

The Overland Park Chamber of Commerce encourages diligent, selfless and bipartisan service to address the issues facing the United States in a proficient, timely and transparent manner. The Chamber supports reasonable, fact-based free-market efforts and solutions for improving our local, regional and national safety, economic vitality, and quality of life. When a

problem arises that the market cannot adequately address, the Chamber supports developing reasonable, fact-based legislative and regulatory solutions that are developed in partnership with government and business. These solutions should reward outcomes and compliance and treat all companies and business categories in a fair, equitable and predictable manner.

2019 TOP PRIORITIES

GOVERNMENT / FISCAL MANAGEMENT

Fiscal Responsibility – The Chamber believes that progress toward an eventually balanced federal budget, using a “zero-based” budgeting process, and toward a reduced national debt will promote the health of our national economy today and for future generations. The Chamber encourages Congress and the Administration to enact timely federal budgets (together with all associated appropriations bills) and to work toward a balanced budget. Congress’ focus should include fiscal policies to stimulate economic growth through a careful and comprehensive evaluation of domestic and foreign spending coupled with a sound revenue strategy. The Chamber also encourages Congress and the Administration to modify maintenance of effort requirements in ways that ensure federal grants and cost sharing funds are spent for the purpose intended but do not otherwise impinge upon state and local elected officials’ ability to appropriate funds or set policy.

The Chamber strongly urges minimizing the use of last minute short-term fixes and gimmicks in favor of collaborative and timely enactment of longer term legislation, especially regarding regularly recurring issues, such as the debt ceiling and budgets (with corresponding appropriations), that would not only provide stability and predictability, but also help restore confidence in Congress.

HEALTH CARE

The Chamber recognizes the importance of accessible and affordable health care for Kansas providers, employers and residents and supports bipartisan initiatives that result in an enhanced health care delivery system.

The Chamber continues to oppose the repeal of the ACA with a future effective date. Such an approach will create even more uncertainty and instability in the marketplace (businesses, individual consumers, providers and insurers).

Instead the Chamber would support a repeal or further modification of the ACA, with a contemporaneous effective date, if such action provides a comprehensive replacement policy that includes or provides, but is not limited to, the following:

- Reconsideration and reformulation of the most onerous provisions of the ACA that adversely affect business, including the employer mandate and the new taxes that will result in higher premiums passed on to employers and employees, including, without limitation:
 - o Repeal of the 40% excise tax on high-cost employer health plans (Cadillac Tax) now scheduled to take effect in 2022.
 - o Repeal of the Medical Device Tax to take effect on January 1, 2020.
 - o Repeal of the Health Insurance Tax levied on health insurance providers based on premiums written, which disproportionately impacts small businesses.

- o Repeal of the employer mandate, assessing penalties on larger employers (50+ employees) that do not provide minimum value and affordable coverage to employees.
- o Return the requirement to be considered a full-time employee from the ACA’s 30-hours/week definition to the historical 40-hours/week.
- Provide appropriate levels of funding from the federal government to cover the cost of providing health care services (including home and community-based services) through Medicare, Medicaid and other such governmental programs.
- Extension of full federal funding for three years (from the date of adoption or approval of a state’s waiver request) for new state adoptions of Medicaid expansion programs.
- Reasonable, evidence-based governmental requirements and or mandates, with corresponding funding provided, to participate in the expansion of quality improvement, information technology and transparency initiatives.
- Appropriate level of support and funding for safety net clinics and other access points to encourage health care provisions at the most efficient and least costly stage.
- Protection of tax incentives and non-tax status for those providers documenting community benefit through various activities including, but not limited to, charity care.
- Programs that promote a greater emphasis on personal responsibility, healthy lifestyles and the resulting private and governmental program incentives and supports.
- Incentives for businesses to provide health insurance for employees.
- Incentives for individuals to purchase health insurance. Investigate collaborative efforts with states to provide high risk pools for individuals and employers to obtain health care coverage.
- Continue to evaluate and encourage proven alternatives to traditional health care delivery that will result in greater accessibility and affordability to Kansas employers and residents, reducing the number of uninsured and underinsured.
- Oppose the proposal by the Health Resources and Services Administration (HRSA) to remove Donor Service Areas (DSA) and Regions from the current organ allocation plan. Such a proposal will reduce the number of organs available to Kansans and place

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small programs that serve rural populations at risk, while placing African Americans, other minorities, and financially challenged and rural Americans, all at a disadvantage. The focus of HRSA should be on increasing organ donation and OPO (Organ Procurement Organization) accountability, not the allocation of an already scarce resource.

WORKPLACE AND LABOR

Overtime Eligibility Standards - The Chamber continues to oppose regulatory expansion of overtime standards such as those unilaterally proposed by the DOL in 2016 that include excessive increases in the salary thresholds triggering overtime pay requirements and increases that do not make allowance for geographic base salary differences, that result in significantly increased compliance costs for business as well as unintended, adverse consequences for employees.

Immigration - The Chamber urges Congress to enact comprehensive and realistic immigration reform policies that support business workforce needs including:

- Establishing a reliable, efficient, accurate employment eligibility confirmation system that is easy to use and provides a good faith “safe harbor” to employers relying on the Employment Eligibility Confirmation System.
- Establishing an earned pathway to legalization for undocumented workers already contributing to our economy, provided that they are law-abiding.
- Continuation and expansion of permanent visa programs for highly skilled workers through the H-1B visa program and other programs that enable employers to access and keep the talent necessary for business to compete in the global market.
- Raising or eliminating the cap on H-2B visas. This seasonal worker program is vital to small businesses that depend on H-2B visa personnel to fill those positions that the local workforce cannot fill.

The Chamber supports the Fairness for High-Skilled Immigrants Act that would remove the per-nation caps on employment based green cards, creating a merit-based, “first come, first served” legal immigration system for high-skilled employees.

TAXES

Taxation - The Chamber continues to support balanced federal tax policies that will (i) preserve and encourage economic growth, productivity and jobs; and (ii) enhance the global competitiveness of U.S. businesses and encourage multi-national companies to repatriate profits and conduct additional US-based operations while reducing incentives for corporate inversions.

The Chamber recognizes the business-oriented revisions to the federal tax code enacted by the Tax Cuts and Jobs Act of 2017 (TCJA), specifically including the repeal of the corporate alternative minimum tax, doubling of the estate and gift tax exemption and the reduction in the corporate income tax rate, as supported in the Chamber’s 2018 Federal Public Policy Platform.

The Chamber opposes efforts to change federal tax policy that would limit the option for qualified service providers to elect the cash method of accounting only to those firms with less than \$10 million (or other arbitrary caps) in annual gross revenue.

The Chamber supports the preservation and protection of the current legal and tax structure of employee stock ownership plans (ESOP). The Chamber advocates for the enactment of the Promotion and Expansion of Private Employee Ownership Act that eliminates barriers that businesses and their owners face in establishing a new S corporation ESOP or expanding the employee-ownership stake in an S corporation.

Tax Incentives - The Chamber encourages continued support of existing tax incentives including energy, environmental, and economic development tax incentives. These safeguards result in increased protection of the environment while encouraging investment in economic development.

E-Commerce/Fairness - The Chamber supports the United States Supreme Court’s decision in *South Dakota v. Wayfair* (Wayfair) that enables state governments to collect sales taxes and use taxes from

remote and on-line retailers with no physical presence in their state, by mandating under federal law that those remote online retailers charge and collect sales tax regardless of sales situs. The Chamber encourages Congress to pass legislation codifying the criteria suggested in *Wayfair* to provide clear guidance and consistency for states implementing such sales tax collection; however, such legislation should not preempt state and local sales and use tax authority nor otherwise interfere with the distribution of such revenue according to existing formulas under state law.

TRANSPORTATION

The Chamber supports continuation of the Fixing America’s Surface Transportation (FAST) Act that provides multi-year funding for the nation’s surface transportation infrastructure to maximize the benefits derived from our local, regional and national transportation networks. The Chamber further supports timely enactment of legislation to succeed the FAST Act upon its scheduled expiration in 2020 that will provide increased national funding that is predictable and sustainable in order to adequately meet critical national, regional and local transportation needs.

To be sustainable, the Chamber believes that such funding should be derived from multiple sources that primarily reflect users’ impacts on – and benefits derived from – our transportation networks.

That’s why the Chamber supports:

- Increasing and dedicating revenue from fuel taxes and other user fees (e.g. gas tax has not been raised since 1993);
- Inflation indexing of revenue sources to reduce the risk of inadequate transportation investment in the future; and
- Dedicating specific resources and policies for defined transportation projects that significantly enhance the economic development of an area.

To ensure that national infrastructure investments reflect important regional and local priorities, the Chamber further supports adoption of federal policies and procedures that optimize local and state flexibility in meeting regional and local transportation priorities, improving transportation network performance and streamlining transportation project reviews and approvals. The Chamber opposes the Administration’s proposal to adjust the predominant existing infrastructure funding share formula from 80% federal-20% state/local to 20% federal-80% state/local as an unreasonable and inequitable cost shifting.

The Chamber supports a legal and regulatory framework that enables the full potential of connected and autonomous vehicles (CAVs) to be explored by the public and private sectors while maintaining or improving our state’s vehicle safety record. Given the uncertainties surrounding the future timing, extent and nature of CAV deployment, the cost of required infrastructure improvements should be borne by the parties that will profit or benefit from the investments. Public sector investments in support of CAV deployment should not be done to the detriment of our legacy transportation network as long as it serves a preponderance of non-CAV users. The Chamber supports the timely reauthorization of the Federal Aviation Administration (FAA).

2019 IMPORTANT PRIORITIES

PUBLIC/PRIVATE PARTNERSHIPS

In the areas of transportation, energy, environment and technology, the Chamber generally supports adding incentives and removing impediments to the use of private capital and resources in the design, construction and operation of public or public/private projects that enhance local safety, economic development and quality of life.

The Chamber also encourages federal agencies to generally take a “right size” staffing approach in order to efficiently handle and respond to normal and routine demands while looking to contract with the private sector during periods of peak.

ENERGY

The Chamber supports a comprehensive national energy policy that is

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innovative and economical. Policy should encourage energy efficiency and conservation, sustainability, and security, and it must also support the diverse energy portfolio of our region. Any proposed energy policy must consider all forms of available energy including natural gas, coal, nuclear, hydro, wind, solar and biofuels in order to meet growing demand. In addition, we support an energy policy that:

- Supports energy independence and efficiencies in production and usage, including reasonable expansion of domestic oil and gas exploration.
- Would not unduly raise energy costs.
- Encourages a diversified, sustainable energy supply and surplus.
- Upgrades and expands our national transmission and distribution infrastructure.

ENVIRONMENT

The Chamber supports a system of environmental standards that provides a balance between ensuring the sustainability of natural resources while ensuring enhanced quality of life and economic growth in the region. Environmental policy should be based on sound, factual scientific data, not unsubstantiated health claims.

Air Quality – The Chamber supports federal air quality legislation that does not cause economic burden on industry and American job loss, and ensures public health protection.

Emissions Standards – The Chamber supports balanced and reasonable national environmental change policies that are equitable to all regions and industries, encourage innovation and economic growth, and achieve sustainable environmental benefits. The Chamber opposes policies that would raise energy costs for businesses in ways that jeopardize job creation. Carbon regulation aimed at impacting climate change should not be addressed and cannot be solved by state or regional approaches. The Chamber supports legislation that would encourage the accelerated development and deployment of greenhouse gas reduction technology and the reduction of barriers to the development of climate-friendly energy sources.

Water Quality – The Chamber supports efforts by local, state, and federal government for sound watershed management through the application of reasonable standards and educational resources.

The Chamber encourages the EPA to rescind or modify the current version of the Waters of the US (WOTUS) rule that is overreaching in its application to streams and other small domestic bodies of water making it particularly harmful to agriculturally prominent states such as Kansas. The scope of the WOTUS rule should be returned to that which existed prior to 2015 (i.e., navigable waters), and the definitions should be clearly stated and universally applied, thereby protecting US drinking water while at the same time providing reasonable regulation and certainty to the states.

The Chamber supports the Wet Weather Community Sustainability Act that offers both a technology-based and water quality-based approach to help municipalities manage peak wet weather events in a cost-effective manner that is protective of the environment and public health and consistent with Clean Water Act (CWA) requirements.

INTERNATIONAL TRADE

The Chamber reaffirms its support of the Export-Import Bank of the United States (Bank) as a source of funding support that is of critical importance in leveling the international competitive climate for businesses that export goods and services and keeping them and their jobs in our state. The Chamber supports the timely nomination and Senate confirmation of board members, at a minimum needed to maintain a quorum and necessary for the efficient, effective and full operation of the Bank..

The Chamber supports free and fair international trade policies that encourage economic development in northeast Kansas and the rest of the state; reduce trade barriers; protect U.S. intellectual property; modernize export-control rules; eliminate unfair trade practices; and encourage efficient international trade assistance programs through cooperation and coordination among local, state and federal agencies. Additionally, the Chamber supports export promotion programs centered on small- and medium-sized businesses which account for

the vast majority of all exporters.

The Chamber does not believe that the imposition of tariffs is a proper approach to foster international trade that is so important to the economies of Kansas and the nation; to the contrary, the Administration's recent and expanding use of tariffs has resulted in retaliatory tariffs imposed by many of our key trading partners, negatively impacting many of our domestic businesses and industries. The Chamber supports legislation that requires Congressional approval of new or increased tariffs proposed in the interest of national security in accordance with Section 232 of the Trade Expansion Act of 1962.

The Chamber supports continuation of the North American Free Trade Agreement (NAFTA) with appropriate modernization of its terms in recognition of the changes in trade and technology that have occurred since NAFTA originated.

The Chamber also supports reasonable and balanced international trade agreements that knock down barriers to U.S. businesses abroad and keeps our markets open to foreign goods and services. Specifically, the Chamber urges a re-evaluation and reversal of the decision to withdraw the United States from the Trans-Pacific Partnership (TPP), recognizing the importance of the growing Asian market for US goods and services, including Kansas products. Focus should be on modifications of the TPP terms as needed.

EDUCATION & WORKFORCE DEVELOPMENT

P-20 Public Education System - The Chamber supports policies and programs, and adequate funding thereof, that encourage the development of a robust P-20 public education system emphasizing a rigorous science, technology, engineering, and mathematics (STEM) curriculum based on globally competitive standards that prepare students to be college and career-ready for the future and fosters a well-trained, productive, globally competitive workforce. This includes support for:

- Increased funding for Graduate Medical Education in response to the shortage of physicians (especially in primary care).
- Increased investment in high-quality early childhood learning and development and child care programs that integrate early learning with K-12 education and are available to all children.
- Funding the Individuals with Disabilities Education Improvement Act at the authorized 40% level so that local school districts do not have to divert other education funding streams to make up the current funding gap.
- Invest funding in policies and programs that promote workforce development, not only current needs but also including focus on identifying the education, training and skills needed as we continue to move into the 21st century.
- Reauthorization of the Higher Education Act.
- Policies and programs that promote access to and affordability of higher education, such as student loans and grants and similar student financial aid programs.
- The identification and implementation of policies and programs to address the shortage of STEM credentialed teachers, where a lack of competitiveness with the business sector together with increasing numbers of teacher retirements make this an area of critical need.

The Chamber opposes cuts to Medicaid funding to public schools that pay for services and equipment provided to special education students, including school-based screening and treatment for students from low-income families.

The Chamber opposes the use of public tax funds to subsidize private education.

The Chamber supports continued state regulation and oversight of charter schools.

The Chamber also supports continued and enhanced investment in veterans' education benefits

TECHNOLOGY & TELECOMMUNICATIONS; CYBER SECURITY

Outdated laws and regulations impede U.S. technological innovation, investment and deployment that are vital to the U.S. economy.

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The Chamber promotes market-based policies to promote private sector broadband investment and competition. Such policies foster investment in technology research and deployment, and a competitive private sector market will provide consumers and businesses the internet access they demand at the best possible price. In addition, the Chamber advocates for workable privacy laws that protect consumers without unduly inhibiting e-commerce.

The Chamber recognizes that continued technological development, expansion and deployment of broadband, which is so vital to small and large, urban and rural businesses alike, as well as individual consumers, and can best be achieved with significant private investment, which is driven by the forces of competition. Competition spurs private investment, furthers the principles of free enterprise, and stimulates business growth.

The Chamber supports the Email Privacy Act and other reasonable measures to protect individual's constitutional rights to privacy with respect to electronic records and transmission of information.

The Chamber supports the development of technologies, processes, practices and other measures designed to protect computers and computer networks, programs and data from unauthorized access, attack and damage.

REGULATORY REFORM

The Chamber believes that the federal regulatory system must be operated in an open and transparent manner. Proposed regulations should undergo rigorous technical analysis and thorough review and comment by those affected to ensure that they are cost-effective, flexible, and minimize regulatory burdens on business.

Small Business Size Standards - Small business size standards define the maximum size that a business, together with all of its affiliates, may be if it is to be eligible for federal small business programs. Besides establishing eligibility for SBA's programs, all federal agencies use them to determine eligibility for federal contracts specifically designated for small business, and for their own programs and regulations. The Chamber:

- Urges the exploration of a mid-size business tier addition within the size standards methodology.
- Advocates for federal government contracts to be smaller and unbundled, enabling small businesses to pursue more contracts.

Banking Regulation – The market is the most effective driver in distributing financing to the right places. The Chamber supports policies that are not harmful to community banks' and credit unions' and other business' ability to grow and expand, because access to credit is a significant factor in economic development. The Chamber encourages federal policymakers to only support regulation that is based on core principles for banks that enable them to be successful during any economic cycle.

SOCIAL SECURITY REFORM

The Chamber believes that a secure retirement for American workers is fundamental to the country's growth and continued prosperity. Public policy should encourage individuals to save, invest and plan for their retirement. The Chamber supports programs that stimulate individual initiative to provide for retirement needs. The Chamber also supports policies and other reasonable efforts to sustain the long-term solvency of Social Security, including a balanced and appropriate mix of increased contributions, extended retirement age, and potential means for testing of benefits.

ENTREPRENEURSHIP

The Chamber supports legislation that fosters entrepreneurship, innovation and job creation, including legislation that:

- Makes changes to the federal regulatory process to lessen government burdens on job-creators;
- Modifies the tax code to encourage investment in new businesses;
- Seeks to accelerate the commercialization of university research that can lead to new ventures; and
- Provides new opportunities for highly-educated and entrepreneurial immigrants to stay in the United States where their talent and new ideas can fuel economic growth and create American jobs.

DECENNIAL CENSUS

The Chamber emphasizes the need for a fair, accurate and complete census and supports adequate funding for the Decennial Census (2020) and the nomination and confirmation of a nonpartisan, qualified Census Director.

STANDING PRIORITIES

The Chamber's standing policies, which may or may not be introduced in any given Congress, are:

- Support the University of Kansas Medical Center's effort to achieve National Cancer Institute Comprehensive Cancer Center designation.
- Support legislation and appropriate funding that would advance and promote the Kansas City Animal Health Corridor.
- Maintain funding for the National Bio and Agro Defense Facility (NBAF) in Manhattan, Ks.
- Support increased funding for federal research agencies including the National Institutes of Health, National Science Foundation, US Department of Agriculture, and other agencies that provide funding for life sciences research, development and commercialization.
- Support efforts to protect, improve and simplify S corporation tax rules.
- Support efforts to permanently extend both the work opportunity tax credit and welfare to work tax credit.
- Support efforts to expand the R&D tax credit and make it a permanent part of the tax law.
- Support restraining the IRS's ability to challenge the use of the cash method of accounting, which adversely affects the nation's small businesses.
- Support meaningful bankruptcy reform that rewards personal responsibility and restores fairness to the bankruptcy system.
- Support efforts to reduce burdens associated with anti-trust and pre-merger filings and eliminate needless reporting requirements and filing fees.
- Support product liability reform and additional tort reform measures that provide fair treatment of business in the courts and before regulatory agencies.
- Support the current arrangement of employer and union negotiation, including employees' rights to a democratic secret ballot process, and oppose initiatives to i.) abolish secret ballot elections in favor of card check majorities for union recognition, and ii.) promote the influence of federal government arbitrators in the union contract negotiation process.
- Oppose any and all unfunded mandates.
- Oppose any unreasonable expansion of federal minimum wage and believes that any increase must be coupled with provisions that recognize the impact this will have on businesses.
- Support the family-friendly purpose of the Family and Medical Leave Act (FMLA), but favors clarification and simplification of the Act's requirements. The Chamber opposes efforts to expand leave or to mandate paid sick leave under the FMLA.
- Support the repeal of the Davis-Bacon Act, which created a "prevailing wage," usually the union rate, for any construction contract over \$2,000 funded in whole or part by the federal government. The repeal of this Act would spur local economic growth by making it easier for state and local governments to fund federally-subsidized projects such as school construction and transportation infrastructure improvements and would decrease overall costs to taxpayers.
- Support workplace safety by encouraging shared commitments to safety between OSHA and employers. This would include cooperative partnership agreements between OSHA, labor organizations and employers. The Chamber supports an even-handed approach by OSHA that recognizes employers who are committed to protecting their employees while they continuously strive to improve their safety and health management systems, and opposes efforts to expand penalties including criminal indictments of individuals. Focusing on increased civil and criminal fines and penalties against employers does not address the primary cause of accidents, injuries, and fatalities on job sites.