

ARA STATE LEGISLATIVE AGENDA

At its Jan. 21 meeting, the Alabama Retail Association board of directors appproved this legislative agenda for the 2009 regular session of the Alabama Legislature. During the session, which begins Feb. 3 and will end by May 18, ARA also will monitor all bills with the potential to impact retailers.

The ALABAMA RETAIL ASSOCIATION SUPPORTS:

ARA supports fairness

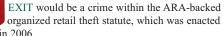
for retailers on late fee

charges for consumer

credit transactions.

GENERAL BUSINESS

- FAIRNESS for retailers ON LATE FEE CHARGES for consumer credit transactions. We are asking for an increase in the minimum that can be collected from \$10 to \$18.
- legislation to impose STIFFER PENALTIES when thieves make their escapes through emergency exits. THEFT BY EMERGENCY



- an update to the Bad Check Statute to include WORTHLESS CHECKS WITH ELECTRONIC SIGNATURES OR SIGNATURES ON FILE AS VALID, PROSECUTABLE OFFENSES.
- **☞** AMENDMENT-BY-AMENDMENT CONSTITUTIONAL REFORM in order to streamline Alabama's constitution, remove archaic and offensive language and provide avenues by which the Alabama Legislature can enact meaningful tax reform.
- legislation that allows consumers to place a SECURITY FREEZE on their CONSUMER CREDIT REPORTS.

LEGAL

• the "COMMON SENSE CONSUMPTION ACT."

legislation that spells out that those in the chain of distribution are not civilly liable for a consumer's weight gain or obesity.

the Alabama Civil Justice



It is wrong to hold food companies liable for obesity related health problems.

Reform Committee (ACJRC) in TORT REFORM efforts, including previously introduced bills concerning postjudgment interest, mental anguish and product liability.

WORKERS'/UNEMPLOYMENT COMPENSATION

legislation designed to REDUCE FRAUD in WORKERS' COMPENSATION and UNEMPLOYMENT COMPENSATION

- DEDUCTION FOR SMALL BUSINESSES that provide healthcare coverage for their employees from 150 percent to 200 percent.
- a SALES TAX HOLIDAY for ENERGY-EFFICIENT PRODUCTS.
- initiative that levels the playing field for in-state and out-of-state retailers. This will provide a simplified sales tax system that makes the collection of sales taxes more manageable for businesses.



the tax credits for small businesses that provide healthcare for employees.

- **☞** the ENTERTAINMENT INDUSTRY INCENTIVE ACT, legislation that provides tax breaks to qualified film and television producers.
- creation of the ALABAMA TAX APPEALS COMMISSION as an independent state tax court headed by a judge with specific training in the area of state and local taxation. These administrative law judges would be removed from the authority of the Alabama Department of Revenue and placed under the Office of the Attorney General as a separate division.

PHARMACY/HEALTH

- **☞** legislation to allow PSEUDOEPHEDRINE TO BE SOLD IN THE SAME MANNER it is now and maintain current record-keeping requirements.
- maximizing FEDERAL MATCHING MONEY FOR ALABAMA'S MEDICAID PROGRAM.
- from enacting EMPLOYEE BENEFIT MANDATES.
- Legislation to allow pharmacies to capture a DIGITAL IMAGE OF A PRESCRIPTION that will constitute the original prescription.

FOOD AND BEVERAGE

in efforts to allow local governments the option to vote on whether or not to have seven-day sales of alcohol.

GENERAL BUSINESS



legislation restricting expiration dates on gift cards or certificates. ARA also opposes "custodial taking" of unused balances on gift cards.

legislation restricting EXPIRATION DATES ON GIFT CARDS OR CERTIFICATES.

The ALABAMA RETAIL ASSOCIATION OPPOSES:

- **☞** "CUSTODIAL TAKING" legislation that pushes unused gift-card balances to the state treasury when those balances go unclaimed.
- legislation to restrict the normal USE OF CUSTOMER INFORMATION obtained in the regular course of business.
- **☞** MANDATORY EMPLOYEE

BENEFITS AND WAGES.

TAXING PLASTIC BAGS.

LEGAL

- legislation to eliminate or restrict CONTRACTUAL ARBITRATION AGREEMENTS.
- legislation to change the current **ELECTION PROCESS** FOR APPELLATE JUDGES.

WORKERS'/UNEMPLOYMENT COMPENSATION

as a RIGHT-TO-WORK STATE.

TAX

- **☞** BAND-AID or QUICK-FIX TAX SCHEMES or singling out one particular industry or segment of business for punitive tax increases. ARA vehemently opposes any patchwork tax efforts.
- required UNITARY COMBINED REPORTING for corporate taxpayers.

PHARMACY/HEALTH

- **☞** MANDATORY HEALTH CARE BENEFITS that can further increase the price of healthcare
- retailers can SELL PRESCRIPTION DRUGS.
- **☞** RESTRICTIONS ON the SUBSTITUTION OF GENERIC DRUGS.

FOOD AND BEVERAGE

legislation requiring mandatory COUNTRY OF ORIGIN LABELING, or COOL, by retailers or restaurateurs.

For more on these issues, ARA members please go to Issue Briefs in the Political Affairs section of www.alabamaretail.org



labeling at the state level on such products as seafood, meat, fruits, vegetables and peanuts. ARA favors a voluntary consumer-driven system.

The ARA WILL MONITOR:

ANY LEGISLATION ON THESE SUBJECTS

- caps on weekly workers' compensation benefits received by injured workers.
- electronics (E-waste) recycling.
- changes to Alabama's price-gouging statute.
- alterations to taxes paid on groceries
- restrictions to the sales of any products, especially:



- tobacco
- · alcohol
- printed or recorded materials
- · video games



Alabama Retail Association 2009 Legislative Agenda