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Friday, February 05, 2010

Maintain Press Against \$42 Million Tax Hike

Senate Attends to Other Issues This Week

While Annual Unemployment Compensation Tax Lurks in Wings

The Alabama Senate moved its debate from roads and bridges to no-bid contracts this week, but a \$42 million annual tax on jobs still could surface in the Alabama Legislature's upper chamber at any time.



Continue to talk to your senator about [SB 11](#) by [Senate President Pro Tem Rodger Smitherman, D-Birmingham](#), which calls for the state to accept a one-time federal payment of \$100.5 million while expanding unemployment benefits permanently. Tell your senator why this bill won't help your business hire new employees or rehire those you may have had to let go over the past two years.

Only one senator kept this legislation from being brought up for a vote in 2009, so your influence can keep this job-killing, \$42 million annual tax increase from becoming reality.

Many businesses will move into higher unemployment compensation experience brackets because more of their employees will qualify for unemployment, if SB 11 passes. The bill would allow part-time employees to collect unemployment; extend benefits beyond the normal period allowed for those training for high-demand occupations; give benefits to domestic abuse victims who leave their jobs because of the threat of domestic violence; and shorten the time necessary to work to qualify for benefits. The Alabama Department of Industrial Relations estimates **6,000 more annually will qualify for unemployment** under this bill. **A higher experience bracket translates into a tax increase for**

CRR EXTRAS

TOP ISSUES

[No Vote Taken on COOL Amendment](#)

[Senator Gets Tough on Identity Theft](#)

[Senate Adds Guns in Parking Lots Bill](#)

[Three Health Conscience Bills in Hopper](#)

BILLS

- [HB 364](#)
- [HB 482](#)
- [SB 011](#)
- [SB 284](#)
- [SB 312](#)
- [SB 322](#)
- [SB 360](#)
- [SB 366](#)

IN THE NEWS

[Alabama Senate approves no-bid contract ban](#)

[Bill to fund road projects pulled off Alabama Senate agenda](#)

[Regions Bank official: Effects of recession may endure for years](#)

[Fish flap raises stink](#)

[Shellfish labeling bill introduced by Biloxi](#)

the affected employer.

You and other Alabama employers already are paying unemployment compensation taxes within the highest rate schedule possible. Tell your senator, you don't want to move into a higher experience level as well. (There are 26 experience levels within the current rate schedule.)

Alabama's unemployment is at the highest level in 26 years at 11 percent. Couple this with an Unemployment Compensation Trust Fund, now at a negative \$183 million, which will have to be paid back through employer taxes, and Alabama employers will stay at the highest UC tax rate for several more years. SB 11 will only make your business pay the higher taxes longer.

TELL YOUR SENATOR TO VOTE 'NO' ON SB 11

The Business Associations' Tax Coalition, a group of business and trade associations committed to responsible tax policy, which is chaired by ARA President Rick Brown, continues to oppose this legislation. Join us.

[>> Summary of SB 11](#)

>> Other News

FOOD SERVICE

Committee Conducts Hearing on Amendment to COOL Law Panel Lacks Quorum; No Vote Taken This Week

The Senate Agriculture, Conservation and Forestry Committee held a public hearing Wednesday on an amendment to the current law that requires food service establishments to tell customers the country of origin of all fish served, if customers ask. Because an insufficient number of committee members were present to conduct business, the committee did not take a vote. [SB 284](#) by [Sen. Jim Preuit, D-Talladega](#), could receive a committee vote as early as next week, but the committee had not set a meeting for next week at press time.



Greg Locklier, assistant general counsel for the Alabama Department of Public Health, told the committee that the current law makes it difficult, if not impossible, for the department to enforce. Consequently, the department has yet to develop rules for enforcement, even though, the law went

[representative](#)

[Alabama Arise urges lawmakers to remove state sales tax on groceries](#)

[Committee will hear PAC-to-PAC bill](#)

[Gov. Bob Riley pushes job incentive program](#)

For more stories concerning legislative action and news of interest to retailers, go to [In the News](#)

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LEGISLATIVE CONTACTS

To contact members of the Alabama Legislature:

WRITE:

Alabama State House
11 South Union Street
Montgomery, AL 36130

CALL:

HOUSE: (334) 242-7600
SENATE: (334) 242-7800

E-MAIL:

Most representatives can be reached through the House e-mail system by using the following format: [firstname.lastname@alhouse.org](#).

Those without e-mail addresses can be reached through the general e-mail address:

into effect Jan. 1.

The state law requires food service establishments to inform customers of the country of origin for ALL the seafood they sell, **if customers ask**. The law, however, excludes those who don't have to label country of origin under federal law. There are differing opinions as to whether or not food products delivered to restaurants have to be labeled.

Under the law approved last year, restaurants, cafeterias, grocery delicatessens and any other food service establishment, except hospitals, that serve seafood are to place the following disclaimer either on the menu or on an 8.5-by-11 (letter-sized) or larger placard near its food safety permit: *"Under Alabama law, the consumer has the right to know, upon request to the food service establishment, the country of origin of imported farm-raised or wild fish."*

A food service operator in violation of the general seafood country-of-origin notification requirements will receive a warning from the Alabama Department of Public Health on first offense, a \$100 fine on second offense, \$250 fine on the third offense, \$500 fine on the fourth offense, culminating with a \$1,000 fine on the fifth offense within a two-year period. The food service establishment would NOT be subject to penalties if a wholesaler or distributor fails to disclose or mislabels the country of origin of the products.

RETAIL CRIME

Rogers Proposes Strengthening Identity Theft Law

[Rep. John Rogers, D-Birmingham](#), this week introduced legislation to change identity theft from a Class C to a Class B felony and do away with any statute of limitations related to the crime. [SB 482](#) awaits consideration by the House Judiciary Committee.

In 2006, your Alabama Retail Association successfully supported legislation that made identity theft a felony and extended the statute of limitations to seven years, which is the normal number of years fraudulent information can appear on a victim's credit report. Rogers' bill would simply strengthen Alabama's identity theft law, making the crime punishable by up to 20 years in prison, as opposed to 10, and making it so charges can be brought at any time after the crime's commission.

WORKPLACE POLICIES

house3@alhouse.org

There is no general e-mail address for senators. [Click here](#) for a roster of the state senators with their complete contact information.

LINKS GO TO CONTACT INFO:

The link to each lawmaker mentioned in this publication goes to their individual websites, which have contact information. You can also find out whose legislative district you live or work in under [Find Your Lawmaker](#) in the [Political Affairs](#) section of alabamaretail.org.



For committee assignments and clerk contacts for the Alabama Legislature, see [ARA's 2011 Legislative Roster](#).

BENEFIT FROM THE VALUE

Now, Even More Benefits from ARA



Your Business Can Save Thousands

Both Chambers Now Have Guns in Parking Lots Bills Bills Would Ban Policies Against Guns Locked in Vehicles

[Sen. Roger Bedford, D-Russellville](#), this week introduced virtually identical legislation to a bill introduced two weeks ago in the House of Representatives that would prohibit employer policies that say employees and customers cannot store lawfully possessed firearms in a locked vehicle in a public or private parking area, including an employee parking lot or facility. Neither [HB 364](#) by [Rep. Craig Ford, D-Gadsden](#), nor the Senate version, [SB 360](#), applies to company vehicles or vehicles in power company parking lots. Unlike legislation introduced last year, neither carries criminal or civil penalties. The Senate bill awaits action by the Senate Finance and Taxation General Fund Committee, while the House version is before the House Commerce Committee.

Concerned business groups, including your ARA, plan to meet next week to review both bills with attorneys. **ARA will continue to monitor this legislation.**

PHARMACY ISSUES

Senators Introduce Health Care Rights of Conscience Act

Three Senate bills introduced this week would give healthcare providers, institutions and payers the right to refuse to perform or participate in healthcare services that violate their conscience and would protect them from discrimination based on exercising that right. Each bill has been assigned to a different Senate committee. [SB 312](#) by [Sen. Rusty Glover, R-Semmes](#), is in the Senate Health Committee; [SB 322](#) by [Sen. Wendell Mitchell, D-Luverne](#), has been assigned to Senate Judiciary; and [SB 366](#) by [Sen. Scott Beason, R-Gardendale](#), is before the Senate Economic Expansion and Trade Committee. Beason is a co-sponsor of Glover's version, which contains a provision that says the act would not shield anyone from liability for denying services based on race or disability.

This legislation would prevent pharmacy and other healthcare employers from disciplining an employee who deviates from established company policies or procedures. Resolving the dilemma of how to make certain a patient has access to appropriate drug therapy as determined by their prescribing practitioner, while allowing pharmacists to follow their conscience, is complex and should be independent of governmental mandates. ARA will continue to monitor this legislation.

ARA constantly strives to increase the Value its members received from membership. Many members have been using our low-cost workers' comp program for years, but were asking for more. In January, we announced more savings. ARA members now have access to:

Cost-Saving Credit Card Processing:

Through a partnership with Huntsville-based **CHECKredi**, ARA members get rates normally reserved for only the largest stores.

Discounted Inbound and Outbound Shipping:

Through our arrangement with **PartnerShip** ARA members can save up to 27% on FedEx services and up to 70% on other shipping needs.

Budget Friendly Email Marketing:

Constant Contact brings ARA members cutting edge e-mail marketing technology for as low as \$15 a month; members save up to 25%

Find Out More Today

IMPORTANT EVENT THIS WEEK

WHAT: **Birmingham Business Leadership Exchange**
WHEN: **6 p.m. Wednesday, April 6**
WHERE: Regions Center Upper Lobby Auditorium, 1900 5th Avenue North

Complimentary parking available at Regions Center deck via 19th St. North

The Speaker's Commission on Job Creation is partnering with the Birmingham Business Alliance to invite business owners of companies across the industrial

NEXT LEGISLATIVE DAY

The Alabama Legislature will meet for organizational purposes beginning Jan. 11, 2011. The Alabama Senate and House will meet in regular session for 30 legislative days between March 1 and June 13, 2011.

spectrum to attend a "Business Leadership Exchange," and share their ideas about how to improve the business climate in the state. If you have any questions, please **contact the office of House Speaker Mike Hubbard at 334-242-7668**. If you are unable to come to the Birmingham exchange but would like to submit ideas and recommendations, you may [email them to Alabama Jobs Commission](#)

or join the conversation on Facebook at

[facebook.com/
speakersjobscommission](https://facebook.com/speakersjobscommission)

The *Capitol Retail Report* is another **Benefit from the Value** of Alabama Retail Association membership. For more benefits, go to www.alabamaretail.org