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CACI Board's 2009 Legislative Priorities

Overview

During the session, under the policy guidance of the CACI Board of Directors, the CACI lobbying team actively lobbies a number of bills, supporting those deemed beneficial to the state's business climate and opposing those viewed as harmful. If a bill is marked with **KEY VOTE**, that means the CACI lobbying team has deemed this bill especially important to CACI and thus will take note of each legislator's critical vote(s) on the bill.

Moreover, the CACI lobbying team works a number of bills that are not directly tied to the CACI's Board's primary focus on bills that directly affect the broad business climate but that are, nonetheless, important to certain parts of the business community for various reasons. It's also important to point out that the CACI lobbying team monitors many more bills that are not on *The CACI Board's Legislative Agenda* as they are introduced and progress through the legislature to insure that they do not harm the state's business climate.

In addition, please consult past issues of *The CACI Capitol Report*, which are posted weekly on the CACI Web site, for additional details about a particular bill and its progress in the legislature. If you wish to review a particular bill's legislative movement, you can do so by going to the legislature's Web site: www.leg.state.co.us

HB-1001 Creates a business income tax credit to incentivize job growth (Rep. Rice/Senator Heath)

This bill is intended to provide an incentive for businesses to create jobs. To participate in the program, a business would have to meet certain criteria and apply to the Colorado Economic Development Commission. The firm would be eligible for a corporate income-tax credit of up to half percent of its annual FICA taxes on new workers. The tax credit would be calculated on a year-to-year basis for five years according to the number of FTEs on the payroll of the business at the end of the year. In order for the tax credit to be granted, a company has to prove that if it wasn't for this program that the company would not move or expand its operations in Colorado.

Position: **SUPPORT**

Status: Assigned to the House Business Affairs and Labor Committee and scheduled to be heard when the Committee meets Wednesday at 1:30 p.m., January 28th, in Room 112.

HB-1057 Mandates companies provide up to 40 hours of unpaid leave per academic year for workers to attend their children's academic activities at school (Rep. A Kerr/Senator Bacon)

HB-1057 would require companies that employ more than 10 workers to provide up to six hours of unpaid leave per month and up to 40 hours in an academic year to workers who want to attend parent-teacher conferences or other academic activities related to the educational achievement of the employee's child.

Position: **OPPOSE**

Status: The House Education Committee only took testimony on Thursday, January 22nd, The Committee is scheduled to debate amendments and vote on the bill when the Committee meets at 1:30 p.m., Thursday, January 29th, in Room 112.

HB-1117 Concerns the "authority to capture unearned compensation" provided to "persons in a publicly traded business entity's governance" (Rep. Frangas)

Called the "Colorado Shareholder Protection Act," this bill targets executives of failing companies by prohibiting "unearned compensation" and allows shareholders, creditors, the Colorado Attorney General and others to try to recover the compensation. In effect, the bill seeks to eliminate so-called "Golden Parachutes" and other executive benefits when a company is going under. The bill is aimed at companies that will be ". . . undercapitalized after unearned compensation is granted, or is reasonable expected to become undercapitalized as liabilities and debts mature . . ." This bill would likely encourage lawsuits against corporations by executives, called "principals," because it would modify their employment contracts or agreements. HB-1117 doesn't specify the types of damages that can be obtained. HB-1117 requires an executive to work at least 20 hours per week. The bill is aimed at the top five executives in a company, provided they earn at least \$1 million in annual compensation. The bill defines "principals," "undercapitalized," and "unearned compensation."

Position: **OPPOSE**

Status: The bill has been scheduled for a hearing when the House Business Affairs and Labor Committee convenes in Room 112 following the recess of the House floor session Tuesday morning, February 3rd.

HB-1170 Provides Unemployment Insurance (UI) benefits for workers when “locked out” by employers during a labor dispute with a union (Rep. Casso/Senator Tochtrop)

This bill would allow workers to receive UI benefits when the employer initiates the “lockout” of the workers. The bill defines “lockout” as “a refusal by an employer engaged in a dispute with a union to permits its employees to perform services on behalf of the employer.” The bill also covers “multi-employment bargaining units,” which is defined as “any group of two or more employers bargaining with a union as a single unit with the consent of each employer and the union.” The bill defines an employer-initiated lockout to “constitute a labor dispute” and thus the unemployed workers are eligible for UI benefits. The exception to this change is that workers may be ineligible for UI benefits if “the lockout results from the demands of employees as distinguished from an effort on the part of the employer to deprive the employees of some advantage that they already possess.” In plain English, from CACI’s perspective, employers lock out workers when they fear that workers will damage the employer’s facility during a labor dispute such as a strike. CACI has opposed similar bills in past sessions.

Position: **OPPOSE**

Status: Assigned to the House Business Affairs and Labor Committee; not yet calendared for a hearing.

[For More Information on Legislation . . .](#)

CACI members with questions about legislation that CACI opposes or supports should contact **Chuck Berry**, CACI President, at 303.866.9652 or e-mail him at cberry@COchamber.com

Questions pertaining to health-care bills should be directed to **Ralph Pollock**, Chair of the CACI HealthCare Council, at 303.866.9657 or via e-mail at ralph@apaccess.com