



GOVERNMENT AFFAIRS

Report

November 19th, 2021

This Week in Illinois

Join Us: Preserve the Federal EBITDA Standard for Business Interest Deductions

The Illinois Chamber joins the US Chamber and the National Association of Manufacturers in their effort to ensure that Permanently Preserving America's Investment in Manufacturing Act ([S. 1077/H.R. 5371](#)), is passed to permanently preserve an EBITDA standard for business interest deductions.

[S.1077/H.R. 5371](#) would preserve current law for interest deductibility, permanently protecting the current EBITDA standard and ensuring that job creators across the country are not hit with increased financing costs and reduced liquidity as they work to recover from the economic damage caused by COVID-19.

The Illinois Chamber is reaching out to our Congressional Delegation to ask for their support on this important measure. We encourage any business that would be impacted by this change to do the same.

For more information on this issue, check out this great [1-pager](#) by our friends at the Coalition for America's Interest.

President & CEO Maisch Talks Paid Leave

Earlier this week, Illinois Chamber President and CEO Todd Maisch spoke on The 21st to discuss the Chamber's stance on paid family leave proposals, both federally and in Illinois. He was joined by Corliss King, a Chicago based flight attendant and 2nd Vice President for TWU Local 556. Bob Bruno, Professor of Labor and Employment Relations also provided commentary. The 21st is a production of Illinois Public Media.

Maisch's main argument was that employers and employees should be afforded as much flexibility as possible to work with one another. He noted that any paid leave proposal will affect different sized businesses and industries in a unique fashion.

Concerning potential legislation, Maisch said that 50 different state laws concerning paid leave is not workable for most businesses. Rather, a federal framework with bipartisan support has to be put in place.

Listen to the full segment [here](#).

What's in the Federal Infrastructure Package?

On Monday, President Biden signed the widely-discussed federal infrastructure package into law. Provided below is a summary of the bill's impact for Illinois.

Water: \$1.7 billion to improve drinking and wastewater infrastructure

Roads and Bridges: \$9.8 billion for federal-aid highway projects and \$1.4 billion for bridge replacement and repairs. In addition to this guaranteed money, the state will be eligible to compete for competitive grant programs

Public Transportation: \$4 billion over 5 years. This will allow things like making the CTA 100% accessible and going fully electric with the bus system. Like roads, mass transit can compete for additional grant money.

Broadband: A minimum of \$100 million to expand coverage across the state.

Airports: \$616 million over 5 years. Includes the creation of a new Airport Terminal Improvement Plan.

Electric Vehicles: ~\$150 million over 5 years to support a charging network. There is another \$2.5 billion in nationwide competitive grants.

Following the signing of the bill, Chamber President & CEO Todd Maisch issued the following statement:

"The Illinois Chamber applauds the passage and signing into law of [H.R. 3684](#), Infrastructure Investment and Jobs Act. This bipartisan legislation fulfills a generational pursuit for adequate investment in Illinois' vital and physical infrastructure by strengthening the work done in the state's 2019 capital bill. In addition to the traditional Illinois priorities of roads, bridges, and transit, our residents and businesses benefit from investment in underinvested infrastructure such as waterways, rail, and cybersecurity.

The passage of the Infrastructure Investment and Jobs Act will ensure Illinois will receive nearly \$17 billion in much needed funding. In addition, there's billions more in competitive grant programs for which the state can apply."

Illinois Chamber Infrastructure Council Hosts Quarterly Meeting

On Wednesday, November 10th the Illinois Chamber Infrastructure Council hosted its quarterly meeting featuring US Representative Marie Newman of the 3rd Congressional District (southwest Chicago) and RTA Chairman Kirk Dillard.

Dillard noted that the Chicago area has one of the lowest operating costs per mile for major cities. Other large cities like London and New York spend between three times more and nine times more than Chicago area mass transit. He also spoke of the fare box changes that would allow the RTA to use federal funds for recovery. This required state changes that were supported by the Chamber in [HB 106](#) during veto session.

Representative Newman spoke about the recently passed federal infrastructure package. Saying that Congress passed the most transformative infrastructure package in the nation's history. She also credited the bipartisan manner of the package. Considering the size of the 1.2 trillion-dollar package, Newman believes 5-6 months was a quick timeframe for passage.

Following the event, Representative Newman issued a statement on her participation. "For decades, Congress has put modernizing our infrastructure on the back burner, resulting in incomplete transit projects, broken roads, eliminated bus routes, and transportation deserts in far too many communities across the country and in my own district..."

She added, "I was honored to speak directly with the members of the Illinois Chamber to discuss just how impactful this bipartisan legislation will be for residents and workers for Chicago's Southwest Side."

Ryan Gleason of the US Chamber noted that the infrastructure package was 25 years in the making for those in the business community.

To conclude the event, Vice President of Government Affairs Clark Kaericher highlighted the passage of the electric vehicle incentives package during veto session in October. [HB 1769](#), the Reimagining Electric Vehicles act.

With a lighter session schedule, the Chamber looks forward to hosting the next Infrastructure council meeting early in the Spring.

OSHA Suspends COVID-19 Employer Mandate

Earlier this week, the Occupational Safety and Health Administration (OSHA) [suspended](#) enforcement of its Emergency Temporary Standard on private sector employers. This comes after last week when the 5th U.S. Circuit Court of Appeals ordered OSHA to not enforce the ETS pending judicial review.

OSHA says that it remains confident in its ability to enforce such mandates in emergency situations but will take no further actions toward implementation until after the issue is litigated in the Courts. Read the full OSHA statement [here](#).

Readers will remember that the Biden administration filed its emergency OSHA rulemaking on Friday the 5th. The rulemaking embodies the COVID vaccination mandate on employers of 100 or more to ensure that their employees are vaccinated or are subject to onerous testing requirements. The very next day, a federal appellate court in Louisiana placed a stay on the rulemaking at the request of several states that challenged the validity of the rule.

As has been widely reported, the maximum fine for a violation of the rule is \$13,600. A single violation does not yet seem well defined. However, a determination that an employer is in willful non-compliance with the mandate carries a fine up to \$136,000.

Our thanks go out to the US Chamber of Commerce who has a team of experts working this extremely important issue. [Attached](#), we have included additional information they have compiled and continue to compile for their members and the Chamber Federation.

Frequently asked questions on the COVID-19 Vaccination and Testing ETS are provided by the US Department of Labor [here](#).

Illinois Chamber Healthcare Council Hosts Quarterly Meeting

On Wednesday, November 17, 2021 the Illinois Chamber Healthcare Council hosted its quarterly meeting titled "PBM 101." Executive Director Benso noted the Chamber's leadership on the issue in the legislature and the importance for members to understand the role and value of PBMs.

Featured speakers included Larry Lewis with CVS Health, Lori Reimers with PCMA, Laura Minzer with the ILHIC and Kate O'Malley with K.O. Strategies.

Reimers said to think of Pharmacy Benefit Managers as another benefit provided by an employer's healthcare coverage.

Lewis highlighted the role of PBMs in the reduction of cost for patients and employers and the assistance they provide for healthcare providers. One role of a PBM is that of a negotiator between drug manufacturers and healthcare providers.

[SB 2008](#) is an example of anti-PBM legislation that has been introduced in the General Assembly to restrict the ability of PBMs to operate freely.

Executive Director Benso provided the business community perspective on what PBMs do and its impact on employees. Some of the benefits include management of overall healthcare cost and use of generic drugs for employees.

The event concluded with a Q&A for members.

Any further questions relating to healthcare, please contact Lori Cowdrey Benso at lbenso@ilchamber.org

Bills of Interest with Action in Past Week Including Electric Vehicle Incentive Package:

[HB 1769 Electric Vehicle Incentives Package](#) was signed into law. This bill establishes the "reimagining Electric Vehicles in Illinois Act." Provides incentives to Electric Vehicle manufacturers, their suppliers, and electric vehicle power supply manufacturers. Check your Illinois Chamber Council newsletters for a more detailed summary on this legislation.

[SB 536 Campaign Contributions](#) was signed into law. In provisions concerning limitations on campaign contributions for a candidate political committee for a candidate seeking nomination to the Supreme Court, Appellate Court, or Circuit Court, provides that the political committee may not accept contributions from any group that is not required by law to disclose the identity of its contributors or accept contributions from any out-of-state source. Provides that "contribution" includes expenditures made by any person in concert or cooperation with, or at the request or suggestion of, a candidate, his or her designated committee, or their agents and the financing by any person

of the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, his or her campaign committee, or their designated agents. Prohibits the making and accepting of anonymous contributions. Provides that contributions made through dues, levies, or similar assessments paid by any natural person, corporation, labor organization, or association that exceed \$1,000 (currently \$500) in a quarterly reporting period shall be itemized on the political action committee's quarterly report.

Register Today: What to Do When the IDOR Comes to Your Door

Title: What to Do When the IDOR Comes to Your Door

Date: December 2, 2021

Time: 1:30 pm – 3:00 pm

Description: You've been contacted by the Illinois Department of Revenue, the Chicago or Cook County Revenue Department to schedule an audit. Our expert presenters will guide you through how to respond to the audit request, explain the audit process, and your options to challenge the audit results. Our expert presenters include Joe Bigane, Owner of JFB Tax Consulting, along with David Kupiec and Natalie Martin, Managing Partners of Kupiec & Martin. This webinar is not to be missed!

Click the Registration [Link](#) to sign up today!



Register Today: Chamber New Laws Forum 2021

The New Laws Forum focuses on the new laws and legal developments that will affect ALL Illinois employers in 2022 and beyond. The

forum features Illinois attorneys and experts speaking about Illinois laws – as well as representatives from government agencies talking about the latest changes and your peers, the Senior HR professionals discussing how the laws

have and will affect their businesses. It's been a busy year, and more regulation is coming.

The event will take place on Wednesday, December 1st at Hilton Lisle in Lisle, Illinois. [Register Today!](#)

Session Update

The Illinois General Assembly will return to Springfield on January 4, 2022. No other session dates are scheduled for this year.

The 2022 session calendar beginning in January was released late last month. View the 2022 House calendar [here](#). View the 2022 Senate calendar [here](#).

Key Legislation

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