (D), District 15
- Getty, Joseph M. (R), District 5
- Gladden, Lisa A. (D), District 41
- Glassman, Barry (R), District 35
- Jacobs, Nancy (R), District 34
- Jennings, J. B. (R), District 7
- Jones-Rodwell, Verna L. (D), District 44
- Kasemeyer, Edward J. (D), District 12
- Kelley, Delores G. (D), District 10
- King, Nancy J. (D), District 39

- Kittleman, Allan H. (R), District 9
- Klausmeier, Katherine A. (D), District 8
- Madaleno, Richard S., Jr. (D), District 18
- Manno, Roger (D), District 19
- Mathias, James N., Jr. (D), District 38
- McFadden, Nathaniel J. (D), District 45
- Middleton, Thomas M. (D), District 28
- Miller, Thomas V. Mike, Jr. (D), Senate President,
 District 27
- Montgomery, Karen S. (D), District 14
- Muse, C. Anthony (D), District 26
- Peters, Douglas J. J. (D), District 23
- Pinsky, Paul G. (D), District 22
- Pipkin, E. J. (R), District 36
- Pugh, Catherine E. (D), District 40
- Ramirez, Victor R. (D), District 47
- Raskin, Jamin B. (Jamie) (D), District 20
- Reilly, Edward R. (R), District 33
- Robey, James N. (D), District 13
- Rosapepe, James C. (D), District 21
- Shank, Christopher B. (R), District 2
- Simonaire, Bryan W. (R), District 31
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- Young, Ronald N. (D), District 3
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- Alston, Tiffany T. (D), District 24
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- Arora, Sam (D), District 19
- Aumann, Susan L. M. (R), District 42
- Barkley, Charles E. (D), District 39
- Barnes, Benjamin S. (D), District 21
- Barve, Kumar P. (D), District 17
- Bates, Gail H. (R), District 9A
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- Bohanan, John L., Jr. (D), District 29B
- Boteler, Joseph C., III (R), District 8
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- Braveboy, Aisha N. (D), District 25
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- Burns, Emmett C., Jr. (D), District 10
- Busch, Michael E. (D), House Speaker, District 30
- Cane, Rudolph C. (D), District 37A
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- Carter, Jill P. (D), District 41
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- Harrison, Hattie N. (D), District 45
- Haynes, Keith E. (D), District 44
- Healey, Anne (D), District 22
- Hershey, Stephen S., Jr. (R), District 36
- Hixson, Sheila E. (D), District 20
- Hogan, Patrick N. (R), District 3A
- Holmes, Marvin E., Jr. (D), District 23B
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- Howard, Carolyn J. B. (D), District 24
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- Hucker, Tom (D), District 20
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- Ivey, Jolene (D), District 47
- Jacobs, Jay A. (R), District 36
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- Weir, Michael H., Jr. (D), District 6
- Wilson, C. T. (D), District 28
- Wood, John F., Jr. (D), District 29A
- Zucker, Craig J. (D), District 1

MBRG Membership Form



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

Name	
Title	
Organization	
Address	
City	
Phone	
E-Mail	

I am interested in joining at the following level:

☐ Trustee Level (\$15,000)

Invitation to join Board of Directors ♣ Exclusive Invitation to VIP Events ♣ Named Table and Display Sponsors for all events (includes 2 tickets to each event) ♣ Open invitations to statewide policy meetings ♣ Invitation to during the Session webcasts ♣ Invitation to Expert Webcast ♣ Copies of Roll Call ♣ Quarterly newsletter that includes policy analysis, education and interviews with elected officials ♣ MBRG Website Banner Advertisement ♣ All-access to special, members only passworded site.

☐ Chairman (\$5,000)

Consideration for Board of Directors ♣ Invitation to MBRG After the Session Exclusive VIP Event ♣ Table & Display Sponsorships to one MBRG event (includes 2 tickets to event) ♣ Open invitation to statewide smaller policy meetings ♣ Invitation to during the session webcasts ♣ Invitation to Expert Webcast ♣ Copies of Roll Call ♣ Quarterly MBRG Newsletter that includespolicy analysis, education and interviews with elected officials ♣ MBRG Website Banner Advertisement ♣ All-access to special, members only passworded site.

☐ President (\$2,500)

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□ Leadership (\$1,000)

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□ Benefactor (\$500)

Member rates to MBRG's Before and After the Session Events Notification of Roll Call publication Quarterly MBRG Newsletter that includes policy analysis, education and interviews with elected officials All-access to special, members only passworded site.

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MBRG is not a lobbying organization.