

Greater
Tomball Area



Chamber of Commerce

Greater Tomball Area Chamber of Commerce 2019 Legislative Priorities

ECONOMIC DEVELOPMENT

Economic Development Programs. Continue support for state and local tools used to compete for corporate expansions/relocations and job growth, such as the Texas Enterprise Fund, the Texas Enterprise Zone Fund and the tax incentives available under the Texas Economic Development Act under Chapter 312 and Chapter 313 of the Tax Code. GTACC supports refreshing the Texas Enterprise Fund with adequate funding to keep it competitive by maintaining a minimum of \$200 million balance at the beginning of each biennium.

Sales Tax for Economic Development.

- Support continued use of a locally approved 1/2-cent sales tax collected by cities to fund economic development efforts.
- Oppose efforts to reduce local control of these funds or efforts to limit the uses of these funds. Because these funds are local funds, taxpayers should retain the right to manage their use so long as they are used for economic development purposes.
- Support the removal of county average wage restrictions that limit a local community's use of these funds for local job training purposes.
- Support efforts to clarify that the purpose of the sales tax funds is to serve as economic development tools, including education and workforce training, and to prevent raids on the funds for projects that are not related to economic development.

Support TXEDC. Support the mission of the Texas Economic Development Corp (TXEDC) which is to create a public-private partnership to market Texas in a dynamic and competitive manner. TXEDC is funded through private contributions by businesses, organizations and individuals interested in the promotion of the business climate, economic development and job creation in the state of Texas.

Tax Abatement & Other Economic Development Incentives. Continue to support local control and flexibility in the use of tax abatements, tax increment financing, reinvestment zones and other incentives to promote economic development and job creation. Specifically, the legislature should reauthorize Chapter 312 agreements, and continue to maintain Texas' commitment to Chapters 313, 380 and 381 agreements.

Texas 2050 Plan: A Framework for Long-Term Economic Growth. Support Texas 2050: A Framework for Long-Term Economic Growth in order to continue the level of economic development success that Texas has received in recent years. The plan, developed and endorsed by a broad-range of statewide business groups, includes taking a long-term view of human capital, investment capital, innovation, education, tools to compete and infrastructure.

EDUCATION AND WORKFORCE

Special Education. Adequately fund special needs education to meet the needs of the special needs population in a cost effective manner.

Teacher Support.

- Support additional alternative certification programs that provide school districts flexibility in hiring qualified people holding bachelors' degrees or higher who pass certification exams and any additional teacher training to be determined by a school district.
- Support efforts that would specifically include effectiveness as part of the criteria in the evaluation of teachers.

Career and Technology.

- Support innovative and flexible career and technology education pathways in conjunction with public schools and community colleges where appropriate to meet the needs of Texas employers.
- Support legislation that strengthens accountability on career and technology money allocation. Support requiring districts that receive funding for career and technology to offer courses that prepare students with a blend of on-site or virtual on-site training, based on their needs of curriculum delivery. Support increased funding for online curriculum and online testing.

Community Colleges. Strong support should be reflected for community colleges as important contributors to training students for jobs in the workforce and providing pathways for completion of industry certificates, Associate degrees, Bachelor programs (where a local need exists) and continuous upskilling or reskilling opportunities. Community colleges should be supported in maximizing the use of dual credit courses and other creative partnerships with high schools and four-year universities.

School Choice Pilot Program. Support implementation and evaluation of a well-designed school choice pilot program, allowing students in low-performing or unsafe public schools to attend public or qualified private schools of their choice. The pilot program must be of sufficient magnitude to assess the impact a choice program would have on the students and the public school system. Reflect the same accountability standards that are given to public schools.

Skills Development Program. Support increased funding for the Skills Development Program administered by the Texas Workforce Commission. Maintain Skills Development Fund grants at the Texas Workforce Commission to improve workforce training.

Associate degree for adults with cognitive disabilities (lifePATH). Texas needs to provide a degree option in the state education code that allows the THECB to recognize a lifePATH associate degree for adults with cognitive disabilities – one that is not intended to transfer; but that is above a continuing education certificate. We recommend the legislature direct THECB to: (1) develop a third course inventory; (2) recognize the first two years as a lifePATH Certificate; and (3) expand the recognized degree types in Texas to include an Associate lifePATH degree.

EMPLOYMENT RELATIONS

Arbitration. Oppose any effort to modify the Halliburton Case where the Supreme Court upheld an employer’s right to establish a mandatory arbitration program applicable to at-will employees.

Devolution of Federal Programs to the States. Support transferring control over federally mandated programs like unemployment insurance to states, thereby reducing employers’ tax burdens and increasing local control over workforce-related programs.

Duration of Benefits. Limit UI benefits to 20 weeks if the state’s average unemployment rate for the year preceding the calendar year in which the claim takes effect is below five percent.

Drug Testing. Oppose attempts to restrict the rights of employers to conduct random and/or universal drug testing of employees.

Drug Testing for UI Beneficiaries. Support legislation that provides that a claimant who fails or refuses to submit to an employer-required drug test that is a condition of the job offer or refuses the offer of work without good cause would disqualify the claimant from receiving unemployment benefits.

Employer Control Over Work Environment. Support efforts to maintain employers’ prerogative to control the workplace, thereby creating a safe, satisfying and harmonious working environment.

Employer Hiring Practices. Oppose efforts dictating how private employers interview and hire candidates for employment.

Employment Practices. Support efforts to limit municipal laws and regulations affecting employment practices of private employers.

Employment-at-Will. Oppose legislation that would erode employment-at-will as a right for all Texas employers and employees.

Ergonomics. Oppose legislation and regulations on a federal level that would increase the already-considerable burden on employers regarding Occupational Safety and Health Administration (OSHA) requirements.

Fair Labor Standards Act (FLSA) Reform. Support efforts to reform the wage and hour laws by allowing more flexibility for employers and employees in hours worked during a pay period before mandating overtime pay. Provide more freedom and flexibility to classify workers as exempt from overtime requirements.

Family and Medical Leave Act (FMLA). Oppose efforts to modify the FMLA, and oppose any initiatives to require employers to pay for FMLA leave with unemployment insurance taxes.

Fraud Control. Support legislation to allow the Texas Workforce Commission (TWC) to hire outside contractors on a pay-for-performance basis to assist in efforts to detect and remedy unemployment benefits fraud.

Human Rights Act. Oppose expansion of the current coverage of the Texas Human Rights Act that may cause additional litigation.

Injunctions. Support allowing an employer to seek an injunction on behalf of an employee to end workplace harassment without creating a new liability for employers.

Minimum Wage. Oppose arbitrary increases in minimum wage that cannot be supported by improvements in productivity and that deprive many entry-level workers of job opportunities.

Pay Equity. Strongly support the current law on pay equity.

Right-to-Work. Support efforts to keep Texas a right-to-work state and oppose agency shop legislation.

Subsidized Training Wage. Support legislation to allow employers to apply part of their unemployment insurance taxes toward the cost of training workers for their businesses.

Union Dues Check-Off. Oppose efforts to allow public employees, or to require private employers, to subsidize or promote labor unions or similar organizations through payroll collection of dues and contributions.

ENERGY

Energy and Economic Development.

- Support healthy economic growth in Texas by promoting the production of adequate supplies of all forms of energy at competitive prices.
- Oppose increased taxes and fees on energy sources with the exception of fees that will be dedicated to regulatory programs that will improve the oversight and approval of energy development projects.
- Eliminate tax inequities between energy sources.
- Encourage the conservation of resources.

- Balance environmental quality objectives against the actual impacts of energy production and usage and the public welfare benefits of lower energy costs.

Federal Climate Change Regulations.

- Support efforts to replace U.S. Environmental Protection Agency (EPA) climate change regulations with regulations that are consistent with the Clean Air Act and appropriately allow Texas to determine the development of a compliance plan that is in the state's interest.
- Support efforts to encourage voluntary, free-market solutions to energy conservation and demand responses that save businesses money, maximize investment in energy infrastructure and promote competitive economic development in Texas.

Federal Mandates that Impede Texas Energy Businesses. Texas is the leading energy producing state by a large margin and fuels much of the energy needs of the nation, providing energy security and innovating key advances in energy technology. While numerous federal mandates that threaten to undermine Texas' energy industries are appropriately identified in GTACC's national policy agenda, GTACC supports state policies, wherever feasible, that counter any such damaging federal mandates or regulations that interfere with state authority over its energy industry, such as:

- Prohibitions on crude oil or LNG exports;
- Closing off access to federal or state lands for energy exploration or production;
- Unnecessary environmental rules targeting energy extraction and production; or
- Misguided federal tax policies that distort competitive electric markets by subsidizing intermittent renewable energy to the detriment of more reliable forms of generation.

GENERAL BUSINESS

Coastal Barrier. Support the feasibility study, planning, engineering and funding of a coastal barrier that will protect the vital industrial base of the Texas Gulf Coast from catastrophic storm damage.

Corporate Sale of Liquor. Support free-market principles for the corporate sale of liquor. Texas is the only state in the nation that disallows publicly traded companies from selling liquor. There is no business case for doing so, except allowing the government to narrow competition through mandates.

No Pay, No Play. Support reforms that would prevent uninsured motorists from collecting pain and suffering damages if they are in an accident with an insured driver.

Sarbanes-Oxley. Oppose efforts to enact a "Sarbanes-Oxley" law on the state level. The federal Sarbanes-Oxley Act of 2002 and subsequent regulations establish unnecessary stringent corporate reporting requirements and stiff penalties for corporate accounting fraud and do not need to be duplicated at the state level.

HEALTH & HUMAN SERVICES

1115 Medicaid Transformation Waiver. Support a long-term extension of the 1115 Medicaid Transformation Waiver and a call for negotiations between the Texas Health and Human Services Commission (HHSC) and Centers for Medicaid & Medicare Services (CMS) to develop an appropriate renewal of the waiver at the end of the extension period.

Fraud and Abuse. Eliminate waste, fraud and abuse in Medicaid, the commercial employer-sponsored health care market and in the private sector health programs.

Medicaid. Continue to support Medicaid managed care as a service delivery model. Support legislative policies that seek to create significant savings to the state and allow for flexibility. Encourage the transition of Medicaid managed care from the fee-for-service payment model. HHSC should have sufficient resources and processes in place to assure that MCOs fulfill their access and service obligations to enrollees and Texas taxpayers. HHSC should be proactive in detecting and correcting any deficiencies.

Medicaid Expansion. Support a private insurance model acceptable to CMS that includes copays and a sliding scale in order to reduce the number of uninsured Texans.

Advanced Nurse Practitioners and Physician Assistants. Support legislation that would expand the ability of advanced nurse practitioners and physician assistants to provide primary care and would reduce physician oversight requirements and other restrictions on their practice. Increase the supply of advanced nurse practitioners and physician assistants by expanding educational opportunities and by improving the practice environment.

Corporate Practice of Medicine. Support the repeal of the state prohibitions on the corporate practice of medicine and support necessary safeguards in law to ensure physicians are not restricted from exercising independent medical judgment in diagnosing and treating patients.

Electronic Prescribing of Controlled Substances (EPCS). Support policies that require the use of EPCS to transmit prescription information between prescribers and pharmacists which leads to improvements in patient's adhering to their medications, reduces over-prescribing of opioids, and adds new dimensions of safety and security in the prescribing process.

Freestanding Emergency Rooms. Support legislation that would prohibit a freestanding emergency room or hospital outpatient department from charging a facility fee unless it can show that the treatment rendered was beyond a doctor's office visit. Support greater transparency related to services provided at freestanding emergency rooms to ensure consumers understand the scope of services provided, potential costs and network participation. Require prominent signs to distinguish freestanding emergency rooms from urgent care clinics and to disclose hospital affiliation, if any. Require freestanding emergency rooms to submit claims data to the Department of State Health Services as hospital emergency rooms are required to do.

Health Care Professionals. Support legislation and appropriations to expand the educational pipeline for physicians, nurses, physician assistants and other health care professionals by public colleges and universities. Specifically, GTACC endorses policies that would:

- Support funding Texas Higher Education Coordinating Board studies to increase productivity and to reduce the cost of training health care professionals.
- Support legislation to prevent discrimination against nurse training programs based on clinical hours.
- Support six-year BS/MD programs to accelerate the production of physicians at a lower cost to the state. Specifically, study adopting a three-year curriculum for the MD degree and having medical students satisfy basic science requirements before entering medical school.
- Support standardized pre-licensure training for RNs.
- Support state funding of additional residencies. Regarding the allocation of appropriations, GTACC supports giving priority to providing state funding for medical residencies over additional state funding for medical schools.
- Support funding to increase the number of advanced practice registered nurses.

Regulatory Relief. Support the mitigation of regulation on health care related issues impacting employers.

Access. Increase access to choices of health care programs by supporting market-driven health care policies that maximize consumer and public benefit and allow for the continuation of employer-sponsored voluntary health care coverage. Encourage the establishment of programs that would allow employers selection of the highest quality benefits and the lowest, most competitive prices.

Affordability. Oppose any measure that increases health care costs for Texas employers and their employees and families. The high cost of health care services and health insurance is a primary contributor to the number of uninsured and to the rising percentage of budgets that households, businesses and government spend on health care. Support measures that would increase the efficiency and cost-effectiveness of health care services and health insurance.

Consumer-Directed Health Care. Support legislation to promote consumer-directed health care models. Encourage employees to be more involved in their health and encourage education of employers and employees on actual health care costs and fees. Promote understanding of the maxim that a healthy employee and a healthy family create a productive workforce.

Mandated Benefits Review. Support legislation to require the appropriate state agency to review proposed mandated benefits and provide the legislature with an actuarially based review regarding the proposal's efficacy and financial impact.

Implementation of Center for Medicaid Services (CMS) Final Rule. Texas needs to move forward with a plan be prepared for the Final Rule implementation. Without a plan, the implementation would most likely be unfunded which would leave thousands of individuals with intellectual and developmental disabilities without services as the availability of providers will diminish, essentially moving backwards versus forward. The successful implementation of the Final Rule is dependent on increased reimbursement rates.

TAXES AND SPENDING

Casino Gambling. Support casino gambling and sportsbooks in order to reduce the franchise tax.

Equity. Support legislative measures to equitably distribute the burden of business sector taxes among all businesses, including service and manufacturing. Also, support legislation ensuring that homeowners and businesses share support for public education.

Federal Funding. Support state policies and programs that maximize the receipt and use of federal matching and other funds for state purposes.

Financial Soundness for State Disaster Preparedness. Support improvements to the State General Fund to protect the state from significant losses in the event of a major hurricane in order to provide a more stable, well-protected coastal business environment, plan for quicker financial recovery and avoid increased business taxes in the event of a loss to the State General Fund.

Franchise Tax. Support the repeal and replacement of the franchise tax.

Gross Receipts Tax. Oppose the imposition of a gross receipts tax in Texas.

Inventory Tax. Support elimination or reduction of local inventory taxes. Texas is one of only six states that permit the levy of a property tax on inventories. This places the state at a severe economic disadvantage.

Mandates. Oppose unfunded government mandates that shift the cost of financing programs to either the private sector or other levels of government.

Privatization. Encourage privatization efforts in government in order to increase efficiency and reduce government spending.

Property Taxes. We oppose any legislation that would hinder municipal, county government and/or school districts from enacting property tax changes necessary to support continued operations after changes to the property tax base in the local area.

Regulatory Policy. Support legislative efforts to maintain a regulatory climate that does not impose hidden taxes on employers through excessive fees and fines, but rather reduces excessive regulations to promote, rather than impede, economic growth and job creation.

Split Roll. Oppose any plan that splits the property tax rolls either by rate or by making one a statewide tax. Oppose any tax plan or component that allows the state to treat businesses differently from homeowners.

Small Business Tax Relief. Maintain franchise tax relief for small business.

State Tax System. Support a balanced state tax system that encourages the savings and investment necessary for the creation of jobs and that does not place a disproportionate share of the tax burden on businesses. Any revision in the business tax structure should reduce the

percentage of state and local taxes paid by business or be revenue-neutral and also reduce the administrative burden.

Windfall Profits Tax. Oppose efforts to impose “windfall profits taxes” or to penalize companies for substantial and sudden profits.

Votes. Support legislation that would require a two-thirds vote of the Texas Legislature in order to raise state taxes.

TRANSPORTATION

Improved Transportation Systems. Support improved highways, ports of entry, waterways and other infrastructure that facilitates trade, increases the effective flow of goods and services, promotes tourism and increases public safety wherever these improvements can improve economic opportunity and state productivity.

Toll Roads. Support the authorization and construction of toll roads. New capacity toll roads will provide motorists with choices in safe, reliable travel. User fees will support development, operations, financing and long-term maintenance of facilities that otherwise may not be feasible with traditional state and local resources. Any new toll roads must have local support and not reduce any existing non-tolled transportation options and infrastructure currently available to users in the applicable area.

GTACC supports public-private partnerships that bring innovative methods to design, build, finance, maintain or operate an enhanced transportation system in order to meet the growing needs of Texas, while protecting taxpayer interests and property rights. Such partnerships should ensure that they do not preclude public ownership or operation of toll roads where they are supported locally and can be shown to be economically viable.

Toll Road Operation and Administration. GTACC supports efforts to establish uniform and fair operating and administrative procedures for toll roads and toll road authorities that:

- Maximize the seamless and transparent assessment and collection of appropriate tolls across multiple toll authorities;
- Encourage the payment of appropriate toll charges without excessive penalties, and effective and efficient resolution of toll payment disputes; and
- Encourage uniform policies for safe and effective toll road operation, including those related to accident response, vehicle disablement or other appropriate vehicle operator requirements.

Financing Options. All financing options should be explored.

Motor fuel tax limitations, except for constitutionally-required allocation of motor fuel taxes to the educational system:

- Strict limitations on the use of motor fuel taxes for other than transportation programs, and

- Elimination of diversions of transportation funds to other uses.

WATER

Funding for New Water and Flood Control Infrastructure

GTACC supports increased state participation in and funding for water and flood control infrastructure.

WORKERS' COMPENSATION

Mandatory Workers' Compensation. Oppose legislative efforts to mandate workers' compensation coverage.

Opinion of Chosen Doctor. Support legislation to clarify that claimants may not appeal the opinions of their treating doctor in the areas of medical treatment, impairment and dispute process.

Retaliatory Discharge. Support legislation to limit damages and restrict the scope of action filed by a terminated employee for workers' compensation retaliatory discharge.

Settlements. Oppose legislation that attempts to reintroduce lump sum settlements, including medical lifetime benefits, into the Texas workers' compensation system.

Statutory Employer. Support and preserve the current regulatory structure that prevents lawsuits against employers and property owners who provide workers' compensation insurance.

OTHER

Immigration. Enforce existing laws and provide funding for border enforcement and protection.

Unfunded Mandates. Transparency in government includes disclosing the full costs of legislation on many levels. The Chamber favors fiscal notes that project the fiscal ramifications of legislation at all levels of government—state, county, municipal, school district—as well as to businesses, industries, professions and non-profit organizations.

Duplication of Oversight. State agencies providing oversight to various entities—businesses, non-profits, service providers, etc.— across the state should collaborate on their responsibilities in order to reduce their staffs and budgets. Redundant oversight within the same agency should be terminated. Oversight should be reasonable and not cause undue hardship to the entity being supervised.