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- Don't Miss: Members of Congress to Discuss Tax Reform at RECon
- ICSC Requests Extension to 90-Day Comment Period for EPA Water Rule
- ICSC Focuses Efairness Campaign on Key Congressman
- Bill Introduced to Reauthorize Federal Tax Incentive for Brownfields Redevelopment
- ICSC Congratulates Public Sector Members on Green Infrastructure Awards
- CO: Legislative Session Ends
- MA: Mayor Marty Walsh to Appoint New Zoning Czar
- MA: ICSC Testifies for One-Year Delay to Energy Reporting Ordinance at Boston City Council Hearing
- NY: Governor Launches Fourth Round of Regional Economic Development Councils

## Don't Miss: Members of Congress to Discuss Tax Reform at RECon


Rep. Richard Neal (MA-1)


Rep. Jim Renacci (OH-16)


Rep. Steve Womack (AR-3)

ICSC has confirmed an excellent lineup of Congressmen to discuss how efforts to reform the U.S. federal tax code will impact the shopping center industry. The session, *ICSC Office of Global Public Policy Presents: Tax Reform and Retail Real Estate – What Does the Future Hold?*, is scheduled for **Sunday, May 18 from 3:00 to 4:00 pm in N259-261 at the Las Vegas Convention Center**. The panel consists of House Ways and Means members Richard Neal (MA-1), Jim Renacci (OH-16), as well as sponsor of the Marketplace Fairness Act, Rep. Steve Womack (AR-3), and will be moderated by seasoned tax expert Nick Giordano with Washington Council Ernst & Young. Following up on last year's popular session, panelists will examine how the political dynamics will influence the timing and content of policy discussions and the potential impact of tax reform on your business. This session is a "must attend" event for real estate professionals who make business decisions based on capital gains treatment, the ability to deduct the interest on commercial debt, or the like-kind exchange rules. We hope to see you there!

## ICSC Requests Extension to 90-Day Comment Period for EPA Water Rule

ICSC joined with more than 20 organizations to request an extension of the public comment period on the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers' (Corps) Proposed Rule Defining "Waters of the United States" under the Clean Water Act (CWA). The request asked for an extension of either 90 days beyond the current comment deadline, or 90 days beyond the EPA's release of the final Connectivity Report, whichever is later. Given the scope and complexity of the proposed rule and its supporting documents, ICSC believes a 90-day comment period is insufficient. ICSC and its members have voiced concerns with EPA regarding the wide reach and unintended consequences of the rule, as detailed in New Hampshire State Government Relations Chair Megan Prieto's recent op-ed in the *New Hampshire Union Leader.*

## ICSC Focuses Efairness Campaign on Key Congressman

May 6 marked one year since the U.S. Senate passed the Marketplace Fairness Act. ICSC has been diligently working to encourage the House of Representatives to take similar action on efairness legislation. On May 5, ICSC began running a commercial in House Judiciary Chairman Bob Goodlatte's (R-VA) district to keep the issue in the forefront. The ad features small businesses from his district asking Chairman Goodlatte and Congress to pass a bill so that they can have a fair chance to compete. Click here to view the commercial.

The commercial was also featured in a story run by local news station WSET-TV (ABC) in the Roanoke Valley. Chairman

Goodlatte's office gave the following statement to the station: "Any online sales tax system must be simple enough for every business to use and fair, so that all businesses - whether online, brick-and-mortar, or brick-and-click - are on equal footing." Click here to view the WSET story.

Congress is closer than ever to finally closing the online sales tax loophole, but our work is not done. It is critical for ICSC members to write their members of Congress and ask them to take action on this important legislation. To send an email to your House Representative, please click here.

## Reps. Esty, Bishop, and Gibson Introduce Bill to Reauthorize Federal Tax Incentive for Brownfields Redevelopment

Congresswoman Elizabeth Esty (D-CT) has introduced H.R. 4542, the Brownfields Redevelopment Tax Incentive Reauthorization Act of 2014. In a show of bipartisan support, Rep. Esty was joined by Democratic colleague Rep. Tim Bishop (D-NY) and Republican Rep. Chris Gibson (R-NY). Section 198's Brownfields Tax Incentive is a tax deduction intended to encourage the cleanup and revitalization of brownfield properties. Designed to spur investment in blighted properties and assist in revitalizing communities, the federal brownfields tax incentive was signed into law in 1997 and extended through December 31, 2011. ICSC members found the brownfield tax incentive (also known as Section 198) to be a critical tool in brownfields cleanup and redevelopment efforts. This legislation would reauthorize the tax incentive and allow environmental cleanup costs to be fully deductible in the year that they are incurred, rather than capitalized over time.

## ICSC Congratulates Public Sector Members on Green Infrastructure Awards

Last week, the U.S. Environmental Protection Agency (EPA) announced $860,000 to help 14 communities expand their use of green infrastructure. Among the award winners were cities within ICSC's Public Sector membership, including the cities of Denver, CO; Norfolk, VA; Milwaukee, WI; Saint Paul, MN; and Santa Monica, CA. Green infrastructure tools and techniques include green roofs, permeable materials, alternative designs for streets and buildings, trees, rain gardens and rain harvesting systems. This new funding continues the agency's support for communities using green infrastructure to reduce water pollution and protect human health while increasing economic activity and neighborhood revitalization, job creation, energy savings, and open space.

## CO: Legislative Session Ends

The Colorado legislature adjourned sine die on Wednesday, May 7. ICSC actively worked in support of or opposition to a number of bills this session. H.B. 1165 would have limited retainage in private construction contracts to 5%. This bill, opposed by ICSC, died in its first committee of reference early in the session. ICSC also opposed an onerous water limitation that was ultimately turned into a study (S.B. 17). S.B. 73, which reinstates a Brownfield's Tax Credit for development in Colorado, passed with the support of ICSC.

On the final day of the session the Senate passed H.B. 1375, an urban renewal/tax increment financing bill. H.B. 1375 complicates urban renewal financing by requiring that the same percentage of municipal sales tax increment be pledged to an urban renewal project as property tax increment. ICSC, along with a coalition of municipalities, urban renewal authorities and developers, opposed the bill because it further complicates an already complex financing process and puts bond financing of urban renewal projects at risk. It was a hard-fought battle in both the House and the Senate until the bitter end. The bill will now be sent to the Governor, who will also receive a number of veto requests from opponents of the bill.

## MA: Mayor Marty Walsh to Appoint New Zoning Czar

In a speech to the Boston Chamber of Commerce, Mayor Marty Walsh said that he plans to create a new "zoning czar" position within the City government. The position, which would be a part of the Boston Redevelopment Authority, will be in charge of updating the City's building codes and related regulations. Walsh said the goal of his administration in overhauling the city's current codes is greater transparency and accountability and making sure new development is in line with the needs and desires of the neighborhoods in which it is taking place.

## MA: ICSC Testifies for One-Year Delay to Energy Reporting Ordinance at Boston City Council Hearing

At a Boston City Council public hearing on the Building Energy Reporting and Disclosure Ordinance (BERDO) on April 28, ICSC presented oral testimony requesting a one-year delay to the implementation of the Ordinance, which was enacted by the City last year. BERDO requires non-residential buildings over 50,000 square feet to report their water and energy use through a web-based portfolio manager developed by the Environmental Protection Agency. The first reporting deadline is May 15, 2014.

## NY: Governor Launches Fourth Round of Regional Economic Development Councils

On April 28, Governor Andrew Cuomo announced the fourth round of the Regional Economic Development Council (REDC) initiative, which will award up to $750 million in state funding and tax incentives. With the intention of motivating business investment opportunities and job creation, the REDCs will compete for up to $150 million in capital funds and $70 million in Excelsior Tax Credits for projects and activities identified by the Councils as priorities in their regions. Additionally, up to $530 million from state agency programs will be awarded through the Consolidated Funding Application (CFA) process. In 2011, Governor Cuomo established 10 Regional Councils to develop long-term strategic plans for economic growth for their regions. The Councils are public-private partnerships made up of local experts and stakeholders from business, academia, local government, and non-governmental organizations.

## Are You Involved in the Political Process? Let Us Know!

ICSC recently launched a survey to gauge the level of political engagement and relationships with elected officials that ICSC member have. If you have not done so yet, please take a moment to fill out our brief survey. It only takes about 5 minutes to complete and will make a tremendous difference in ICSC's ability to advocate at the state and federal levels on issues that are vital to the retail real estate industry. Click here to begin the survey.

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