

March 1, 2013

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Sequestration and the Marketplace Fairness Act

Deep, automatic government spending cuts are slated to go into effect on Friday, March 1. Known as the sequestration, the cuts amount to indiscriminate across-the-board reductions in federal spending totaling almost \$1.2 trillion over the next decade. As a result, the federal revenue received by states will also be reduced, causing states to find ways to balance their budgets while promoting a fair economic environment conducive to businesses of all types.

For many years ICSC has been promoting legislation to level the playing field between online-only sellers and brick and mortar retailers. On February 14 "The Marketplace Fairness Act" (S. 336 and H.R. 684) was introduced in Congress. This legislation not only solves the price-point disadvantage community retailers face against their online-only competitors, it also provides a way for states to alleviate major budget deficits. The Marketplace Fairness Act would provide a means to raising \$ 23 billion in uncollected remote sales and use taxes, while not creating, adding, or increasing taxes in any state.

For more information please visit: www.21stcenturyretail.org

CO: Prompt Payment Bill Scheduled for Hearing this Week

The House Business, Labor, Economic & Workforce Development Committee will hear H.B. 13-1090, a bill addressing prompt payment and retainage under construction agreements, later this week. HB 13-1090 requires owners/developers to pay monthly invoices within 30 days and requires contractors to pay subcontractors within five days of receiving payment from the owner/developer. It also limits the amount that can be retained by an owner/developer or contractor to 5%. Additionally, the bill allows a subcontractor to walk off the job under certain circumstances and doesn't require them to return until as long as 30 days after receiving payment. The bill as introduced applies to both public and private construction projects but the sponsor, who is running the bill on behalf of a rogue group of subcontractors, plans to offer an amendment to take out public construction projects. ICSC is joined in its opposition to HB 1090 by the City and County of Denver and the Colorado Municipal League (even if they are amended out of the bill), NAIOP, a number of business groups and the vast majority of the construction industry in Colorado.

NY: Update on Minimum Wage Legislation

Governor Andrew Cuomo's (D) 2013-14 State Budget includes a proposal to raise the state's minimum wage from \$7.25 to \$8.75. However, following President Barack Obama's State of the Union Address, which called for an increase in the federal minimum wage to \$9 an hour, with an indexing rate to match inflation, the Governor says the issue is now on hold pending federal action. While the Governor has indicated he is willing to give Congress time to act, he assured proponents of the measure that New York's minimum wage would be taken up during this legislative session. Senate Republicans have expressed concerns over the impact of a wage hike on struggling, upstate businesses, including a large agricultural industry, and therefore argue in favor of New York holding off until something is done at the federal level. Conversely, Assembly Speaker Sheldon Silver (D), who is a strong proponent of a wage increase, has made this issue one of his top priorities for the session. He currently has a bill that matches the President's proposal.

2013 Strategic Leadership Summit

For more than 20 years the shopping center industry has assembled in Washington, DC to deliver its legislative agenda to Capitol Hill. ICSC will hold the 2013 Strategic Leadership Summit on April 9-10. Make your voice heard on legislation ranging from tax reform to the environment to workforce matters. SLS provides an opportunity to have face-to-face meetings with Members of Congress or their staff where you can articulate your views on issues of importance to your company and the shopping center industry. [Click here for more information.](#)

Upcoming State GR Events

- **MI Day at the Capitol:** 5-6 March, 2013; Lansing, MI
- **TX Day at the Capitol:** 5-6 March, 2013; Austin, TX
- **CO Day at the Capitol:** 21 March, 2013; Denver, CO
- **CT Day at the Capitol:** 17 April, 2013; Hartford, CT
- **IL Day at the Capitol:** 1 May, 2013; Springfield, IL
- **CA Commercial Real Estate Summit & CBPA Annual Meeting:** 11-12 June, 2013; Sacramento, CA

For more information about participation in the ICSC Days at the State Capitols please contact Lorin Alusic, State and Local Government Relations, at lalusic@icsc.org.

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