



151st General Assembly Bill Introductions as of 3/4/21

- **Minimum Wage:** Proposal is being circulated. Increases the minimum wage to be paid in the state beginning in 2022 unless the Federal Government passes something first. The Governor recently expressed support in his recommended budget to increase state employee wages to \$15/hr. DSCC membership has expressed mixed feelings on the proposal.
 - Key Components/Concerns:
 - \$10.50 per hour effective January 1 2022; \$11.75/hr Jan 1, 2023; \$13.25/hr Jan 1, 2024; \$15/hr Jan 1, 2025
 - Related Legislation:
 - **HB 88:** Bill introduced and likely to pass. Removes the youth/training minimum wage.
 - **HB 94:** Tipped Wage Bill. Requires those earning a percentage of their compensation via tips/gratuities that their total compensation must not be below minimum wage. Employers would be responsible for making up the difference.
 - Chamber's Position: Oppose
- **Legalization of Marijuana:** Higher likelihood of passage this year than in the past. A bill is likely to be introduced but it's unclear what it will look like. The Delaware Manufacturing Association (DMA) expressed concerns with regards to employee's safety and ensuring workers are not incapacitated while on the job. Also, there's no test for measuring impairment like there is for alcohol. The Governor said in the past that he would not sign a bill legalizing marijuana.
 - Key Components/Concerns:
 - Test for impairment, employer protections regarding internal policies and protections from outside lawsuits.
 - Chamber's Position: Oppose
- **HB 91-Unfair Business Practices:** Proposal to modify Delaware's consumer protection law. Would allow the state to join into multistate lawsuits where Delaware does not currently have standing according to DOJ. After reviewing the language, the bill is much broader than stated and proposes adoption of an antiquated definition of "unfairness" that was replaced by the FTC in 1980 by a more coherent, modern definition. Delaware remains the forum of choice to organize America's corporations, and its substantive law governing corporate conduct should not be antiquated and confused.
 - Chamber's Position: Delaware should adopt the FTCs definition of "unfairness".

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- **Climate Action Plan Legislation:** No specific details on a plan yet, but it's likely the plan will be based on the public forums DNREC conducted over the summer and on their report released last fall. The Chamber is monitoring, and our membership has expressed concern that goals and benchmarks set forth in the proposed plan would be unrealistic and result in increased costs associated with installing new renewable energy resources or retrofitting current ones.
 - Chamber's engaged and developing a position.
- **Financial Assurances:** Proposal would add bond/insurance plan requirements for facilities that potentially pose environmental impact should the business go bankrupt. The Chamber is monitoring and is concerned that the bill would result in increased costs to employers because they would have to carry a bond or insurance policy. It's unclear what sort of cost impact will fall onto employers.
 - Chamber's Position: Monitoring
- **HB 200-Clean Water:** Released from committee and awaiting a vote in the House. The Chamber and the Governor has supported long-term investment in water infrastructure in the past and will continue to do so. DSCC membership expressed their support for the bill, recognizing the importance in maintaining and updating our water infrastructure.
 - Chamber's Position: Support
- **HB 64-Personal Income Tax:** Proposal would create three new personal income tax brackets, topping out at 8.6 percent, a full 2 percent more than the top bracket in current law. The bill would put Delaware at a competitive disadvantage at attracting new residents and businesses from surrounding states and comes at a time when Delaware businesses and employees face unprecedented uncertainty. Delaware is not facing a budget crisis where increased taxes are necessary.
 - Chamber's Position: Oppose
- **Paid Family Leave:** No specific details on a proposal yet. Senator McBride is seeking feedback and announced a new coalition, the Delaware Cares Coalition for Paid Leave to have paid leave pass in DE. It's unclear if the proposal will be like the FMLA but has indicated the threshold pertaining to the number of employees a business must have in order to be covered by the legislation is open for discussion and is envisioning having a "public option" where the state would offer an insurance type product that employers can purchase to cover paid family leave.
 - Chamber's engaged and developing a position.
- **Secure Choice:** Proposal by State Treasurer Colleen Davis that would create a State-run IRA program. The plan is projected to cost approximately \$400,000 to implement. According to the Treasurer, the program would be designed for any employer that doesn't already offer their employees a retirement plan and employers who offer a preexisting plan would be exempt from participating. A draft bill is expected in the coming days.
 - Chamber's engaged and developing a position.

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DSCC Policy Priorities

As expressed in the document “The Road to Recovery: Putting Delawareans Back to Work,” drafted in coordination with the Delaware Business Roundtable and sent to the Governor, here are some actions we’re taking to advance our policy priorities. Some of these priorities have been highlighted in the State of the State address and have been distributed and discussed amongst Chamber’s committees.

- **Invest in Workers and Families**
 - Provide relief to individuals who lost their job because of the pandemic by not requiring those individuals to pay state taxes on any unemployment benefits received in 2020.
 - **HB 65:** Signed by the Governor. Exempts unemployment compensation benefits received in 2020 from the calculation of Delaware adjusted gross income so claimants will not pay state taxes on benefits received during the pandemic.
 - Provide relief to individuals who lost their job because of the pandemic by supporting Forward Delaware, the rapid workforce training and redeployment initiative created by Executive Order #43. The Chambers Tax Committee is actively engaged with members of the General Assembly to establish a refundable tax credit for employers who hire graduates and certify that these new hires have been signed up for additional, approved training.
- **Attract and Maintain Jobs for Delawareans**
 - Support economic development by working to improve the permitting process and help drive the Ready in 6 initiative.
 - Establish a clear and specific response timeframe by which state agencies (specifically, Del DOT and DNREC) must respond to applicants’ requests for permits.
- **Support Diversity and Inclusion Initiatives**
- **Protect Delaware’s Natural Spaces and Create Jobs by Redeveloping Abandoned Sites**
 - Support Governor Carney and the General Assembly’s efforts to create a Clean Water Trust Fund to ensure the availability of clean water for future generations.
 - Support state programs to attract and maintain jobs. It is essential to increase funding for strategic economic development funds, establish site readiness funding and to focus these efforts on abandoned sites as a mean of creating clean, new jobs.
- **Take Bold Steps to Establish Education Equity and Opportunity**
 - Support early learning initiatives and programs like Delaware Pathways which allows business leaders to connect with students to talk about jobs, innovations, and other interesting projects underway.

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