



INTRODUCTION

Each year, in coordination with our membership, the Maryland Chamber of Commerce identifies anticipated critical issues and establishes a legislative agenda to guide our strategy and advocacy efforts at the Maryland General Assembly. Every session presents us with an opportunity to educate lawmakers about the positive steps being taken by job creators to advance economic recovery and move Maryland forward. It also affords us the opportunity to raise the challenges being faced by employers and to work collaboratively toward solutions that make Maryland a better place to live and work.

As a member-driven advocacy organization, our priorities and anticipated critical issues are proposed and voted on each year by our issue-specific policy committees. Our Legislative Committee then reviews our legislative agenda items to ensure they are aligned with the Chamber's mission and values.

Together, we will work to ensure **a stronger future for Maryland's job creators.**

We encourage you to get involved in the process by joining one of our policy committees or the Legislative Committee. Your participation is critical to our understanding of the challenges unique to you, your company and your industry. This allows us to advocate most effectively on your behalf.

Now more than ever, your contributions to our advocacy efforts are critical to ensuring that legislative action taken to address the challenges posed by the COVID-19 crisis appropriately balance public health and safety with economic consequences and realities presently being faced by Maryland's business community.

Together, we will work to ensure a stronger future for Maryland's job creators.

MARYLAND CHAMBER OF COMMERCE

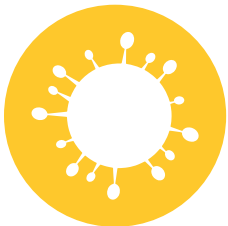
2021 LEGISLATIVE PRIORITIES

1) Liability Protection; As the private sector contributes to COVID-19 response, it faces liability challenges that governments do not. As a result, private companies will require protection from unreasonable exposure. As the crisis subsides, Maryland businesses will require liability protection to resume commerce without the fear of frivolous lawsuits.

2) Unemployment Insurance; Every effort should be made by the state to replenish funds taken from the unemployment insurance trust fund as a result of the COVID-19 pandemic, without raising the rates of premiums for employers. As well, unemployment insurance claims made by an employee during the COVID-19 pandemic should not be counted toward an employer's experience rating.

3) Economic Sustainability; The economic impact of COVID-19 is unprecedented and overcoming its implications will continue to require an extraordinary response. Maryland's policymakers should seek and implement measures intended to support businesses financially as they work to overcome and rebuild from the pandemic. This might include credits, incentives or other favorable tax treatment. This might also include new programs that leverage existing unallocated state revenue in support of small businesses.

2021 ANTICIPATED CRITICAL ISSUES



COVID-19 RESPONSE AND RECOVERY

We remain committed to doing our part to assist in mitigating the COVID-19 public health and economic crisis. First and foremost, we believe that the health and safety of our members, their employees and the general public is of paramount importance and remains our top priority. We also believe that State actions taken to address the challenges posed by the COVID-19 crisis must appropriately balance public health and safety with economic realities.

Anticipated critical issues:

Economic Recovery: The economic impact and challenges of COVID-19 are unprecedented. In the near, mid and long term, Maryland leaders must focus on overcoming volatility and putting policies into place that allow the State to both recover and then grow on the other side of the crisis.

Transparency: While we recognize that the nature of the threat requires swift response and action, we must not let that undermine the foundational principles upon which public trust is built. The State should utilize the expertise of business leaders when promulgating regulations, guidelines and resources.

Flexibility: The strength of Maryland’s economy is based on its diversity and includes many sectors including agriculture, manufacturing, hospitality, biotech, among others. Each of these and the businesses within them face unique challenges that will require unique solutions and flexibility based on their needs. We urge the State to consider these needs when promulgating regulations. A one-size-fits-all approach to this crisis could be a disservice to public health and to the economy.



BUSINESS REGULATION & OPERATIONS

We address regulatory issues affecting daily operational activities and support legislation that allows market force principles to work in the state’s economy.

Anticipated critical issues:

“Safe Workplace” Guidelines: Establishment of a framework or guidelines for businesses during and post the COVID-19 crisis

Regulatory Reform: Regulatory reform could assist in blunting the impact of COVID-19 and give the economy a much-needed boost

Essential Services: Clarity in the definition of what constitutes an essential service; Further clarity on how long state government can require a business to provide services free of charge

Procurement Reform: Comprehensive procurement reform for state government which is notoriously cumbersome and often leads to a lack of competition among service providers



CIVIL LIABILITY

We believe the civil law system should not punish lawful commerce. We address issues related to tort reform and civil liability, including opposing efforts to expand exposure to liability and damages that weaken businesses’ defenses.

Anticipated critical issues:

Liability Protection: As the private sector contributes to COVID-19 response, it faces liability challenges that governments do not. As a result, private companies will require protection from unreasonable exposure. As the crisis subsides, Maryland businesses will require liability protection to reopen the economy and resume activities without the fear of frivolous lawsuits

Non-economic Damages: Increases businesses' liability exposure and corresponding liability insurance premiums

Punitive Damages: Changes to Maryland's current definition for punitive damages could increase the cost of doing business in the state



CYBER & TECHNOLOGY

We believe the fields of cyber and technology are important and growing sectors of Maryland's economy. We support the development of policies that encourage and facilitate growth, entrepreneurship and innovation.

Anticipated critical issues:

Broadband Expansion and Connectivity: Encourage and remove barriers to the continued deployment of broadband technology, including 5G, throughout the state

Data Privacy: Prevent attempts to create new data privacy regulations that would cause confusion and inconsistencies for businesses that operate in multiple states and that would give consumers a false sense of security

Net Neutrality: Reinstates rolled-back federal regulations on the internet creating challenges and inconsistencies for businesses that work across state lines



EDUCATION & WORKFORCE DEVELOPMENT

We ensure that Maryland fosters an educational and vocational ecosystem focused on developing, retaining, and attracting a more globally competitive workforce. We believe in strategies that seamlessly link education and workforce development and embed skills-based learning into academic instruction.

Anticipated critical issues:

Apprenticeship and Intern Tax Credits: Expand the pool of apprenticeship and career technical education opportunities for the next generation of workers

Apprenticeship Statutory Definition: Expand the definition of a qualifying apprenticeship to capture a greater segment of the work training population and increase the number of employers which can access the related incentive programs

Second Chance Employment: Expand educational attainment for currently and formerly incarcerated Marylanders, while protecting employers from liability associated with hiring



ENERGY & ENVIRONMENT

We support community and business endeavors that sustain, enhance, protect and conserve Maryland's natural resources for present and future generations. At the same time, we work to maintain the balance between economic need and environmental concern.

Anticipated critical issues:

Climate Change, including but not limited to, initiatives regarding renewable energy portfolio standards, clean energy goals, and transportation sector requirements: Supporting the development of clean and renewable energy sources and transportation initiatives, while setting reasonable time-tables for businesses to meet the goals and objectives and ensuring the protection of the manufacturing and transportation sector businesses and related employment

Carbon Tax: Creates a tax on Maryland businesses for the use of gasoline, natural gas and other greenhouse gases, substantially increasing the costs to Marylanders—while having no impact on emissions originating in other states



HEALTH CARE & BIOPHARMA

We believe in meaningful health care reform that allows employers to best meet the needs of their employees. We oppose mandated health benefit demands, as well as unduly burdensome regulatory oversight and requirements that do not serve businesses or citizens. We also address issues in legislative interaction in the pharmacological discovery and development processes..

Anticipated Critical Issues:

Pharmaceutical Pricing and Availability: We are sensitive to the concerns regarding cost and availability of prescription drugs; we strive to strike the balance between patient affordability and any restrictions placed on manufacturers, distributors, pharmacies or other key components of the industry supply chain



LABOR & EMPLOYMENT

We seek to maintain a balance in the relationship between employees and employers within the state and work to ensure policies are created that promote fairness and reduce excessive mandates.

Anticipated critical issues:

Economic Stabilization Act: Changes made to this statute during the 2020 legislative session have created confusion and undue burden on employers; Clarifying language is needed and attempts should be made to bring the state law in line with the federal WARN Act

Peace Orders for Employer: Employers should be able to file a peace order on behalf of an employee to promote workplace safety

Pre-emption: Language in labor bills that allows for a single law for the state instead of a patchwork among hundreds of jurisdictions

Restrictive Scheduling: Enacts unreasonably restrictive employee shift scheduling requirements

Paid Family Leave Benefits: Potentially establishes yet another paid leave mandate for employers, as well as new expansive leave entitlements



TAXATION

We support tax policy reform that reduces the cost of doing business. It is our goal to strengthen the state's competitive tax climate to help attract and retain businesses, talent and investment.

Anticipated critical issues:

Corporations and Business Entities – Filing Fees, Combined Reporting, and Throwback Rule:

Oppose the adoption of tax reapportionment schemes such as instituting the “throwback rule”, adopting mandatory unitary combined reporting, or any other system which creates a systematic and economic disadvantage for Maryland businesses. Combined reporting is especially problematic in uncertain and poor economic climates and will result in lower revenue for the state

Expanding the Sales Tax on Services: Oppose any efforts to expand the sales tax on services not currently listed in Maryland law

Evaluation of Maryland’s De-coupling Provisions: Support a thorough evaluation of Maryland’s current de-coupling law related to the federal tax structure and the advantages and disadvantages that exist. A comprehensive effort should be made to identify the areas where Maryland should re-couple with federal tax filing provisions, including the Net Operating Loss (NOL) provisions passed as a result of the 2020 federal CARES Act

Remote Work: The General Assembly should address the outstanding challenges with nexus and apportionment rules relating to remote work and issue general rules instead of the current temporary guidance

Alternatives to Raising Taxes: We encourage the General Assembly to evaluate all other alternatives to raising taxes on businesses as a source of revenue during the current economic crisis. Alternatives could include utilizing the state’s rainy-day funds and making aggressive but targeted cuts to the state budget

Tax Credits to Increase Hiring and Employee Retention: Support incentives designed to help employers retain their employees as well as hire new workers

Sales Tax Holidays: Support sales tax holidays to help stimulate consumer spending



TRANSPORTATION & INFRASTRUCTURE

We believe improved state infrastructure boosts economic opportunity. We work to advance short- and long-term answers to statewide transportation and transit needs. We support sustainably funded solutions that safely and reliably transport people and goods.

Anticipated critical issues:

5G/Small Cell/Broadband Expansion: Support the expansion of technology infrastructure such as 5G, small cell, and broadband to address the need for increased connectivity across all Maryland communities

Transportation Funding: Support policies that ensure the state's investment in critical infrastructure projects continues to be a priority to improve the safe and efficient movement of people and goods. This includes addressing the state's structural deficit and addressing the transportation needs of underserved communities

Public Safety: Provides for positive quality of life that helps bring businesses to the state and in turn job opportunities and economic expansion



WORKERS COMPENSATION & UNEMPLOYMENT INSURANCE

We work to achieve a fair balance between the employer and employee in workers' compensation claims. Similarly, we work toward policies to provide fair unemployment insurance benefits to workers without creating an undue burden on job creators.

Anticipated critical issues:

COVID-19 Presumption: Oppose any effort to establish a presumption of liability on the employer for the compensability of COVID-19 related workers compensation claims

Employer UI Experience Rating: Unemployment insurance claims made by an employee during the COVID-19 pandemic should not be counted toward an employer's experience rating as employers were forced to shut down and/or lay-off employees through no fault of their own

Solvency of the Maryland Unemployment Trust Fund: Every effort should be made by the state to replenish funds taken out of the unemployment trust fund as a result of the COVID-19 pandemic without raising the premium rates for employers

Lend your voice to the future

You deserve a voice in shaping the future of Maryland's economy. As an advocate with the Chamber, you join a 4,500 member-strong grassroots collective of business thought leaders and a full-time, dedicated government affairs team with strong relationships in Annapolis and on Capitol Hill. Through our 11 policy committees, you can have an active role in influencing the public policy that affects your business—with a partner that protects your interests. **For more information about membership, contact Whitney Harmel at wharmel@mdchamber.org or 410-269-0642 x117.**