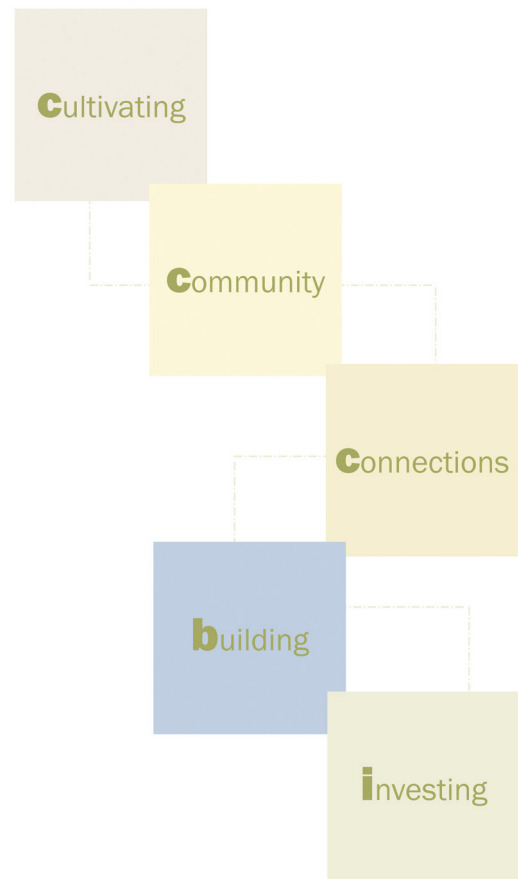


# Policy Statements...

## *Where We Stand*

*Legislative action on a County, State and Federal level is the cornerstone of the Chamber's mission in making sure that Chester County is an attractive place for businesses to grow and prosper. Our Government Affairs Council researches issues that are important to supporting a positive business environment.*

*Following are key areas that the Chamber supports.*



CHESTER COUNTY CHAMBER  
of Business & Industry  
- Chamber of Influence -

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# *Economic Development*

## **Basic Philosophy**

Pennsylvania needs to better position itself to attract and retain businesses in the commonwealth. We believe that striving for a diverse economic base is imperative to the stability of the economy. Job growth must be a number one priority and anti-business legislation including expanded taxes and mandates are detrimental.

We need to promote a sound business climate for Chester County that would encourage the retention and expansion of existing business and industry and the attraction of new targeted business and industry. We need continued cooperation with private and public sectors to ensure continued, sound economic growth and the preservation of the quality of life and high standard of living that has made Chester County an attractive place to live and work.

Key areas of focus should be to develop and maintain a skilled, highly educated and flexible work force; to create and maintain a diversified economy and balanced tax base; and to provide the infrastructure to support the location of business and industry, where appropriate, in order to maximize the preservation of the County's open space.

# *Education*

## **Basic Philosophy**

A thorough and efficient system of public education that affords every resident an opportunity to receive a quality education through high school and that offers access to post-secondary training and education is essential to the quality of life and economic growth in Pennsylvania. It must be accountable to the public and offer its services at a reasonable cost to taxpayers, consumers and business.

Such an education system, through a variety of choices, will provide excellent elementary and secondary education including career and technical training. This system of education will provide access to post secondary education and training in degree, certificate and continuing professional development programs in colleges, universities, career and technical institutes and other public and private providers.

# *Elections*

## **Basic Philosophy**

The Chester County business community is firm in its commitment to elect lawmakers who will support pro growth and pro business policies. We will evaluate the positions of candidates for public office and communicate the findings and recommendations to the Board of Directors. The CCCBI will mobilize support of candidates who have demonstrated a commitment to economic growth and job creation. This includes candidate endorsements, candidate events, PAC development, candidate fundraisers, and get-out-the-vote programs. Our objective is to educate the Chester County business community and its employees on issues of importance and pro-business candidates.

# Community

## *Energy*

### **Basic Philosophy**

The Chamber strongly supports the efforts of Congress to pass comprehensive energy legislation that seeks to increase domestic production and conservation, upgrades our energy delivery system and encourages development of new energy technology. Pennsylvania businesses need access to reliable and affordable energy. This requires a regulatory climate and necessary infrastructure to foster generation, transmission and distribution systems throughout the Commonwealth.

**Cap & Trade:** We believe that businesses must be environmentally conscious and understand the rationale to reduce greenhouse gas emissions. We support practical incentives to encourage new energy production and transmissions systems methods and technology. We oppose mandates, proposed tariffs and the potential for widespread lawsuit abuse that could cripple our economy.

## *Environment*

### **Basic Philosophy**

The Chamber seeks a balance between economic growth and protection of the natural environment. We believe that economic and environmental objectives can best be achieved through consensus building and cooperation between the business, the general community and the environmental community.

## *Growth Management*

### **Basic Philosophy**

The Chamber supports long-range planning as an important growth management strategy and encourages input from a broad range of stakeholders. We support the idea that land use decisions and infrastructure planning must be coordinated with local governments to ensure proper development.

## *Healthcare*

### **Basic Philosophy**

We believe that Pennsylvanians must have access to affordable healthcare. We agree that addressing the rising cost of health care will go a long way in affecting the affordability for everyone. Government should build on the strengths of market-based employer-sponsored systems or purchasing pools to obtain stable premiums while enacting reform to lower costs, improve quality and access and build a more value-driven system. We are opposed to a government-run health care system that would impose mandates and cost-shifting, hindering fair market competition.

**MCO Tax** We are opposed to the proposed 2 percent tax on all managed care organizations. This tax that would impact virtually all health plans including group and individual plans. It will directly increase the cost of health insurance in Pennsylvania impacting small businesses and individual premium payers who bear the brunt of this new tax.

# Legal Reform

## Basic Philosophy

To be competitive Pennsylvania must enact reforms to make the state's legal system fair and predictable. The following are steps that should be taken to reform the legal system:

**Eliminate Joint and Several Liability.** The concept of "joint and several liability" penalizes business which may have a very small responsibility for liability in a particular civil case. Pennsylvania must enact legislation similar to the 2006 Fair Share Act (vetoed by Governor Rendell) that will limit the liability of a business defendant in a lawsuit for its minor percentage share of fault unless its liability exceeds 60%, in which event it could be held liable for the full award under joint and several liability.

**Enact Comprehensive Product Liability Reform.** Defending product liability cases can be burdensome and expensive to a business even though it has a minor and remote connection to a defective product. The concept of "certificate of merit" should be introduced to the area of product liability lawsuits as it has been successfully implemented in the medical malpractice area. Frivolous product liability cases would be reduced if a plaintiff were required by statute to obtain and certify to the court a professional opinion from a qualified expert that a product is defective. This certification would be presented at the outset of the product liability action and would be a precondition to instituting the suit.

Adopt legislation that will place at least a 15-year time limit (Statute of Repose) on product liability lawsuits which are brought many years after the manufacture of the defective product. The absence of such protection leads to difficulties in defense and higher insurance costs. Appropriate protections should be included in such legislation to exempt from the limitation those actions alleging illnesses, the evidence of which did not manifest itself within the statutory period of repose.

Adopt legislation to protect innocent vendors and those in the chain of distribution who are named defendants in product liability cases for the reason that they passed along a defective product in the stream of commerce. Distributors and retailers of a defective product should not be liable for damages if they do not alter the product prior to its sale.

Provide legislative protection to businesses involved in food production, distribution and sale from frivolous lawsuits brought to seek redress for health conditions such as obesity and related physical problems. Such legislation should recognize the need to balance the responsibility of business for selling products deemed to be harmful against the personal responsibility of individuals to practice healthy eating habits and lifestyles.

**Restricted Venue in Suits Against Businesses.** The choice of venue in a lawsuit brought against a business should be based upon standards that recognize the requirement for a real and substantial connection of the defendant to the legal forum selected by the plaintiff. Legislation should prohibit the filing of cases in jurisdictions based upon the potential of a high award of damages where the venue selected has little or no relationship to the defendant or the act giving rise to the cause of action.

**Limit Non-Economic Damages in Lawsuits.** Pennsylvania is in a small minority of states that do not allow the implementation of limits, guidelines or caps to control unreasonable jury awards. Amendments to the Pennsylvania Constitution should be considered which will allow the General Assembly to adopt legislation to establish reasonable controls on non-economic damages such as pain and suffering, emotional distress, loss of consortium or companionship and other similar intangible injuries.

**Establish Business-Friendly Land Use and Environmental Regulations.**

Pennsylvania land use regulations, including the legislative and regulatory provisions administered by the Pennsylvania Department of Environmental Protection, have created an atmosphere that does not encourage the creation of new business in Pennsylvania or foster an atmosphere that promotes the welfare of the business community and its employees. Legislative reform is required to moderate the impact of harsh and restrictive land use, zoning and environmental regulations on the business community, including the adverse impact of such regulation on affordable housing for the workforce.

Connections

## *State Budget*

### **Basic Philosophy**

We believe the State needs to approve the budget in a timely manner and adopt a zero-based budget that cuts spending and curtails burdensome taxes and regulations on the business community. We encourage the development of a “Grace Commission” to review the budget and address costs and services. Performance audits on all departments should be conducted and the budget should be based on the outcome of the audits.

## *Taxes*

### **Basic Philosophy**

The Chamber would like to see a comprehensive approach to improving Pennsylvania’s business tax environment. We advocate a broad-based review of the entire tax structure and oppose the adoption of burdensome reporting requirements, fees and regulations.

**Capital Stock & Franchise Tax** We support the continued phase out and eventual elimination of the Capital Stock and Franchise Tax

**Combined Reporting** We believe that the implementation of a combined reporting system will be counterproductive to growing our economic base. This complex tax reporting system would make Pennsylvania less competitive and could discourage businesses from expanding in or relocating to our area.

**Corporate Net Income Tax** We support adopting a Single Sales Factor for apportionment of corporate revenue.

**Estate Tax** The Chamber supports the full and permanent repeal of the death tax.

**Net Operating Loss Carry Forward** We support the same tax benefits offered to “C” corporations making them available to “S” corporations, partnerships and sole proprietors. We also support eliminating the cap on the deductibility of net operating losses.

**Sarbanes-Oxley Reform** The Chamber would like to see clearer, more reasonable legislation for corporate governance as well as more compliance assistance to relieve the burden on small business. The costly burden of compliance has reduced incentives for U.S. companies to go public and had been a detriment to our nations competitive advantage over foreign public markets.

# *Transportation/Infrastructure*

## **Basic Philosophy**

To be competitive Pennsylvania must improve its infrastructure and facilitate the free flow of goods and commerce along with the mobility of our citizens for business and recreational activities. We believe that we need to better plan for adequate infrastructure to accommodate anticipated growth in our region. Improvements and expansion of our transportation network will require significant investment of funding. Proper attention to our mass transit system and our rail system is important. In addition, improvements to and the expansion of our water and sewer systems to assure effective operations for our residents and businesses alike are critical to our competitiveness in the market.

# *Workforce Development*

## **Basic Philosophy**

The Chester County Chamber of Business & Industry believes that the state must be committed to developing a highly skilled, well-educated population that will have more opportunities, more job choices and more security with prosperous companies in Pennsylvania in order to increase productivity and per capita income for all Pennsylvanians. A partnership of action and cooperation between the public and private sectors is needed to ensure accountability and success.

The logo for 'investing' is located in the bottom right corner of the page. It consists of a small, dark green square icon with a white lowercase letter 'i' inside, followed by the word 'investing' in a dark green, sans-serif font.

## Government Affairs Council 2010-2011

### Goal:

*To represent the interests of business and to increase awareness and involvement in public policy issues on the local, state and national levels.*

### Government Affairs Committee

#### Chairman

Thom Chiomento  
*Exelon*

Brian DiSabatino  
*EDiS Construction & Real Estate*

Thomas Kent, Esq  
*Fox Rothschild LLP*

#### Committee Members

Robert F. Adams  
*Gawthrop Greenwood, PC*

Louis B. Kupperman, Esq.  
*Obermayer Rebmann Maxwell  
& Hippel, LLP*

Earl M. Baker  
*Genesis HealthCare*

Timmy T. Nelson  
*UPS*

Fritz Bittenbender  
*Cephalon, Inc.*

Benjamin R. Schuster  
*BRS Associates*

Mike Brown  
*General InsurCorp, Inc.*

Martin Shane  
*East Goshen Township*

Thomas J. Corcoran  
*Corcoran & Associates, CPA's*

Bill Tyson  
*Aqua*

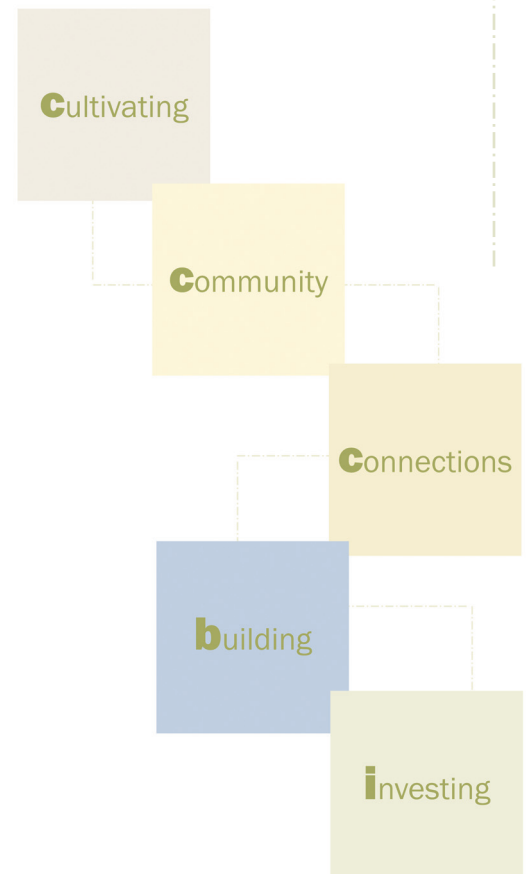
Jonathan Corle  
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