



2023 State Legislative Platform

BIOSCIENCE INITIATIVES

Life, plant, and animal science programs lead to additional jobs and revenue for the state and the Chamber supports legislation to expand these programs. The Chamber:

- Supports public policies to improve the competitive position of Kansas in the life sciences industry; and
- Opposes burdensome state standards on stem cell or other bio-science research that go beyond federal restrictions that would weaken the Kansas Economic Growth Act.

ECONOMIC DEVELOPMENT

Strong state economic development tools are vital for local business recruitment and retention. The Chamber supports an experienced, well-qualified Secretary of Commerce and adequate investment in the Department, including professional staffing, needed to compete globally and facilitate economic growth and workforce development in Kansas.

The Chamber strongly encourages lawmakers to support, protect and enhance proven economic development and workforce development programs that are critical tools used to stimulate employment and leverage private investment that provide stability and predictability and require accountability. The Chamber supports effective economic development incentives that help Kansas retain and recruit high-quality jobs and high-quality employers. We fully support transparency and accountability with all economic development incentive programs and support regular audits of these important economic development tools. We oppose efforts to dilute the effectiveness of such programs including proposals to sunset them, impose moratoriums on their use, or subject them to the annual appropriations process.

Additionally, the Chamber strongly encourages the Legislature to:

- Support the authorization of saleable or refundable tax credits to improve our competitive position with other states' incentive programs;
- Continue to improve accessibility of front-loaded key incentives (preferably cash) in competitive economic development projects as it relates to negotiating for jobs and investment to level the playing field with surrounding states;
- Fully fund the Job Creation Program Fund;
- Support policies that promote fair competition and do not create undue regulatory burdens on business;
- Support elective, market-based, phased-in option for companies to use single sales factor formula of tax apportionment; and
- Carefully consider the impact on business and potential conflict with federal law relating to any proposed legislation in the context of religious liberty and discriminatory activity.
- Support policies that promote the commercialization programs at Regent's research institutions.

EDUCATION

The Chamber recognizes that high-quality public education, from pre-K through post-secondary, leads to a high-quality workforce.

Educational excellence is one of the most important reasons companies have selected Johnson County and Overland Park as their place of business, thus creating jobs in our region and economic prosperity in Kansas.

The Chamber believes that career and technical education programs are important components of a well-rounded post-secondary educational system.

The Chamber strongly supports exempting all Kansas post-secondary institutions from the provisions of the Kansas Personal and Family Protection Act that permits the concealed carry of firearms on their premises and allowing those institutions to regulate the carrying of firearms (concealed or open) on their premises.

The Chamber supports statewide K-12 investment that is adequate for each district to be able to offer substantially the same opportunity for its students to achieve well-defined educational outcomes that meet or exceed the state standards promulgated by the Kansas State Board of Education ("Educational Outcomes").

The Chamber acknowledges and supports the valid expectation that progress will be made toward achieving Educational Outcomes with consequences prescribed for a lack of such progress. Definitions of acceptable progress, accountability for progress and appropriate consequences for failure should be determined by the Kansas State Board of Education in cooperation with local boards of education.

The Chamber strongly believes that school districts should spend taxpayer money efficiently, meaning that the same or better quality of services or products should be provided at the best possible price, considering both the direct and indirect costs of doing so.

As constitutionally adequate funding is achieved, the Chamber supports increasing the caps on local effort; i.e., the local option budget (LOB), to allow each district's patrons to levy additional local taxes in order to supplement such district's funding and educational programs over and above that constitutionally funded by the state without resulting in increased taxes elsewhere.

The Chamber believes the Kansas Legislature should fully fund special education, as required by state law

The Chamber supports the use of more comprehensive criteria than simple poverty (i.e., qualification for the federal free lunch program) to identify "at risk" students to more appropriately address the enhanced funding needed to provide this student population the opportunity to achieve the Educational Outcomes.

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The Chamber supports policies, programs, and funding that (i) invest in high quality early childhood education (including continued transfer of the tobacco settlement funds to the Children's Initiative Fund for use in early childhood programs and opposing the securitization of those tobacco settlement funds), (ii) encourage and make possible the development of a world-class, robust public education system that offers curriculum options that (a) emphasize a rigorous science, technology, engineering, and mathematics (STEM) curriculum based on globally competitive standards as well as those that emphasize technical education and other career paths, all preparing students to be college and/or career-ready for the future and fosters a well-trained, productive, globally competitive workforce, (b) incentivize operational efficiencies, and (c) expand local authority and flexibility over how education funds are spent, all with the overall goal of maximizing educational outcomes.

The Chamber opposes the use of public tax funds to subsidize private education. The Chamber also opposes tax credits for contributions made to organizations, funds or programs established for the purpose of paying for or otherwise subsidizing private school tuition.

The Chamber supports removing the sunset provision and making permanent the high-density at-risk weighting factor in the court-approved K-12 funding formula. The weighting factor is currently scheduled to sunset on 30 June 2024.

Within our state's public higher education institutions, the Chamber supports:

- Increasing current levels of state funding as requested by the Kansas Board of Regents for FY 2023 to ensure Kansas businesses will have work-ready talent they need to succeed in this competitive economy.
- Measures to improve workforce development including enhanced career and technical education throughout the state;
- Promotion, advancement, and funding of the University of Kansas Cancer Center's National Cancer Institute Comprehensive Cancer Center.; and
- Continued local control for the management of our colleges.

ENERGY AND ENVIRONMENT

The Chamber encourages investments in energy reliability and efficiency and supports policies that provide balance between public health and environmental protections without unreasonable economic burdens on industry/business. Further, the Chamber supports policies that would encourage electric price stability and allow Kansas businesses to have regionally competitive rates.

The Chamber believes regulatory oversight is an important tool in protecting the environment. However, the regulatory process should be carried out with minimal delays and should provide a balance between environmental concerns and the cost of implementation.

To ensure clean energy availability to meet future demands, the Chamber:

- Supports choice in energy use, including alternative, domestic, and renewable energy resources that are considered economical and environmentally friendly, without shifting costs between customers.
- Supports policies for the continued maintenance, improvement and safe expansion and development of energy infrastructure, including transmission systems to deliver energy to the Kansas City region and other high demand areas.
- Supports energy and environmental regulations based on sound, measurable, and defensible scientific data in an economically pragmatic manner that will not create unnecessary implementation and regulatory compliance costs.
- Investment in research supporting technologies for renewable energy storage and the commercialization of emerging energy technologies.
- Supports funding of the State Water Plan at a level sufficient to ensure the sustainability of water resources in Kansas in terms of quality and quantity. The legislature should consider increasing the funding transfers beyond the FY2022 level and develop a more reliable source of funding for the protection of water resources.

GOVERNANCE

The cornerstone of municipal and county government and public education is the belief that governance should be as close to the people as possible. The Chamber continues to strongly support the preservation of local control whereby local officials, elected through non-partisan elections, are accountable for the funding (including imposition of local sales and property taxes), regulation and provision of services to meet the needs of the communities they serve, including, but not limited to, determining the timing of local elections (i.e., spring or fall and even- or odd-numbered years).

The Chamber believes that judicial review of legislation and constitutional provisions is a necessary safeguard in our system of government. A basic tenet of that system is the existence of three co-equal branches of government, and the checks and balances inherent to that system. The Chamber supports those principles and generally opposes constitutional amendments when used to address concerns that may be addressed through sound legislative policy.

The Chamber also encourages the Governor to make the development of the state budget a more open and collaborative process that includes appropriate legislative leadership in advance of the annual legislative sessions.

HEALTH CARE

The health care costs of low-income uninsured individuals are currently being passed on to businesses and others in the system. As part of a comprehensive and thorough review, the Chamber supports Kansas solutions that improve the quality and efficiency of the current KanCare/Medicaid system while expanding coverage to those eligible under federal law and associated regulations.

The Chamber supports a robust system addressing the critical need for behavioral and mental health services, specifically policies and funding for the proper maintenance, operations, and increased bed capacity at the state's mental health facilities.

The Chamber generally opposes health care benefit mandates and provider mandates that are in excess of mandates required by federal law.

The Chamber supports the enhancement of a reliable technological infrastructure to support the expanded use of telemedicine and other advanced technologies, coupled with reimbursement policies, and those policies that allow greater access to care and create more efficiencies in the delivery of healthcare services that can lead to reduced healthcare costs.

The Chamber supports Mental Health Parity to treat mental illness as we do physical illness, specifically in areas of authorization processes and equitable reimbursement, resulting in an increase in mental health providers. The Chamber supports mental health parity to align with traditional health care services, which will result in an increase in mental health providers and access for Kansans.

The Chamber recognizes the vital role public health and environment plays in the ongoing health and wellbeing of our communities year-round, especially during health crises and supports ensuring adequate resources are allocated to public health and environment agencies in Kansas. Lessons learned from the recent pandemic underscore the need to provide for large-scale rapid detection and treatment in order to minimize disruptions to commerce and public services during future public health events.

The Chamber recognizes the community benefit associated with 340B designated hospitals and the opportunity such designation allows for hospitals to stretch resources to ensure the uninsured and underinsured have access to low or no cost drugs. To this end the chamber supports keeping the 340B program viable, and protecting fair contracting practices for our 340B hospitals, for the overall health and benefit of our communities.

HOUSING

New home construction and home remodeling projects are eco-

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conomic drivers that create jobs and increase the property tax base to support local schools and communities. The Chamber supports policies that maintain a healthy housing industry allowing residents to access high quality and attainable housing. The Chamber:

- Opposes any changes in state tax policy that adversely impact homeownership, and supports the reauthorization of the state mortgage interest and property tax deductions and maintaining the low-income housing tax credit;
- Supports reinstatement of the Homestead Property Tax Refund for Renters, or a program similar thereto, that deemed 15% of rent paid by certain renters being treated as payment of property tax and allowed those renters to claim a homestead property tax refund based on that payment.
- Supports a regulatory environment for home building that is simple, certain, and efficient; and
- Supports initiatives to support the use of green building technology in residential construction but not the mandated use of specific guidelines.

The Chamber supports and encourages cooperation between state and local government in exploring policies and implementing programs, including public/private partnerships, which would improve the availability of an appropriate mix, supply, and varied pricing of housing to attract, retain and better meet the needs and demands of our current and future workforce.

JUDICIAL SELECTION

A fair and impartial judicial system is important in maintaining a stable and prosperous business climate. Justice for businesses and individuals is more likely attained when judges are able to perform their role based on constitutional principles and the rule of law, free from the influence of political and financial pressure from special interests.

For these reasons, the Chamber supports a non-partisan merit system for selection of judges, including the process for selection of Supreme Court justices in its current, basic form as well as periodic retention elections to ensure a reasonable level of accountability, and opposes all efforts to impose partisan judicial elections for trial or appellate court judges. The Chamber also opposes policy efforts designed to undermine judicial independence, including lowering the mandatory retirement age for judges.

NON-DISCRIMINATION

The Overland Park Chamber of Commerce believes discrimination has no place in Kansas. We believe the State of Kansas should pass legislation providing equality for all Kansans – including protections based on sexual orientation and gender identity.

We believe any legislation advanced should recognize good faith defenses and allow businesses to maintain reasonable non-discriminatory internal human resource policies and procedures.

TAXATION/ LEGISLATIVE FISCAL AUTHORITY

The Chamber supports a balanced, predictable, and reasonable approach to state tax policy to provide a positive and competitive business climate. The Chamber recognizes the value and necessity for adequate state funds to provide essential government services that our businesses and citizens rely upon such as transportation, education, access to healthcare and mental health services, public safety, and quality of life offerings.

The Chamber supports using a portion of tax revenues received from new sources (e.g., sports gaming, internet sales tax) to implement a reasonable “buy down” of the state sales tax rate on food.

The Chamber opposes (i) tax policy changes and unfunded mandates that simply shift the tax burden to other areas of state government or to other levels of government, (ii) tax policies that redistribute locally raised sales tax revenues without local control to the state or other local jurisdictions, and (iii) the use of “sweeps” to move funds from “dedicated funds” to the state general fund to be used for other than their intended purpose.

The Chamber opposes any change in tax law that would apply a sales tax on professional or personal services thereby negatively impacting our competitiveness with neighboring states. Any comprehensive review of tax exemptions should include careful consideration of the economic development and employment consequences of eliminating such exemptions as well as establishment of criteria for the granting of exemptions that takes into account those instances in which products and services that governmental agencies would be required to provide if not available through exempt organizations.

The Chamber believes the responsibility to appropriate funds lies with the democratically elected legislature and strongly opposes efforts to limit that authority. The Chamber opposes:

- All constitutional amendments, public referendums, or statutes such as TABOR or TABOR-like initiatives that restrict legislative authority to make decisions regarding taxing or spending;
- Sending legislative spending or tax initiatives to a public vote, automatic tax refunds or other artificial limits on the budget process; and
- Requiring a supermajority vote by state or local governing bodies to approve tax increases.

The Chamber opposes tax, revenue and/or spending lids on state and local government, including any constitutional amendments, public referendums or statutes that restrict legislative authority to make decisions regarding state and local taxing or spending.

TRANSPORTATION

The speed, reliability, capacity, and overall effectiveness of the state’s transportation systems are crucial for job creation, economic development, and business retention and expansion throughout Kansas. Kansas businesses and communities have long trusted in the completion of the state’s comprehensive transportation plans (CTPs) to guide them in making important supportive policy and infrastructure investments.

Confidence in the state’s transportation planning can only be sustained by taking measures to ensure that funding for our transportation programs is adequate and will only be used for transportation purposes.

The Chamber believes ongoing investment in our transportation system is critical for protecting the existing infrastructure, supporting economic recovery, and equipping our transportation infrastructure to quickly deploy future technologies.

The Chamber acknowledges the region’s position as a world leader in the engineering field and believes that expertise should be leveraged to capitalize on the advancement and implementation of smart technology.

The Chamber supports:

- Protecting the integrity of the Kansas Highway Fund by avoiding diversion of funds from the Highway Fund to the State General Fund or other non-transportation related programs.
- Protecting existing transportation funding sources;
- Enacting a reasonable fuels tax increase and/or other transportation-specific user fees to provide additional protected revenue dedicated to the Kansas Highway Fund;
- Implementation of comprehensive, long-term transportation plans that include ongoing consultation with local communities;
- Consideration, integration and deployment of systems and innovations that will allow Kansas to capitalize on future transportation technology;
- Supporting creation and implementation of a comprehensive, strategic plan for the integrated freight policies and improvements necessary to help position Johnson County and the State of Kansas as national and global freight and logistics leaders;
- Maintaining transportation funding from state to local governments for local transportation infrastructure needs;

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- Enhancing opportunities for local governments to generate funding for transportation infrastructure;
- Increasing state investment for public transportation to support local and regional options for serving workforce transportation needs, including public/private partnerships for getting people to and from work and school, as well as a means for access to health-care and other basic services; and
- Requiring economic development, job creation, and local financial support to be factors in establishing project priorities.

The Chamber supports continuing the use of qualifications-based selection (QBS) for procuring professional design services for the engineering and construction of transportation infrastructure.

WORKERS' COMPENSATION/BUSINESS LIABILITY/ UNEMPLOYMENT

The Chamber supports protecting the integrity and affordability of the workers' compensation system so it fairly provides for employees legitimately injured while performing job duties without increasing employer costs. The Chamber supports identifying and using appropriate guidelines that incorporate current medical science and procedures for evaluating permanent impairment in workers' compensation cases. The Chamber believes the potential for unlimited damages to be awarded in certain personal injury actions is harmful to the business climate in Kansas and creates barriers to business recruitment and retention. The Chamber encourages the Legislature and business organizations to work together to explore constitutional methods of providing reasonable damage caps.

The Chamber supports reasonable and equitable modifications to the Unemployment Trust Fund to ensure balances that protect unemployed workers while balancing the costs placed on businesses. Modifications should respect the established experience ratings and not negatively impact businesses that have earned strong experience ratings.

WORKFORCE

Recognizing that workforce issues continue to be a major priority for businesses from all sectors, the Chamber supports policies that address workforce needs while minimizing burdensome requirements that directly and indirectly increase costs to the employer.

The Chamber Supports

- Identification, study and implementation of policies and programs that encourage and enhance the retention of graduates from Kansas institutions of higher learning to address the needs of a qualified workforce, especially in the areas of health care, engineering, and technology.
- Expanded access to technical education and skilled trade training programs.
- Increasing state investment for public transportation to support local and regional options for serving workforce transportation needs, including public/private partnerships for getting people to and from work and school, as well as a means for access to health-care and other basic services.
- Policies that maintain a healthy housing industry allowing residents to access high quality and attainable housing.
- A balanced immigration policy created and enforced at the federal level. The Chamber opposes state action that creates additional costly or time-consuming mandates for employers or that imposes unreasonable penalties on employers who unintentionally hire undocumented workers.
- Increased wages for employees that are market driven and not mandated through legislative or regulatory action.
- Training programs and opportunities that provide support for ex-of-fenders seeking to re-enter the workforce.
- Training programs and opportunities that provide support for the hiring of individuals with disabilities.
- Policies that expand and promote access to childcare programs to benefit working parents.

STANDING PRIORITIES

The Chamber's standing policies, which may or may not come up during any given legislative session, are:

SUPPORT:

- Maintaining the Kansas Earned Income Tax Credit.
- Modification or repeal of the collateral source rule to continue and enhance the reform of the legal process and lower litigation costs.
- Reforming the definition of corporate unitary income tax liability so as not to penalize a corporation locating further facilities or personnel in Kansas.
- Current sales tax situs law on motor vehicles.
- Current laws regarding exemptions to the Kansas Open Records Act.
- Monitoring of government spending and redirection of money saved as a result of increased effectiveness and efficiencies to programs in need of additional funding.
- Regulatory framework that results in consistent and predictable application of state policies, procedures and regulations.
- Periodic updates of Kansas statutes and regulations regarding the formation and governance of corporations, limited liability companies, and partnerships to keep them in conformity with leading states.
- Maximizing state funding for Medicaid home and community-based waivers for vulnerable populations to further enhance our quality of life and help lower business costs.
- Cooperation among school districts and local units of government to improve efficiencies where feasible and fiscally prudent to do so, including policies and programs that provide reasonable incentives that promote such cooperation and remove legislative barriers that impede any such action.
- The right for local units of government, schools and institutions of higher education, and businesses to regulate the carrying of firearms (open or concealed) on their premises.
- Appropriate investments in the "safety net" – programs and policies designed to care for and protect the vulnerable in our community – to help

prevent higher business costs in the future and create a healthier, better educated, and more highly skilled workforce.

- An appropriate fund balance in the Employment Security Trust Fund to maintain its solvency, while balancing the cost to employers and reducing the unpredictability and volatility of employer contributions.
- Right to Work provisions in the Kansas Constitution and state statutes.
- Tax fairness and local businesses should be treated equitably with out-of-state and virtual entities in regard to the collection of sales tax, compensating use tax and transient guest taxes.
- The right of businesses to establish COVID-19 vaccination policies to protect the health and safety of employees and customers. In that regard, government should not prohibit any business that chooses to require vaccination from doing so.
- Deploying the resources necessary to ensure fair, accurate and complete collection of annual census sampling data and decennial census data.
- Creation of legislative districts that respect the principles of redistricting including avoiding the drawing of legislative boundaries designed to produce partisan advantages.

OPPOSE:

- More restrictions to current statutes governing a city's ability to annex unincorporated land with the county's approval.
- Any constitutional amendment that would bar the use of eminent domain or efforts to further restrict local municipalities' ability to use eminent domain to address blight or economic development opportunities.
- Increases in corporate income tax rates.
- State-mandated binding arbitration in employment disputes.
- Artificial limits on appraised valuation growth.
- Initiative and referendum.