

2013 LEGISLATIVE PREVIEW

By RAN Staff

LAWMAKERS WILL RETURN TO CARSON CITY TO COMMENCE THE 77TH REGULAR

Session of the Nevada Legislature on February 4. For the 120 days of session, the RAN Government Affairs team will be in the halls of the Nevada State Legislative Building as advocates of the retail industry.

It is the Association's mission to help strengthen the business environment for Nevada retailers and associates by providing a government relations program that supports retail industry needs through effective lobbying at the state level. Mary Lau, Liz MacMenamin, Lea Tauchen and Bryan Wachter will work hard to provide a voice in matters affecting our retail members. They will develop relationships with the legislators and staff as they actively engage in the legislative process. The RAN team will be tracking several hundred bills as they move through the proper committees of each house and will testify on behalf of the industry when appropriate. This session, there will be 18 policy committees, as well as two fiscal committees, that will meet to discuss and vote on potential legislation.

In preparation for the session, the RAN Government Affairs team has been

reviewing the bill draft requests (BDR) that have been submitted. At this stage of the process, almost seven hundred ideas for legislation have been proposed by legislators, legislative committees, the Governor's office, state agencies, and local governments. Each BDR has been given a number and a brief, one-sentence description. However, we have not seen any bill language so it is difficult for us to determine the true intent or potential content of a BDR.

RAN staff will be meeting with bill sponsors to discuss their ideas and to begin doing research to acquire additional information about bills that may affect our members.

HEALTH CARE AND PHARMACY

Liz MacMenamin will monitor the health care and pharmacy legislation as well as some of the regulatory legislation that is being introduced this session. After a review of the bill draft requests already filed with Legislative Counsel Bureau, it is apparent that RAN will be following legislation addressing the education of health care providers on patient safety and current training requirements. Several legislators have bill draft requests addressing boards and commissions

investigations of unlicensed medical practitioners in our state.

This 77th Session will also focus on the Affordable Health Care Act. Governor Sandoval announced last month his intention to expand the Medicaid program in Nevada (see page 3 for details). While the initial decision to move forward has been made, many questions remain outstanding; for instance the Governor has indicated his desire to include co-pay for services by recipients — a measure that has been met with hesitation by many lawmakers. A discussion on the long-term effects of increasing the Medicaid rolls by nearly 80,000 participants

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2013 LEGISLATIVE PREVIEW — LEGISLATIVE TEAM *Continued from page 1*



Mary F. Lau
President/CEO



Elizabeth MacMenamin
Vice President of Government Affairs



Lea Tauchen
Senior Director of
Government Affairs



Bryan Wachter
Director of Public and
Government Affairs

will be necessary as the federal government's financial support dwindles by the end of the decade.

RAN will also follow legislation that places further insurance mandates on employers and businesses in the state of Nevada. Historically, the association has opposed this type of legislation because of the aggregate impact it traditionally has on the growing cost of employer provided health care.

GROCERY AND GENERAL MERCHANDISE

Lea Tauchen will follow grocery and general merchandise bills. This may encompass a wide variety of issues such as

wage, labor, commerce, consumer protection, data security, energy efficiency, sustainability, or theft. More specifically, proposals have already been submitted regarding nutrition labeling, food inspection, background investigations, overtime compensation, organized retail crime, electronic waste, and economic development incentives. Grocery and general merchandise issues comprise such a broad range of topics that legislators may not realize how their particular requests could impact the retail industry. RAN serves as a resource for providing industry information and perspective.

TAXATION, TRANSPORTATION, AND WORKERS' COMP

Bryan Wachter will track the taxation, transportation, and workers' compensation issues. While Governor Sandoval has already stated his opposition to increasing taxes in 2013, newly minted Assembly Speaker-Elect Kirkpatrick and Senate Majority Leader Denis have already indicated their intention to hold an in-depth conversation of Nevada's existing tax structure beginning on day two of the legislative session. RAN is currently engaged in fighting a nearly two billion dollar tax increase proposed by the Teachers' Union, but is more than willing to participate

in the tax conversation. In addition to what leadership is looking at, BDRs have been introduced to create taxes on fast food items and services, and revise taxes on payroll, live entertainment and property tax. RAN is expecting changes to the Workers' Compensation system but details were not available at press time.

During session please visit our website at www.rannv.org for a complete list of legislation that may impact the retail industry. Or, feel free to contact the RAN team for updates as the session progresses. For additional information on the legislative session or to watch live committee hearings, go to www.leg.state.nv.us. ■

KEY DATES IN LEGISLATIVE SESSION

- Feb. 4 Session Begins
- Feb. 8 Joint Subcommittees start
- Feb. 11 Legislators' BDR Requests
- Feb. 18 Committees' BDR Requests
- Feb. 25 Committee's BDR Details
- Mar. 18 Legislators' Bill Introductions
- Mar. 25 Committees' Bill Introductions
- Apr. 2 Start Closing Budgets
- Apr. 12 Committee Passage (First House)
- Apr. 23 First House Passage
- May 1 Economic Forum Report Due
- May 6 Start Resolving Budget Differences
- May 17 Committee Passage (Second House)
- May 23 Finish Budget Differences
- May 24 Second House Passage
- May 29 Budget Bills Introduced
- Exempt Bills from Committee
- June 3 Last Day of Session ... maybe...



GOVERNOR SANDOVAL EXPANDS MEDICAID

By RAN Staff

LAST MONTH GOVERNOR SANDOVAL BECAME THE first Republican Governor in the Nation to accept the expansion of Medicaid required by the Affordable Care Act (ACA). As a result of this decision, nearly 80,000 Nevadans will have access to Nevada's current Medicaid program providing coverage for medical services. Historically, Nevada has had one of the lowest per capita Medicaid enrollments in the nation, largely the result of Nevada's highly restrictive eligibility rules. Before the expansion Nevada never allowed Medicaid eligibility for non-aged/disabled childless adults. The expansion of Medicaid will now cover individuals and families earning up to 138% of poverty level (annual income of

\$15,415 for an individual and \$31,809 for a family of four). Some of these newly eligible persons have been covered to some extent by other programs Nevada has offered. The Governor's office estimates the State General Fund will see a net gain of \$17 million dollars by transferring those from other programs to the Medicaid program. The Affordable Care Act grants Nevada 100% of the costs associated with covering the newly eligible participants during the 2014, 2015 and 2016 calendar years, which will gradually be reduced to 90% by 2020. In addition to the cost-savings associated with expanding Medicaid, Nevada could see an increase in the economic impact associated with the ACA by 3.7 billion dollars and more than 5,200 jobs

according to the State Demographer and the University of Nevada, Reno (as compared to not expanding Medicaid). The move to expand Nevada's eligibility will also help many Nevadans avoid a potential tax liability and will positively impact the ratio of federal dollars received by Nevada compared to the number of federal tax dollars Nevadans pay. As of 2010 Nevada ranked 49th among the states in Federal Funds received, according to the IRS, Nevada received \$0.65 back for every \$1.00



in taxes sent to the federal government. RAN will play an active role in the process as the Governor and State Legislature debate the details of the expansion plan and will have more details when they become available. ■

RENO LIQUOR LICENSE PENALTIES

By Lea Tauchen

THE RENO CITY COUNCIL HAS PASSED AN ORDINANCE that creates disciplinary procedures and penalties for alcohol violations such as selling alcohol to a minor. For the first offense within any 12-month

period, the liquor license holder may be issued an administrative citation of \$250. For the second offense within any 12-month period, the licensee may be issued an administrative citation of \$500 or be required to install an age verification device at the

cash register in packaged liquor establishments, or at the point of entry for on-premise consumption establishments. For a third offense within any 12-month period, a 30-day suspension of the liquor license may be given for "good cause." The licensee

may file an appeal to the administrative hearing officer for a "stay" on the imposition of the suspension. If you have questions or would like additional information, please contact Lea Tauchen at **lea@rannv.org** or **(775) 882-1700**. ■



2013 ASSEMBLY AND SENATE LEADERSHIP

By RAN Staff

ASSEMBLY LEADERSHIP

Following the November 6th Election Marilyn Kirkpatrick was chosen by her 26 Democratic Assembly colleagues as Speaker for the 77th Legislative Session (the formal vote will take place on the floor on February 4, 2013). Rounding up the Assembly Leadership will be:

- Mrs. Marilyn Kirkpatrick (D-NLV) Speaker
- Mr. Paul Aizley (D-LV) Speaker Pro-Tempore
- Mr. William Horne (D-LV)..... Majority Floor Leader
- Mr. Jason Frierson (D-LV)..... Assistant Majority Floor Leader
- Mr. David Bobzien (D-Reno)..... Senior Majority Whip
- Mr. Pat Hickey (D-Reno)..... Minority Floor Leader
- Mr. Crescent Hardy (R-Clark)..Assistant Minority Floor Leader

ASSEMBLY COMMITTEE LEADERSHIP

- Commerce and Labor..... David Bobzien, Chair
Marilyn Kirkpatrick, Vice Chair
- Education Elliot Anderson, Chair
Marilyn Dondero Loop, Vice Chair
- Government Affairs..... Teresa Benitez-Thompson, Chair
Dina Neal, Vice Chair
- Health and
Human Services..... Marilyn Dondero Loop, Chair
Ellen Spiegel, Vice Chair
- Judiciary Jason Frierson, Chair
James Ohrenschall, Vice Chair
- Legislative Operations
and Elections..... James Ohrenschall, Chair
Lucy Flores, Vice Chair
- Natural Resources..... Skip Daly, Chair
Pail Aizley, Vice Chair
- Taxation Irene Bustamante Adams, Chair
Peggy Pierce, Vice Chair
- Transportation..... Richard Carrillo, Chair
Joe Hogan, Vice Chair
- Ways and Means Maggie Carlton, Chair
William Horne, Vice Chair

SENATE LEADERSHIP

Senator Moises Denis led the Senate Caucus during the 2012 Election Cycle and will serve as the Senate Majority Floor Leader in 2013. Senate Leadership includes:

- Lt. Governor Brian Krolicki (R).....President of the Senate
- Senator David Parks (D-Clark) President Pro Tempore
- Senator Moises Denis (D-Clark) Majority Floor Leader
- Senator Debbie Smith (D-Washoe)..... Assistant Majority
Floor Leader
- Senator Ruben Kihuen (D-Clark).....Majority Whip
- Senator Mike Roberson (R-Clark)Minority Floor Leader
- Senator Ben Kieckhefer (R-Washoe).....Assistant Minority
Floor Leader
- Senator Joe Hardy M.D. (R-Clark)Minority Floor Leader

SENATE COMMITTEE LEADERSHIP

- Finance..... Senator Debbie Smith, Chair
- Revenue and
Economic Development..... Senator Ruben Kihuen, Chair
- Commerce, Labor
and Energy..... Senator Kelvin Atkinson, Chair
- Transportation.....Senator Mark Manendo, Chair
- Health and
Human Services..... Senator Justin Jones, Chair
- Education Senator Joyce Woodhouse, Chair
- Government Affairs.....Senator David Parks, Chair
- Judiciary Senator Tick Segerblom, Chair
- Legislative Operations
and Elections.....Senator Patricia Spearman, Chair
- Natural Resources..... Senator Aaron Ford, Chair





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THE OPINION OF THE RGJ EDITORIAL BOARD

TIME FOR CONGRESS TO STEP INTO WEB SALES TAX FRAY
SNAPSHOT

ISSUE: COLLECTING SALES TAXES ON INTERNET SALES

OUR VIEW: STATE-BY-STATE AGREEMENTS

with Amazon have been helpful, but a federal system is needed to ensure fairness and consistency for governments and businesses.

On Tuesday, Massachusetts became the latest state to win an agreement with the online retailer Amazon to collect sales tax from customers in the Bay State. Amazon will begin collecting the state's 6.25-percent tax on Nov. 1, 2013.

The Internet giant began charging its California customers tax on purchases in September. It also has agreements with Texas and New York, where customers now must pay sales tax.

Nevada Gov. Brian Sandoval announced a similar deal with Amazon, which has a major distribution center in Fernley, in April, but it won't go into effect until 2014.

Although the state deals are welcome, the results of negotiating

what are essentially agreements to comply with the law state by state are inconsistent and unfair. Why should a company like Amazon collect sales tax from California customers already, while Massachusetts must wait until next November and Nevada won't see the benefit until a couple of months after that?

It's well past time for Congress to step in to

"It's well past time for Congress to step in to create a single system that treats all states equally and ensures every consumer pays the taxes he or she owes."

create a single system that treats all states equally and ensures every consumer pays the taxes he or she owes.

Critics of the sales tax agreement in Nevada argue that it is a "tax increase." It's not. Nevada law, similar to laws in most states that have a sales tax, requires that residents pay the tax on every purchase, whether made in Nevada or not. If the retailer doesn't collect the tax, it's the responsibility of the purchaser to send the

appropriate amount to the state. (Forms are available from the Department of Taxation.) Businesses, whether online or in a brick-and-mortar store, simply collect the tax for the state.

It's easy to understand why online retailers have been reluctant to collect sales taxes. Not collecting them gives the company a price advantage over local stores, of course, but they

also face a crazy quilt of tax laws, definitions and rates.

Congress has, in fact, told the states in the past that they first needed to agree on common rules and definitions.

That's why 44 states, including Nevada, have signed onto the Streamlined Sales and Use Tax Agreement, a national effort by the National Governors Association and the National Conference of State Legislatures to make it easier for companies to comply with

the various state laws. Many businesses comply voluntarily already; some don't. So, a federal solution is necessary. A nationwide system would ensure that all businesses know exactly what the rules are. It would ensure fairness, simplicity and, most important for small businesses, consistency across every jurisdiction.

Indeed, that's a recommendation Amazon would agree with. Massachusetts Gov. Deval Patrick said that the state and Amazon will work together to support a federal law.

"Federal legislation is the only way to level the playing field for all sellers," Paul Misener, Amazon's vice president of global public policy, said in a statement released Tuesday, "the only way for states to obtain more than a fraction of the sales tax that is already owed, and the only way to fully protect states' rights."

The ball now is in Congress' court. ■



STATE BOARD OF PHARMACY UPDATE

By Liz MacMenamin

THE NEVADA STATE BOARD OF PHARMACY MET AT THE

Hyatt Place on Plumb Lane, Reno, on December 5th and 6th. The meeting on the 5th involved three discipline cases, which will not be discussed, and the 6th was reserved for a public hearing regarding regulations for possible action.

REGULATIONS HEARD DURING PUBLIC HEARING WERE:

1. Changes requirements for registration of pharmaceutical technicians (NAC 639.240). The amendment to this regulation will ensure that a technician applying for registration in Nevada, but who attended an out of state school with no externship program, must have at least 240 verifiable hours of employment in a pharmacy.

It also added Indian Health Services and the Veterans Administration as qualified trainers for technicians. This amendment to the regulation passed with very little discussion by the Board. Executive Director Larry Pinson informed the Board that this would be an added requirement for technicians who obtain "online" certificates of schooling, and will benefit the safe practice of pharmacy in Nevada.

2. Use of computer system for issuance and transmission of prescription (NAC 639.7102). This is a Legislative Counsel Bureau update of the Administrative Code and it removes language that would prohibit CII from being transmitted electronically and parallels language the Board had proposed. In Section 1, subsection 8(a) the language removes the prohibition to

this practice. The Board asked that staff also change the language that requires an ICD-9-CM code to now read "the adopted ICD code".

3. Electronic transmission of a prescription (NAC 639.7105). This regulation will allow the electronic transmission of CII and sets forth new requirements, once new technology exists, that requires certain information electronically. Some of the information Board staff has suggested, and may be brought up for consideration by the national committee that reviews the software programs, is a Nevada-controlled substance registration of the prescribing practitioner, indication for use or diagnosis code, and the date of the last physical examination.

The board also discussed the problems with technician diversion and some possible

solutions including suggested policies for a pharmacy. One suggestion was to place the pharmacy restroom off-limits to technicians and require them to use the public restrooms. The consensus of the Board was that each company should come up with policies and procedures that conform to their business model. One Board member suggested that a regulation making it illegal to take a drug into a restroom, may address this problem. This discussion will be ongoing since the problem of theft by technicians continues to be a concern.

The Board also acknowledged Jeri Walter, Board Coordinator, who is retiring at the end of December. Replacing her will be Shirley Hunting.

The next board meeting will be held January 16-17, 2013 in Las Vegas. ■

THE "BUY LOCAL" MOVEMENT

By Lea Tauchen

THE "BUY LOCAL" MOVEMENT HAS EXPANDED THROUGHOUT

the country. In Nevada, buy local events have been promoted in the north and south. But what does buying locally really mean? Is local defined as an independent merchant or as

a franchise owned by a small businessman or as a chain store that attempts to carry a variety of local products? Every consumer seems to have a different perception of buying local and how it applies to their shopping habits.

Regardless of your definition, when you purchase

your goods from any brick and mortar store, you not only support the local economy, but also the community services that are provided through sales tax revenue. Additionally, the retailers pay property taxes, payroll taxes, and employ your friends and neighbors.

The bottom line is that

there is a place for all retailers to complement each other in our communities. Nevada residents are fortunate to have the option of shopping at independent stores, franchisee operations, and national chains to fulfill all of their needs and wants. ■



FLASH MOBS VS. CASH MOBS VS. FLASH ROBS

By Lea Tauchen

WHAT ARE FLASH MOBS, CASH MOBS, AND

flash robs? These new trends can be confusing when we hear stories about them in the media, but are they good or bad? What is their impact on the retail industry?

“Flash mobs” are benign and should not affect the retail industry in any way. A flash mob is a group of individuals who organize through social media sites to gather and perform an unusual act at a particular location at a specific time. These groups typically meet in a public place and entertain passers-by with a choreographed song or dance or pillow fight with the goal of artistic expression and fun. Participants of a flash mob avoid political or commercial publicity. Instead, it is referred to as a “smart mob” if paid professionals are involved. Flash mobs have also morphed into “cash mobs” and “flash robs” over the last several years.

“Cash mobs” are great for the retail industry. A cash mob is a group of individuals who organize through social media sites to gather and spend money at a particular location at a specific time. These groups typically target struggling, local-owned businesses with the goal of helping to boost

their sales and bring the community together. This provides the business owners with free marketing and the opportunity to acquire new customers, reconnect with old customers, and bond with current customers. Cash mob participants also like to convene for celebratory drinks or meals at nearby bars or restaurants after the shopping event, thereby furthering their contribution to the business community. With adequate preparation and publicity, anyone can organize a cash mob at any time and at any place.

“Flash robs” are terrible and scary for the retail industry. A flash rob is a group of individuals who organize through social medias sites to gather and steal from a particular location at a specific time. Teenagers, who rush into a store and overwhelm the employees,

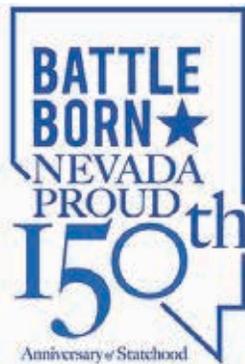
typically commit these robberies. They grab as much merchandise off the shelves as they can manage and exit the store in all directions before authorities can arrive to apprehend them. Most flash robs are conducted in broad daylight on busy city streets while security cameras are rolling. In May of last year, a Las Vegas convenience store surveillance camera captured a flash rob on video (available on YouTube). More than 20 teenagers swarmed the small shop and stole more than \$600 worth of merchandise in about three and a half minutes. Such an event can create shock and panic amongst customers and employees in the store when it happens. It can also result in fear from future patrons worried about a reoccurrence of such a crime while they are shopping there. ■

NEVADA 150 COMMITTEE

PLANNING HAS BEGUN ON THE

celebration of Nevada’s 150th birthday.

The festivities will begin on Nevada Day, October 31, 2013, and end after a year-long recognition



on Nevada Day October 31, 2014. The Nevada Day logo is pictured here.

Learn how you can be involved by going to <http://www.nevada150.org/> ■

UPCOMING EVENTS

NATIONAL GROCERY ASSOCIATION SHOW

Mirage Hotel & Casino
Las Vegas, NV
Feb. 10–13, 2013

NACDS 2013 REGIONAL CHAIN CONFERENCE

Feb. 3–5, 2013
Harbour Beach Marriott Hotel & Spa
Ft. Lauderdale, FL

NACDS ANNUAL MEETING

April 20–23, 2013
The Breakers
Palm Beach, Florida

NRF GLOBAL SUPPLY CHAIN SUMMIT

May 19–21, 2013
Adolphus Hotel
Dallas, TX

NRF LOSS PREVENTION CONFERENCE & EXPO

June 12 –14, 2013
San Diego Convention Center
San Diego, CA



Nevada Notes

NEVADA JOBLESS TAX RATE BOOSTED 12.5 PERCENT

State Employment Security Division administrator Renee Olson increased by 12.5 percent the unemployment tax rate that employers pay each year to provide unemployment benefits for laid-off workers.

Olson by law makes this decision without interference from the governor or Legislature.

Olson also announced that she has submitted bills to have the employers continue to pay interest charges to the federal government for the \$676 million the state owes to the U.S. Department of Labor for covering state costs of providing unemployment to laid-off workers during the recession.

To be considered solvent, the state unemployment trust fund needs about a \$1.1 billion surplus.

Besides the state tax increase — the average tax rate goes from 2 percent to 2.25 percent — employers in January will be hit with another \$21 per employee federal unemployment tax increase.

LVRJ

WALMART HAS HELPED KEEP PROGRAM ALIVE

As a 70-year-old Reno resident of many years, I have watched with great curiosity and concern the many media reports of protests by unions and other individuals not employed by Walmart.

On the flipside of all this negativity heaped on Walmart, there is another story. Walmart is a big giver to local communities. Sometimes just doing good deeds, others in times of dire need. Walmart was there early on last year after fires ravaged southwest Reno. Before Hurricane Sandy even hit the

East Coast, Walmart trucks were being loaded with water and other needed items for victims-to-be...

RGJ Letter to the Editor

MCCARRAN TO REVAMP SOME OF ITS RETAIL SPACE

With its captive audience of about 40 million people a year, McCarran International Airport is popularly regarded as an arena where retailers can set the shop on autopilot while raking in profits.

But the near-term outlook laid out in airport management's specialty retail blueprint indicates that concessionaires face a lot of work - just like their counterparts in regular shopping centers. The plan, approved Tuesday by the Clark County Commission, identified six shops to be eliminated when leases expire in the next couple of years, with just three new ones

brought on line.

More certain are the 15 locations designated for locals that will expire through October 2015. Although these bids would be open for anybody with a Las Vegas residence and business license, the evaluation system awards points to people with airport retail experience. This gives incumbents a head start against a neophyte, although numerous other factors come into play, including product mix and financial projections.

LVRJ

HIRING PATTERN

The five top employers in Nevada for employment of people with disabilities are Walmart, Goodwill Industries, Albertson's, the Clark County School District and TJ Maxx, says the rehabilitation division of the state employment department.

NNBW

TO HIRE THE RIGHT PERSON NEW RESEARCH GIVES GUIDANCE FOR EMPLOYMENT INTERVIEWS

By James Larsen, Ph.D.

YOU'LL HAVE TO FORGIVE THE POOR SCHNOOK SITTING ACROSS

the desk from you, the one you're interviewing for a job for your store. His mind is racing. He has to make a decision. Does he present you with the new and improved John Doe, the fellow he's

become based on his guesses about the kind of a person you're looking for? Even during the interview, you can see him listening closely for clues so he can miraculously acquire skills he thinks you want and describe them to you with vivid, fictional accounts that display his use of them. If he does

well, you'll offer him a job. Then at least his problem of unemployment will be solved. Of course, there is another choice for Mr. Doe. From early childhood, Mr. Doe has had "good guy" training hammered into him to tell the truth. Parents, grandparents, teachers, coaches, and religious instructors all agree.

Honesty is the best policy. Thou shall not bear false witness. Be who you really are. Good guy training commands poor Mr. Doe to answer your questions truthfully, but even as he does so, other well-known phrases will crowd into his thinking. "If you really knew who I was, you wouldn't

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National Notes

WALMART, KROGER SAID TO BE AMONG THOSE BIDDING ON HOSTESS

Two Dozen or So Bidders Lining Up for Twinkies, Wonder Bread, Other Assets

Walmart Stores and Kroger Co. are among the bidders for assets being sold by Hostess Brands, the bankrupt maker of Wonder bread and Twinkies, said a person familiar with the matter.

A few of the bids are for all the assets, some are for just the cakes or breads businesses, and others are interested in individual Hostess plants.

Hostess sought court protection in January for the second time, less than three years after completing a restructuring that spanned 4 1/2 years. The company said last month that it would liquidate and fire more than 18,000 workers after failing to come to an agreement with its bakers' union on concessions to help Hostess emerge from bankruptcy.

Branding experts recently told Ad Age that Hostess products still hold plenty of appeal because of their iconic nature.

Bloomberg News, with E.J. Schultz

RETAIL GROUP: 'RETURN FRAUD' COSTS \$9B A YEAR

This holiday season, merchants are concerned about thieves who steal without even leaving the store.

A retail group puts a price tag of almost \$9 billion a year on "return fraud," a crime where people exchange stolen goods for cash, use counterfeit receipts or bring back items that have already been worn or used.

One category of the crime, the return of clothing and other items purchased for special occasions, even has its own name: "wardrobing." That issue affects about 65 percent of surveyed firms, according to a new report from the National Retail Federation (NRF).

Return fraud can affect honest consumers, according to the trade group. Companies seeking to curb criminals often impose shorter return windows and limitations on the types of products that can be returned. Almost 75 percent of retailers now require customers to show identification when making returns, particularly if they have no receipt, the NRF said. The federation previously estimated the retail industry last year lost \$34.5 billion to all forms of "shrinkage," including employee theft, shoplifting, supplier- fraud and paperwork errors. That represented 1.41

percent of sales, down from 1.49 percent in 2010. (Cherry Hill, N.J.) *Courier-Post*

DEAL BRINGS END TO L.A., LONG BEACH PORTS STRIKE

Clerical workers at the ports of Los Angeles and Long Beach will return to work Wednesday, ending a strike that crippled America's busiest shipping hub for more than a week.

Leaders of the 800-member International Longshore and Warehouse Union Local 63 Office Clerical Unit agreed to a tentative deal after marathon negotiations that ended late Tuesday. The deal will not become final until it is ratified by the full union membership.

It ends a grueling battle between both sides that threatened to damage the fragile U.S. economy. Since the strike began, 20 ships diverted to rival ports in Oakland, Ensenada and Panama, while other freighters docked offshore waiting for a resolution.

L.A. Times

FOOD RETAIL INDUSTRY EMPHASIZES SUPPORT FOR HOUSE AND SENATE BILLS OF THE COMMON SENSE NUTRITION DISCLOSURE ACT

The Food Marketing Institute (FMI) reiterated its strong support for bringing

"common sense" back to Washington by excluding mainstream grocery stores from "Nutrition Labeling of Standard Menu Items at Chain Restaurants," a provision under the Affordable Care Act. FMI supports legislation that would return the scope of the law to what was originally intended by Congress — which never mentioned grocery stores.

The food retail industry wishes to fulfill the law without unnecessarily capturing grocery stores, where the vast majority of foods are already labeled with nutrition information. FMI asserts:

● **Fact #1:** The menu labeling law did not direct FDA to regulate supermarkets and the agency acknowledges this.

● **Fact #2:** Initial compliance costs of menu labeling for grocery stores will exceed \$1 billion, including nutrition analysis of each item, developing corresponding menu boards and signs, store-level training, and recordkeeping.

● **Fact #3:** Office of Management and Budget has listed menu labeling as the third largest new regulatory burden of FY 2011. OMB estimates a burden increase of 14.5 million hours and \$69.8 million for recordkeeping alone.

*FMI Press Release
Continued on page 11*



Important Information for SIG Members

The NRS governing self insured groups requires notifying members of all new members to the Nevada Retail Network Self Insured Group. New members for NRNSIG from December 1, 2012 to December 31, 2012 are listed below.

Buenas Noches, LLC dba Cabo Wabo Cantina

Chateau Night Club, LLC

Excellence Home Care Services

SF SW, LLC dba Sugar Factory MGM

SFW, LLC dba Sugar Factory Mirage

Sugar Factory Casinos, LLC

Sugar Factory Paris dba SF Paris LLC

Traveler's RV Sales

Turbine Blading and Parts LLC

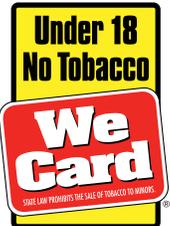
NRNSIG members who wish to register a negative vote on a new group member, please write NRNSIG at 575 S. Saliman Road, Carson City, NV 89701, indicating which member and the reason(s) for the negative vote.

TIME TO REORDER FOR 2013

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The Nevada Retail Network
Certificate #5004



• **Self Insured Group** •
• Membership in RAN Required •

- Greater management control that cuts overhead costs
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- Team Safety/Loss Control Program for all members
- Investigation and defense of claims
- Direct savings that give members greater incentive to control losses

Take Control Today...

Call Mike Olson
800-859-3177

Sponsored by:

The Retail Association of Nevada

410 South Minnesota Street
Carson City, NV 89703-4272

MEMBERSHIP INFORMATION: Find out more about RAN's self insured group. Call Mike Olson, **800-859-3177**, or the RAN office at **775-882-1700** (toll free in Nevada 800-690-5959). Don't forget to check out our website, www.RANNV.org.



TO HIRE THE RIGHT PERSON Continued from page 8

like me." "If you knew how I botched my last job, you wouldn't want me here," and so on. Mr. Doe has a lot to think about.

Daniel Cable, from the University of London, calls employment interviews "strong situations" because they invoke the same reactions from people regardless of their personal qualities, and he points to research findings that appear compelling. Eighty percent of job applicants told fictional stories prepared in advance to showcase their credentials, 81% of job applicants admitted lying at least once during an interview, and skilled use of impression management tactics is positively related to interviewer ratings. But Professor Cable had his doubts. There is a theory called "self-verification" that he believes applies to employment interviews. This theory suggests that people entering new settings are best served by being honest.

Cable tested the idea that some people are

honest in employment interviews, regardless of the strong incentives to the contrary, and that because of this honesty, they have a better adjustment to their new jobs. Cable devised a survey that measured the strength of a person's desire to be honest and to present themselves accurately during employment interviews. Typical items include: "It's worth it to be truthful with others about my habits and personality so that they'll know what they can expect from me;" "I like to be myself rather than trying to act like someone I'm not;" and "It's important for an employer to see me as I see myself, even if it means allowing people to recognize my limitations."

Cable gave this survey to two large groups, and he found that his subjects did vary in this quality. Some strongly favored honesty in employment interviews, even if it revealed weaknesses, but others did not. Armed with this data, Cable next watched to see what happened to these people when they

actually interviewed for jobs and moved into employment settings. He found that those with a strong need to "self-verify," the need to portray themselves honestly in employment interviews, had a significantly better adjustment to their new employment settings. They were happier, and their supervisors were happier with them. They also did not suffer rejection because of their honesty. Those with a strong need to be honest got just as many interviews and just as many job offers as those who did not. Honesty carried no penalty, and both the employer and the new employee found the transition to employment to be significantly more positive.

If we could limit our interviews to people who were being honest with us, our jobs would be a lot easier. Professor Cable recognizes our limitations, but he does have some suggestions. He feels, for example, that we can encourage honesty in self-disclosure by asking two specific questions: (1) If

you were to accept an offer of employment, what skills do you feel most strongly about using here? and (2) If you were to accept an offer of employment, what values do you care most about showing at work? Cable also believes that it may be useful to engage applicants in less formal selection practices than the interview, possibly allowing them to shadow potential peers for a day so that they become comfortable and exhibit their true self-views.

Finally, Cable noted the results of previous research that found recommendations from existing employees leads to good employment transitions. Cable believes this good adjustment can be explained by self-verification theory. Such employees are already known to your people and therefore have no opportunity to create fictitious personae that they must find a way to live up to. ■

Reference: Daniel M. Cable and Virginia S. Kay (2012) *Striving for Self Verification during Organizational Entry*. *Academy of Management Journal*, 55(2), April. www.businesspsych.org C.2013 Management Resources

National Notes Continued from page 9

WHY MORE EMPLOYEES ARE STEALING FROM YOU

Small businesses can take action to discourage theft from within the ranks.

The first steps recommended are to do thorough background checks on any potential hires, and to put in

place an environment where everyone recognizes that one person's actions could cost everyone their livelihood.

Institute policies controlling access, ensuring that certain information is only available to people who need to know it and that employ-

ees are educated on security policies, like not sharing passwords.

Install high-quality intrusion alarms and video surveillance to deter would-be thieves from risking exposure.

Do not fall behind on

paperwork, since that creates an exposure risk that may encourage some employees to skim a little extra.

The key is for all business owners to shake off the notion that employee theft could never happen to them.

The Globe and Mail



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WASHINGTON RETAIL INSIGHT

COMPREHENSIVE TAX REFORM IN THE FISCAL CLIFF

THE NATIONAL RETAIL FEDERATION ISSUED THE

following statement from President and CEO Matthew Shay on the Administration's inclusion of corporate tax reform in the ongoing fiscal cliff negotiations:

"The National Retail Federation and our members have long advocated for comprehensive tax reform that includes broadening the base and lowering rates so that American businesses — which pay the highest corporate tax rates in the world —

can compete on a level playing field in the global marketplace.

"While we are pleased that the President has historically supported and recently indicated his willingness to address the issue, this should not be a proposal made in the 11th hour of the fiscal cliff debate or made for political purposes to advance a narrow agenda during this crucial time in our history.

"If Congress and the Administration are serious about reforming our uncompetitive tax system, it's critically important that the plan is discussed

openly and in detail — with every stakeholder — and should be just one part of a broader approach to reforming the long term fiscal situation of the U.S. economy.

"Any change to the tax code should free businesses — large and small — to drive economic recovery through job growth and investment." ■

As the world's largest retail trade association and the voice of retail worldwide, NRF represents retailers of all types and sizes, including chain restaurants and industry partners, from the United States and

more than 45 countries abroad. Retailers operate more than 3.6 million U.S. establishments that support one in four U.S. jobs — 42 million working Americans. Contributing \$2.5 trillion to annual GDP, retail is a daily barometer for the nation's economy. NRF's Retail Means Jobs campaign emphasizes the economic importance of retail and encourages policymakers to support a Jobs, Innovation and Consumer Value Agenda aimed at boosting economic growth and job creation.