

## Public Policy Draft Statements, 2022

### CRIMINAL JUSTICE

- Support legislation to utilize probation and state jail felony community supervision as a part of a sentence to increase people's access to employment, housing, and other critical tools to reduce rates of re-arrest and re-incarceration.
- Support efforts to ensure that criminal records made available to potential employers are accurate.
- Support efforts to abolish DRP, which is a double penalty, in tandem with identifying a new funding mechanism for trauma centers, which are currently receiving funding from the DRP. While the DRP was a well-meaning idea created in 2003 to fund trauma centers, it has many unintended consequences. The reality is the DRP is making Texas more dangerous by creating severe economic hardship, putting more unlicensed drivers on the road, and limiting employment opportunities.
- Support efforts that prioritize educational and vocational programs for individuals that are proven to reduce re-offending and increase workforce participation. The harder it is for someone to find a job after release from prison, the greater the chance he or she will end up going back to prison.
- Support efforts to treat offenders with mental health issues and ensure that services are readily available when released. Adults with untreated mental health and substance issues are 20-25% more likely to be rearrested.
- Support efforts to allow the Texas Department of Criminal Justice to provide the timely award of credits for participation in self-improvement programming within state jails.
- Support legislation to downgrade first-time minor drug possession offenses and allow courts to divert individuals to a treatment program when the offender is deemed by the court not to be a threat to public safety. Use the savings derived from diversion to strengthen existing treatment programs in the community or create tailored treatment programs, as necessary, to address possession offenses.
- Support legislation to address property offenses by updating damage thresholds in light of inflation and updating monetary thresholds for property-related offenses that have not changed in 20 years.
- Support legislation that allows 17-year-olds to be treated in the juvenile system when appropriate, while giving judges authority to transfer those younger than 18 into the adult system on a case-by-case basis.
- Support Promote legislation, funding and development of mental health, drug, and family courts to improve the functioning of the criminal justice system by addressing the unique and special needs associated with co-occurring social, legal, health and mental health related factors impacting the legal system and community public safety needs.

## ECONOMIC DEVELOPMENT

The Longview Chamber of Commerce (LCC) drives regional economic development by partnering with a network of business leaders, elected officials, and economic agency allies to provide an array of services to companies with business retention, expansion and relocation needs.

- Supports legislation that preserves the Texas Enterprise Fund (TEF), the Emerging Technology Fund (ETF), the Texas Enterprise Zone, and the Skills Development Fund.
- Support the redrafting of Chapter 313 Tax Code and encouraging more application and use in rural areas.
- Supports the development of local energy resources such as natural gas, oil and lignite.
- Supports balanced development of other energy resources based on cost effectiveness, competitive prices, and positive economic impact on the Longview region.
- Supports continued regulation of electricity in East Texas which results in lower electricity rates in Longview.
- Supports the continued strengthening of the 4A-4B, ½ cent sales tax to promote economic development, and further support efforts to clarify that the purpose of the economic development sales tax fund is to serve as an economic development tool primarily targeted for the creation of long-term jobs.
- Opposes any legislation that would result in diverting economic development sales tax dollars for use in other areas already supported by dedicated taxing mechanisms.
- Opposes efforts that would reduce local control of sales tax dollars – the funds that are generated locally should be spent locally.
- Opposes increased taxes and fees on energy sources.
- Supports the elimination of tax inequities and subsidies for energy production.
- Supports balancing environmental concerns with economic and other impacts to local energy production and usage.
- Supports the reinstatement of the research and development tax credits and other business tax incentives that attract high quality jobs and ensure that Texas remains a leader in energy, biosciences, nanotechnology, and other research-intensive sectors.
- Supports the elimination of tax disincentives on “cloud computing companies” that result in Texas imposing the highest effective state tax rate on these types of companies, which encourages their location in other states.
- Supports the establishment of regulatory policies that allow for appropriate capital investment in Texas’ electric infrastructure to ensure a safe and reliable grid system.

- Supports the cost-effective development and implementation of new technologies which will encourage electric energy efficiency and meet the area's growing electricity needs.
- Opposes policies that work to increase electricity costs without a corresponding benefit to customers and the safe and reliable operation of the electric grid.

## EDUCATION AND WORKFORCE

LCC recognizes investing in education to provide a well-educated job-ready workforce will drive economic growth of our state for a high societal return. The LCC believes that close collaboration and connection between public education, higher education, and the business community is critical to the improvement of student success.

- Support efforts to increase workforce supply and resiliency by supporting the recommendations made by the Texas Community College Commission Finance (TCCCF).
- Support the implementation of the Tri-Agency workforce Initiative (HB3767) to determine if alignment of education and workforce development has improved through data-sharing; advocate for strengthening agency data-sharing and public access to information on progress towards state workforce goals and student outcomes; support engagement with the business community to improve the quality of workforce data collected by state agencies.
- Support funding for long-term, sustained, quality investment in public education by the state of Texas in traditional and charter schools.
- Support the establishment or enhancement of linkages and partnerships between public education and higher education, to meet our business community's needs.
- Support increased early childhood educational and enrichment Opportunities.
- Support efforts to create meaningful career pathways for students in the P-16 continuum.
- Support increased funding for equipment, faculty, tuition, and books for dual credit students.
- Support increased flexibility regarding credentials for public school teachers in CTE courses, and increased funding for off-campus learning opportunities and for start-up technical programs.
- Support appropriate funding for Adult Basic Education.
- Support recognizing the important role of support services, advisement, and counseling to better prepare students for multiple pathways and find ways to financially support these services.
- Support state funding and curriculum guidelines that recognize multiple pathways for students-pathways that include both professional and technical workforce careers.
- Support shifting the funding emphasis to provide support on the "front end" to attract the best teachers into the profession and to maximize student success at the beginning of the process.

- Support moving performance-based funds to a true incentive structure that would be above and beyond the base.
  - Support funding to staff to support the increasing needs of students living in poverty (parent advocates and liaisons)
  - Support the development of an accountability system that allows for a variety of measures to determine student growth and student proficiency.
  - Supports funding and development of a regional university-healthcare-business learning collaborative hub that will provide quality medical education and training to fulfill the local medical industry needs. The hub will drive innovation by deepening and broadening university-industry research links.
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- Support HB3 to continue investment in public education, student outcomes, and close performance gaps between racial and economic groups.
  - Support initiatives that create equities in online learning, such as the expansion of broadband, providing school districts funding for resources and equipment for students to be effective in a remote learning environment.
  - Support broadening the pipeline of workers who can succeed in training for infrastructure jobs by passing the BUILDS Act as part of an infrastructure package.

## **EMPLOYMENT RELATIONS**

LCC supports continued initiatives that enhance the strong economy and workforce of Texas. Toward that end, legislation and initiatives strengthening employers' position for control and limited regulation are supported and pursued.

- Oppose legislation that would erode employment-at-will as a right for all Texas employers and employees.
- Support transferring control over federally mandated programs like unemployment insurance to states.
- Oppose legislation and regulations on both federal and state levels that would increase the already-considerable burden on employers regarding occupational safety and health administration (OSHA) requirements.
- Support the proposed five (5) year "Break in service rule."
- 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 5 percent.
- Oppose attempts to restrict the rights of employers to conduct random and/or universal drug testing of employees.

- 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.
- 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.
- Oppose expansion of the current coverage of the Texas Human Rights Act that may cause additional litigation.
- Support allowing an employer to seek an injunction on behalf of an employee to end workplace harassment without creating a new liability for employers.
- Oppose piecemeal mandates that vary from city to city requiring employers to pay a wage level higher than the federally required 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.
- Strongly support the current law on pay equity.
- Oppose the expansion of legislation previously passed that allows legally owned firearms to be stored on company-maintained parking lots.
- Support efforts to keep Texas a right-to-work state and oppose agency shop legislation.
- Support legislation to allow employers to apply part of their unemployment insurance taxes toward the cost of training workers for their businesses.
- Strengthen overpayment recovery statutes to prohibit waiver of overpayments. Revise the Texas Unemployment Compensation Act's (TUCA) definitions of "able and available" to meet the revised standards in federal law.
- Support fundamental changes in the unemployment insurance system that would abolish traditional federally controlled unemployment insurance programs in favor of establishing individual Unemployment Savings Accounts (USAs) for employees. These would be available if needed for unemployment, training or as a supplement to retirement income.
- 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.

## WORKERS COMPENSATION

- Support legislation that aids in the safety of injured workers when compounding drugs. Support legislation that addresses the high cost of compounding.
- Oppose legislation to remove caps on exemplary damages in workers' compensation claims and oppose any attempts to reverse the Rutiger decision.

- Support legislation that increases the Texas Department of Insurance's ability to identify and prosecute fraud and abuse within the workers' compensation system. Also, support incentives for the identification and successful prosecution of workers' compensation fraud.
- Support cost-effective health and safety measures.
- Support legislation encouraging zero tolerance for the presence of alcohol or illegal drugs on the job.
- Support legislation to maintain the objectivity of the workers' compensation system by ensuring that adopted medical impairment guidelines do not raise impairment benefit amounts. Oppose efforts to lower the impairment rating threshold for an injured worker to receive supplemental income benefits. Also, support continued monitoring of the income benefits system.
- Ensure that indemnity benefit changes are based on reliable data vetted by the employer and insurance community and that changes do not negatively impact return-to-work initiatives.
- Oppose legislative efforts to mandate workers' compensation coverage.
- Oppose any legislation that would directly or indirectly hurt non subscription plans. Non subscription refers to a Texas specific law that allows employers to opt out of providing workers' compensation benefits and create their own insurance plan to control costs and make injured workers whole.
- Support efforts to eliminate Performance Based Oversight which has been more of a regulatory burden than an effective tool to increase the quality of the workers' compensation system.
- Oppose efforts to allow physician dispensing of prescription drugs.
- Support measures to increase training of medical providers, pharmaceutical groups and pharmaceutical sales personnel in the inappropriate use of narcotics.
- Support measures to increase efficiency in the operation and administration of the Texas Department of Insurance and within the DWC and reduce unnecessary administrative and legal burdens.
- Support legislation to limit damages and restrict the scope of action filed by a terminated employee for workers' compensation retaliatory discharge.
- Support legislation to allow treating physicians and employers to use the same guidelines for Return To Work and treatment.
- Oppose legislation that attempts to reintroduce lump sum settlements, including medical lifetime benefits, into the Texas workers' compensation system.
- Support and preserve the current regulatory structure that prevents lawsuits against employers and property owners who provide workers' compensation insurance.
- Support legislation to maintain subrogation rights of employers and insurers in recouping money paid to claimants for third party actions.
- Support legislation to secure the solvency of the Subsequent Injury Fund that does not require an increase in the maintenance tax.
- Support legislation that strengthens the role of treating physicians to ensure quality medical care and effective management of care for injured workers. Also, support clarifying current law regarding the authorization for a treating doctor.

- Support legislation to promote utilization review as a method of cost containment and quality improvement.
- Support legislation to specify that the defense of “No compensable injury” cannot be waived regardless of any time constraints.

## **ENERGY AND ENVIRONMENTAL QUALITY**

LCC supports the promotion and expansion of the oil and natural gas industry in a safe and environmentally responsible manner to protect national security and ensure continued economic and employment growth in Texas. In addition, LCC supports long-term, sustainable, and innovative energy technologies and efficiencies to meet the growing needs of Texas industry and consumers.

- Support legislation to require that research data and analysis relied upon as the basis for proposed regulations by state and federal environmental agencies be made available for review by the regulated community before a regulation can be adopted or prohibit the adoption of regulations for which supporting data are not publicly available.
- Oppose legislation that places additional requirements on business and industry without a firm technical basis or appreciable benefit to the environment.
- Support legislation that affirms the rights and powers of the state government and limits intrusion by federal agencies in the state’s implementation of delegated environmental programs.
- Oppose the federal effort to take over state permitting programs.
- Oppose any state government actions regarding climate change that could adversely affect the international competitiveness of Texas or the U.S. economy in the global economic arena.
- Support delayed electric deregulation in Northeast Texas.
- Oppose new legislative efforts that would require the use of specific fuels or energy generation technology for industrial sources.
- Support removal of economic and supply barriers that distort fuel competition and free-market influences.
- Support legislative efforts to increase the supply of energy, using a diverse mixture of fuels including oil, natural gas, coal, nuclear, wind, solar and hydro applied in an environmentally safe manner and coupled with encouragement of conservation and the practical use of battery storage resources.
- Support Texas law that requires state environmental agencies to estimate the cost and net benefits to regulated entities before adopting any major proposed rule.
- Support any changes in law that will simplify, consolidate, or otherwise streamline the process of assessing regulatory costs and benefits without compromising the ability of an agency to produce a comprehensive and accurate assessment.

## GENERAL BUSINESS

LCC supports policies that uphold the continued sustainment of commerce and a business environment that positions the region's business community as a regional and state leader, with aspirations toward future efforts for national and global competitiveness.

- Support continued development of electronic business to business transactions.
- Support business efforts to develop and disclose comprehensive, market-driven privacy policies.
- Support enhancements to the state model legislation patterned after the Federal Regulatory Flexibility Act to improve the climate for small businesses.
- Support creating tax incentives for businesses of all sizes.
- Support incentives to assist businesses during catastrophic events.

## HEALTH INSURANCE AND HEALTH CARE

LCC is proud of the healthcare system in the community and the advanced technology brought to this region. It is one of the greatest economic and socially responsible drivers/institutions of the region. LVCOC supports initiatives which foster the advanced care as well as efforts to increase health care access, control rising costs and reduce the number of uninsured and underinsured in the region.

- Support improving access to care and increasing behavioral and mental health services through expanding physician loan repayment programs specifically targeted to primary care provider, mental health providers, and underserved areas and expanding the child mental health consortium statewide.
- Support employer wellness initiatives encouraging personal responsibility and enhancing community health awareness.
- Support advancing health care to a value-based and quality-focused delivery of care.
- Support incentives that increase access, transparency, informatics and embraces new technology (telemedicine) that improve health care outcomes and overall care.
- Oppose any measure that disproportionately increases healthcare costs for local employers, employees and their families.
- Oppose the adoption of a single-payer, government-run health care system
- Support initiatives reducing the number of uninsured across the region.
- Support development of community-based alternatives to hospitalization for individuals with mental illness to include respite, supportive living and crisis residential care.
- Support legislation that results in additional State sponsored psychiatric bed solutions.

- Support tort reform measures protecting health care providers from frivolous lawsuits and oppose any measure that would diminish this protection.
- Support the access and funding of resources to doctors and scientists who are working on ground-breaking research for severe medical conditions without cures, of which there are many.

## Immigration

LCC supports meeting the needs of the growing economy balanced with state and national security issues and human rights, supporting a comprehensive immigration policy/reform.

- Support improving the speed and accuracy of worker verification systems so employers are not unfairly burdened.
- Support improving the cooperative relationship between the Federal Government and Border States to improve border security.
- Support a phased approach to immigration reform that centers on border security, interior enforcement, and legal immigration processes.
- Support considering a carefully monitored guest or essential worker program to fill the gaps in America's workforce.

## TAXES AND SPENDING

LCC supports a smarter, streamlined tax system allowing taxpayers to make smarter decisions about how they work, save, and invest, and unleashing the power of American businesses—large and small—to create jobs.

- Support maintaining inventory (margin) tax relief for small business.
- Support the elimination or reduction of local inventory taxes.
- Support establishing a process for estimated tax payments to be made during the year similar to Federal estimated tax payment provisions.
- Support allowing a deduction for payments to outside contractors who perform the same service as employees as a deduction for franchise (margin) tax if the total revenue of that business is below \$2 million.
- Support alternative revenue sources to move away from dependency on sales tax, business (franchise) taxes and property taxes as major revenue sources for state and local governments.
- Support the simplification of the sales tax system and implementation of training initiatives for small business sales tax compliance.

- Support allowing businesses that elect to subtract compensation in computing their taxable margin to include compensation paid for contract labor and outside business services providing labor that generate revenue that is included in taxable margin regardless of amounts.

## TECHNOLOGY

- Encourage school districts to submit for approval to the Texas Education Agency additional courses related to computer and data science, cybernetics, cybersecurity, robotics, information technology and other emerging technology that can be taken in lieu of traditional math and science courses to meet the growing technology workforce needs.
- Support programs to increase awareness of how all sectors of business can protect themselves from cybersecurity threats. Also, support efforts to increase the supply of a skilled workforce for the cybersecurity sector, including programs that effectively transition veterans into this sector.

Support legislation that controls technological misrepresentation and imitation toward businesses' existing or potential customer base. (e.g., telemarketing efforts, Caller ID Spoofing and unsolicited text messages.

- Support efficient and effective infrastructure assets, including ICT (Information & Communications Technology), in order to help build capacity needed to accommodate our growing population, enable our citizens to be digital creators and help us to remain competitive with other states.
- Oppose any attempt to apply state regulation to Internet services or providers. Government intervention in the broadband marketplace through the imposition of restrictive policies, such as measures to control how providers price, market and manage their products and services, would deter innovation, reduce competition and thwart continued investment in, and enhancement of, broadband networks.
- Support patent reform at the state level to stop abusive patent litigation from harming Texas business. Patents are essential to innovation, and Texas needs to protect its current technology-based companies, as well as attract new ones. While legitimate patent infringement litigation is necessary to the protection of intellectual property, abusive patent litigation diverts valuable resources and focus away from research and development, hiring new employees, releasing new products or expanding a business to the internet.
- Encourage and support all sectors of business to develop and disclose comprehensive, consumer protecting privacy policies and where able abide by federal and other world country privacy laws. Additionally, to encourage the State of Texas to develop its own privacy policy if federal policy does not provide complete protection.
- Oppose efforts that would create a "patchwork-quilt" of state, county, or city laws that would further impede the growth of Internet commerce.

## TORT REFORM

LCC supports creating a fair, balanced civil justice system that eliminates the burden and congestion of frivolous lawsuits that inhibit business growth, advancement and profitability.

- Support protecting the comprehensive tort reform measures passed by the Texas Legislature that have gone a long way to building a fair, balanced civil justice system in Texas.
- Support protecting legislative reforms enacted to address rising medical malpractice insurance costs.
- Support legislation that creates mechanisms and incentives for the use of alternative disputes resolution.

## TRANSPORTATION

LVCC supports and promotes regional transportation efforts that shape and drive the economy. Promote initiatives that expand and maintain our region's mobility infrastructure to accommodate projected growth and protect our regional economy and remain vigilant at all levels of government advocating for our growing population's transportation needs.

- Support the funding of Interstate 20 additional lanes, ramp and interchange reconstructions along high crash segments in Gregg County to improve safety and relieve congestion as recommended in the I-20 East Texas Corridor Advisory Committee Implementation Plan.
- Support the funding of State Highway 42 improvements to widen the highway from two to four lanes between Interstate 20 and U.S. 80 near Longview.
- Support new legislation that will provide a reliable and permanent funding solution critical to planning, programming and projects for highway and multi-modal transportation projects.
- Support the Texas Department of Transportation (TxDOT) notwithstanding Sunset staff review recommendations that hold the agency accountable for financial management and performance and assist the Department to implement changes that will allow them to better plan, select and deliver projects effectively.
- Support the continuance of funding from the constitutional amendments Propositions 1 and 7 and maintain the directive to end the diversions from the State Highway Fund. These new sources of funding are critical for the needed transportation improvements to our area.
- Support the continued use of Public-private partnerships and Comprehensive Development Agreements (CDAs) and enhance mechanisms that allow project sponsors to access private capital to supplement state or local funds, and/or utilize toll roads to build infrastructure.
- Support the continued funding and development of expanded rail service and infrastructure, both passenger and freight, along the I-20 corridor.
- Support the expansion of East Texas Regional Airport through the current air carrier or through the addition of a second carrier and supporting the East Texas Regional Airport Master Plan.

Support the development and funding of international trade corridors to accommodate cross-border traffic between Texas and Mexico and those transportation demands resulting from the United States Mexico Canada Agreement.

## WATER

- Support efforts to ensure that the allocation of water during drought or other emergency conditions to meet critical public health and welfare needs is conditioned on recipients of water implementing the most stringent water conservation measures and allows for timely compensation to those water rights holders who surrender water to meet public emergencies based on true market value.
- Support the authority of groundwater conservation districts that is consistent with recent court decisions that affirm the rights of property owners in the access to and use of their groundwater property rights;
- Support efforts to ensure that the authority and function of groundwater conservation districts fully supports reasonable measures to develop brackish groundwater sources through desalination or other technologies.
- Support efforts to ensure that the authority and function of groundwater conservation districts fully supports reasonable measures to enhance water supplies through aquifer creation, storage and recovery. Aquifer storage and recovery projects should have the purpose of storing water during periods of abundance and using the stored water during periods of drought. Projects should not be used as a method of circumventing permitting policies of local groundwater districts. Also support increased access to more aquifers through more creation of wells.
- Oppose any new taxes to pay for additional water resource or water quality regulatory programs.
- Oppose the imposition of any new fees to recover the cost of water resource or water quality regulatory programs unless the program can be shown to clearly address a critical environmental or public health need. Fees should only be assessed to recover the actual costs imposed on government by the activities of the regulated entities, must reasonably allocate costs between members of a regulated universe and must be adjusted periodically to actually match agency budgets and legislative appropriations.
- Support efforts to ensure that water users are required to develop and enforce stringent water conservation measures as a condition of receiving any state financial or technical assistance for water resource planning and development
- Support efforts to ensure that water providers are able to establish rates for retail water use that appropriately balance both the need to recover the costs of water supply and delivery infrastructure and encourage necessary water conservation.
- Oppose any efforts to establish or enforce water conservation measures that unfairly burden one class of water user or impose a disproportionate demand for water use restrictions on commercial or industrial users.
- Encourage public water supply entities to implement policies that encourage the use of water conserving landscaping practices and the use of reclaimed water for irrigation.
- Support Legislation that protects the rights of East Texas to maintain control of historical water rights and allows for market-based solutions to the Inter-Basin transfers.
- Continue to support the state permitting programs and on environmental issues.
- Support legislation that protects the rights of East Texas to maintain control of historical water rights and

allows for market-based solutions to Inter-Basin transfers. Needs to be moved to Water Task Force.