



RAN

Retail Association of Nevada

June/July 2017

LOOKING OUT FOR BUSINESS

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NEVADA NEWS

LEGISLATIVE SEASON TO POLITICAL SEASON

By Bryan Wachter

MUCH LIKE THE SPRING CLICHÉ, THE 2017 NEVADA

Legislative Session came in like a lion and ended like a lamb. As the ramp-up to the session began, rumors and stories swirled with news of the likely legislation that was to be presented and passed. After the 2015 legislature and the commerce tax, RAN was wary about what this session would bring.

With both legislative houses being led by Democrats, and newly appointed majority leadership stepping up to the plate, the task before us seemed daunting. The business community's greatest hits were being promised; minimum wage increases, mandatory sick pay, changes to workers' compensation, felony thresholds, and even after session started- another attempt at a plastic bag ban.

Yet, as staff now takes a moment to reflect back on the 120-day session, very few of the threats materialized as law. This can be attributed to a

number of factors. For one, the business community, which had been fractured during 2015, came together and united against the common goal to revise as much of the harmful legislation as we could, and when we couldn't compromise, to present a united opposition.

Secondly, the minority parties in the legislature mostly held the line and provided a backstop for some of the more onerous provisions. Lastly, leaders Ford and Frierson were more business-friendly than we anticipated. While true, they did push an extraordinary number of measures that would have had disastrous consequences on business, leadership tempered their blueprint priorities to delete some of the most egregious provisions of their bills, and for that a lot of RAN's opposition evolved to a neutral stance.

Now that the session is said and done, and many thanks to the Governor's 41 vetoes, we can step back and conclude that the 2017 session was really the calm before the 2018 Election Cycle.

With a very large contingent of legislators looking to run in other races, the ballots will be crowded and candidates will need huge sums of funds to separate them from the crowd. RAN's matrix will help us make decisions on funding — and when to fund. Look for our Legislative Matrix this fall in *Nevada News*. ■

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BEHIND THE 2017 LEGISLATIVE SESSION

By Mary Lau, CEO RAN

BORROWING FROM THE FAMOUS OPENING PARAGRAPH OF

Charles Dickens' Tale of Two Cities. ... The novel opens as, "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, ..."

The 2017 Legislative Session was one of incredible naïveté from day one. The caucuses were made up of so many freshmen that one immediately had a premonition of the kind of belief structures that brings about incredulity. As bill draft requests became reality in the form of bills released and assigned to committees, the entire business community spectrum became appalled at the anti-business rhetoric and ideas that were being presented.

During the 2015 Legislative Session the Democrat legislators introduced what they referred to as the Blueprint.

This became their document for opposition to the Republican efforts in that session to water down previous gains by

unions and trial lawyers and to reinstall what their leadership thought was balance to spending issues, tort issues and employee-employer relations.

The Blueprint, an amorphous document (designed with the assistance of multiple focus groups, polls, etc.) that outlined the opposition philosophy during that session, campaign verbiage and mailer content for the 2016 election cycle, and the guiding document for the social justice, business climate changes, and restoration of trial lawyer wants and union wants for this 2017 Legislative Session.

One might say that there is wisdom to having a platform and a plan, but it is also foolishness to think that everyone would accept your mantra as theirs. Leadership itself was startled about the vehemence of the pushback by the lobbying corps. It is probably safe to say that not one section of the business community remained unscathed

this last session and that each area had to fight an onslaught that was unprecedented.

This climate had a "best of times" result that included strong coordinated cooperation from the various segments of the business communities. Of the 47 generic business bills that were identified by the business lobbyists, only 11 made it out of both houses to the Governor's desk. Those 11 were highly

"The 2017 Legislative Session was one of incredible naïveté from day one."

amended and ended up either being supported or neutrally

viewed.

"Worst of times" was the sheer avalanche of bad bills and the amount of damage that could have been inflicted on all segments of business in Nevada.

In all fairness, it should be pointed out that many of the freshmen legislators from both sides of the aisle were inundated with requests from far-left and far-right constituents who failed to give the downside to their respective requests. Lobbyists worth

their salt will always advise a legislator of all sides of an issue and also advise the legislator to have Legislative Counsel Bureau research any history.

Once leadership got wind of the problems that were being generated they took a stronger hand with their caucus members and tried to guide them in a more productive way.

RAN publicly would like to acknowledge the legislators that worked with the Association in passing legislation that will improve health care in Nevada, and provide some tax relief to businesses operating in Nevada.

Legislators also amended their legislation to help construct better language to match their original intent without damaging the process.

RAN will soon be publishing it's 2017 Legislative Session Matrix, which will give our members a clearer picture of the highest priority bills and the outcomes in working with all 63 legislators.

Thank you for your continued support and know that it is our privilege to work on your behalf. ■



2017 LEGISLATURE AND PHARMACY

By Liz MacMenamin

THIS LEGISLATIVE SESSION, RAN WAS ABLE TO INTRODUCE AND

successfully pass two very important pieces of legislation for the benefit of pharmacists practicing in Nevada. We would like to acknowledge Senators Kelvin Atkinson and James Settlemeyer who introduced these bills and guided them through the process. These bills were then signed into law by the Governor Sandoval.

SENATE BILL 260

allows a pharmacist to enter into a collaborative practice agreement with a practitioner to practice either collaborative drug therapy management or work with a practitioner under specific parameters

to perform tests to address chronic diseases and public health issues. This could include outbreaks and specific diseases and disorders. Under this agreement, the practitioner will determine the parameters of treatment.

A team approach has been successfully implemented and used in Nevada's hospitals. Adam Porath, a hospital pharmacist, testified in favor of this procedure, pointing out improved patient outcomes and benefits afforded by cooperative agreements between a patient's doctor and their pharmacist. Eff 7/1/17.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB260_EN.pdf

SENATE BILL 337 allows

a pharmacist to perform specific CLIA waived tests in a pharmacy. The language limits the testing to finger sticks, oral swabs and nasal swabs. The State Board of Pharmacy will be adopting regulations necessary to carry out the testing by a registered pharmacist. RAN will be following this through the regulatory process and will update members as the regulations are adopted. This bill becomes effective July 1, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB337_EN.pdf

RAN also worked with Senator Gansert on legislation she introduced, **SENATE BILL 171**, requiring pharmacies to post in a conspicuous space

or to provide, upon request, written information for the safe disposal of unused drugs. It also sets up the fining mechanism that must be used for violations of this law. Assemblywoman Maggie Carlton wanted to be assured that this would not end up being an egregious dollar amount to the pharmacy or pharmacist. RAN will follow this language through the regulatory process and update members as this occurs. This law becomes effective October 1, 2017.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB171_EN.pdf

Questions? Please contact Liz MacMenamin at lizm@rannv.org or at 775-882-1700. ■

HEALTH CARE BILLS THAT WERE VETOED BY THE GOVERNOR

By Liz MacMenamin

ASSEMBLY BILL 374,

sponsored by Assemblyman Mike Sprinkle, and dubbed "Sprinkle Care", would have required the Department of Health and Human Services to establish a plan within Medicaid for purchase by individuals that are not eligible for Medicaid.

This bill was vetoed by Governor Sandoval. In his veto message, he addressed many of the concerns that the medical community and others had with this language. He stated. "AB 374 raises more questions

than it answers, while adding uncertainty to an industry that needs less."

This is not the end of the conversation on this concept, only the beginning and there will need to be evidence showing how this would work and who will actually benefit from this new "Medicaid" concept. Assemblyman Sprinkle has set the ground work and this will possibly bring forth studies regarding how this program could work for the citizens of Nevada who may fall

through the gaps and not be able to obtain health insurance.

ASSEMBLY BILL 408,

sponsored by Assemblywoman Amber Joiner, appeared to mirror the Federal Affordable Health Care Act (ACA). This bill was vetoed by Governor Sandoval for a number of reasons. This language would codify in Nevada law the (ACA) in prohibiting denials based on health status and would codify extended coverage to age 26 for insureds children.

Access to affordable health

care should be available to all citizens. but the language in this bill would give less flexibility to public funded health care programs and would likely raise the cost of the state Medicaid program. The reasoning in the veto message was sound and logical. RAN opposed this bill and agrees with the governor. The following is a link to this language:

<https://www.leg.state.nv.us/Session/79th2017/Reports/history.> ■



NEW LAWS THAT HAVE TAKEN EFFECT

By Lea Tauchen

ASSEMBLY BILL 113: This bill requires an employer to provide an employee who is the mother of a child under one year of age with a reasonable break time, with or without compensation, to express breast milk. The employer must also provide such employees with a place, other than a bathroom, that is reasonably free from dirt, pollution, and intrusion to take such breaks. Employers with less than 50 employees are exempt from these requirements if they impose an undue hardship on the employer. Effective: July 1, 2017. Details: https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB113_EN.pdf

ASSEMBLY BILL 162: This bill prohibits a business that accepts a driver's license or identification card issued by the DMV for the purpose of identifying a person from refusing to also accept a permanent resident card for

the same purpose. Effective: July 1, 2017. Details: https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB162_EN.pdf

ASSEMBLY BILL 276: This bill prohibits an employer from discriminating against a person for inquiring about, discussing, or disclosing information about wages (except for a person with access to this information, such as HR). This bill also establishes requirements governing noncompetition covenants. Effective: June 3, 2017. Details: https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB276_EN.pdf

ASSEMBLY BILL 337: This bill prohibits an employer of a member of the National Guard in this state or another state from terminating the member's employment because he or she is ordered to active service or required to perform duties as a member of the National Guard. If the Labor Commissioner

determines that a member of the National Guard was terminated unlawfully, the member may bring a civil action against their employer within 120 days of receiving a notice of termination. The member is also entitled to reemployment, restoration of seniority and benefits, receipt of lost wages and benefits, and relief of attorney's fees and costs under certain circumstances. Effective: July 1, 2017. Details: https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB337_EN.pdf

SENATE BILL 185: This bill prohibits a seller or lessor of consumer goods or services, who uses a form contract (standardized and not negotiated) from requiring the consumer to waive his or her rights to provide a review, comment, or statement about the seller or lessor or the goods or services and/or penalizing the consumer for

doing so. However, this does not prohibit a person who maintains an online forum (such as a company website or social media account) from deleting a negative review, comment, or statement from the forum if they are lawfully entitled to remove it. This bill also prohibits a person from leasing any living animal or goods intended for personal, family, or household use if the animal or item is expected to have not more than a minimal residual financial value at the end of the lease. Furniture and household electronics are exempt from this provision. Effective: July 1, 2017. Details: https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB185_EN.pdf

If you have questions or would like additional information, please contact Lea Tauchen at lea@rannv.org or (775) 882-1700. ■

ANTI-BUSINESS BILLS THAT DIED

By Lea Tauchen

THE BILLS THAT ARE PASSED INTO LAW DO NOT TELL THE WHOLE STORY of the Legislative Session. In addition to the employment bills that the Governor vetoed, there were many other

proposals that would have had a negative impact on the retail industry. These bills were decided in committee or on the Floor by not being scheduled for a hearing or not being brought up for a vote. RAN was opposed to these bills

and fought to keep them from passing. However, we must remain cognizant of such issues as we may see similar bills drafted next legislative session. **ASSEMBLY BILL 178:** This bill would have increased

the length of time for filing a discriminatory employment practice complaint from 300 days to 2 years after the date of the alleged discrimination; increased the length of time that an employer must maintain

Continued on next page



GOVERNOR VETOES THREE EMPLOYMENT BILLS

By Lea Tauchen

FROM THE RETAIL INDUSTRY PERSPECTIVE, RAN MEMBERS OFFER competitive wage and benefits to attract and retain the best possible workforce. Most retailers pay more than the minimum rate requirement and provide some form of flexible scheduling or paid time off for illness or to care for family members. However, this Legislative Session, there were several proposals that would have mandated a one-size-fits-all formula

for how companies would have had to compensate their employees. RAN was concerned that such laws would remove the flexibility for business owners to make personnel decisions that accommodate their unique workforce, culture, and circumstances. Two bills that increased aspects of the minimum wage and one bill that would have prescribed a paid sick leave policy were passed through the Legislature on party-line votes with the Democrats

voting in favor and the Republics voting in opposition. These three proposals were sent to Governor Sandoval for final approval before they could become law. Upon review, the Governor could not support these measures and they were vetoed and returned to the Legislature with his veto messages. **ASSEMBLY BILL 175** would have required an employer to comply with specific "bronze" level provisions of coverage for a health insurance

plan that was offered to employees and their dependents for the purpose of determining if that employer was eligible to pay the lower minimum wage to employees. (The Nevada Constitution establishes two minimum wages. There is one rate if the employer offers health benefits to employees and their dependents and another rate if the employer does not offer health benefits.) Governor Sandoval was concerned that "imposing a rigid, *Continued on page 10*

ANTI-BUSINESS BILLS THAT DIED *Continued from page 4*

records of "compensation and other terms, conditions, and privileges of employment" from 2 years to 5 years; and ordered the employer to pay fees and punitive damages if an unlawful practice was proven to have occurred. **ASSEMBLY BILL 211:** This bill would have authorized a court to award treble damages in an action for an employee to recover unpaid wages. **ASSEMBLY BILL 287:** This bill would have made it a deceptive trade practice for a person, in the course of their business, to issue a gift certificate or gift card that expires on a certain date.

ASSEMBLY BILL 344: This bill would have required a retailer to collect a fee of 10 cents per plastic bag provided to a customer from July 1, 2017 to December 31, 2021 and then it would have imposed a ban on the distribution of plastic bags beginning on January 1, 2022. **ASSEMBLY BILL 394:** This bill would have required employers that provide sick leave benefits (paid or unpaid) to allow an employee to use up to half of their accrued time to care for a member of their immediate family. Violation by an employer would have resulted in penalties of up to \$5,000 per incident.

SENATE BILL 275: This bill would have reclassified commercial burglary from a category B felony to a category C felony. **SENATE BILL 431:** This bill would have revised the existing law regarding liability in actions to recover damages for death or injury. Currently, several liability applies if defendants assert a comparative negligence defense, which ensures that the negligent defendants liability is limited to their proportionate share of fault. This bill would have required that comparative negligence only be applied to actions in which the trier of facts finds comparative

negligence rather than actions in which comparative negligence is asserted as a defense. **SENATE BILL 495:** This bill would have authorized employees who are affected by certain violations of wage and other benefits laws to bring lawsuits against employers to recover damages. If you have questions or would like additional information, please contact Lea Tauchen at lea@rannv.org or **(775) 882-1700.** ■



FINAL ACTION ON ENERGY LEGISLATION

By Amanda Moss

ENERGY, ESPECIALLY RENEWABLE ENERGY AND NET METERING REGULATIONS, WAS

a hot topic during the 2017 legislation session. There will likely be a focus on energy policy throughout the interim as well, due to the establishment of the Governor's energy commission, which is responsible for the preparation of the changes in the state's energy market should the Energy Choice Initiative pass on the 2018 ballot.

Here are some key energy bills followed by the Retail Association during the legislature:

ASSEMBLY BILL 206

revised provisions relating to the renewable portfolio standard, and is sponsored by Assemblyman Chris Brooks. Assemblyman Brooks is an energy consultant, as well as the chairman for the Energy Subcommittee of the Assembly Committee on Commerce and Labor. The bill was amended multiple times throughout the process as the sponsor worked with interested stakeholders.

The final version of the 17 page bill declared that the legislature's policy is: to

encourage and accelerate the development of new renewable energy projects for the economic, health and environmental benefits provided to the people of this state; to become a leading producer and consumer of clean and renewable energy; and to ensure that the benefits of the increased use of portfolio energy systems and energy efficiency measurers are received by the residents of this state. The bill requires 40% renewable energy usage by 2030.

The Governor vetoed the bill on June 16th, citing dramatic consequences to exiting companies leaving NV Energy in order to save money and purchase power from third party energy providers. The Governor notes the passage of AB 206 would have imposed additional costs to these ratepayers in addition to the millions of dollars in "exit fees" they have already paid. The Governor also stated that the bill would have usurped the role of the PUCN by "specifically prohibiting it from considering the 'uncertainty' of energy choice."

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB206_EN.pdf

ASSEMBLY BILL 223

revised provisions relating to energy efficiency programs, and was sponsored by Assemblyman William McCurdy II. AB 223 required cost-effective energy efficiency programs to be established and that the Public Utilities Commission establish a plan to require that at least five percent of the expenditures of the approved energy efficiency plan be directed toward energy efficiency programs for low-income customers.

AB 223 was signed by the Governor on May 26, 2017 and is effective May 26th for the purposes of adopting regulations.

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB223_EN.pdf

SENATE BILL 392

revises provisions relating to energy, and was sponsored by Senator Denis. The bill requires the Public Utilities Commission to establish standards for the operation of community solar gardens, which is done in many states across the nation. This was a priority energy bill for the Retail Association of Nevada because it would benefit our large anchor members, as well as small businesses and residents in these community

gardens. According to the amended version of SB 392, a subscriber to the community solar garden would receive a credit on their monthly utility bill and utilities would have been required to purchase any unsubscribed electricity produced by a community solar garden.

The Governor vetoed the bill on June 16, 2017 on the grounds of timing and framework issues. The veto message claims SB 392 would put Nevada's commercial solar industries in jeopardy because it gives community solar gardens an unfair competitive advantage. It also states that the implementation of SB 392 was risky, due to the uncertainty surrounding energy choice, and signing the bill would have likely produced unintended consequences.

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB392_EN.pdf

If you have any questions about energy legislation or how the Energy Choice Ballot Initiative passage in 2018 may impact your business, please contact RAN. ■



FINAL ACTION ON MARIJUANA LEGISLATION

By Amanda Moss

A **AS YOU MAY RECALL FROM THE MAY EDITION OF** *Nevada News*, RAN was following marijuana issues from a public safety and human resources/workers' compensation perspective. Here are some marijuana bills that were followed throughout the process and ultimately became law:

ASSEMBLY BILL 135 revises provisions relating to prohibited acts concerning the use of marijuana and the operation of a vehicle or vessel, and is sponsored by the Assembly Committee on Judiciary. AB 135

removes the use of a person's urine to test for specified amounts of marijuana and marijuana metabolite when a person is in physical control of a vehicle. Instead, the amount of marijuana and marijuana metabolite in a person's system must be measured through a blood test. The First Reprint deletes the saliva test in Section 4 of the bill.

The bill was signed by the Governor on May 23, 2017, and is effective July 1, 2017, which is also the day the product itself can be legally sold in Nevada. https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB135_EN.pdf

SENATE BILL 487 revises provisions relating to the taxation of marijuana, and is a Senate Revenue and Economic Development committee bill. Existing law imposes a 2% excise tax on the wholesale price of marijuana, edible products, and marijuana-infused products and a 15% excise tax upon each wholesale sale of marijuana by a marijuana cultivation facility. Section 9 of the bill increases the rate of the excise tax on a wholesale sale of marijuana for medical use by a cultivation facility from 2% to 15% and imposes upon retail sales of marijuana or marijuana products by a retail marijuana store an

excise tax at the rate of 10% of the sales price. Although AB 463 and SB 508, which were highlighted last month, did not pass, SB 487, an excise tax on marijuana, did pass, and was signed by the Governor on June 12, 2017. It is effective July 1, 2017. https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB487_EN.pdf

If you have any questions about marijuana legislation or how the legalization of recreational marijuana may impact your business, please contact RAN. ■

Nevada Notes:

SMITH'S IN SOUTHWEST LAS VEGAS IS GETTING A REMODEL

A Smith's grocery store in the southwestern part of the Las Vegas Valley will undergo remodeling worth \$1.3 million.

Two new Smith's stores are planned for the Skye Canyon and Cadence master-planned communities. Smith stores are owned by the Kroger Company. LVRJ

WALMART'S LV PROGRAM GRADUATES

Walmart's Las Vegas Training Academy graduated its first group in June. Dressed in blue robes and yellow sashes, 75 employees received their high school diplomas. The academy, at 5198 Boulder Highway, will train company employees moving into leadership positions, such as department managers.

The academy will train employees from 37 stores in the Las Vegas Valley, Mesquite, Pahrump and locales in Arizona and Utah. LVRJ

UPCOMING EVENT

NRF SHOP.ORG
September 25-27,
2017

LA Convention
Center
Los Angeles, CA

For more
information:
[https://nrf.com/](https://nrf.com/events)
events



WHY DO I DO THIS?

By James Larsen, Ph.D.

M EET PEGGY. SHE'S A NATURAL. SHE STARTED

her first business in high school doing tech work on her classmates' gadgets. She got a business degree at the nearby university, and she felt called to use her unique gifts to do big things in the world. Now, she's in her first job, and she's glad to have it, but some problems have arisen.

O.K. Let's stop here.

Peggy is about to answer two crucial questions, and her answers will set her on one of three paths that will have a dramatic impact on her life. That's the finding of Kira Schabram from the University of Washington. She studied the experience of 21 people employed at animal shelters and 29 people who had given it up. They, too, felt called to their work.

The first question involves the collision between real world problems and a person's view of himself/herself. The question is "Why do I do this?" or "What does this mean for me?" The second question follows naturally from the first, "What do I do now?"

Schabram found all the adults she studied answering the first question in one of three ways. One group sensed a threat to their self-image. Essentially, their answer was "Maybe I'm wrong. Maybe I'm not especially gifted for this calling after all." Schabram

used the term "identity" to describe them. This threat to their sense of self was keenly felt. It hurt, and they fought against it. They wanted to preserve a sense of possessing special gifts.

A second group experienced early challenges as evidence that coworkers were ready for and wanted change. Schabram used the term "contribution" to describe these people. Ignorant coworkers needed these "contributors" to teach and lead them toward a brighter future. The third group also felt called to the work but not especially skilled at it. Early problems revealed learning needs and prompted self-criticism, but tasks can be learned, and skills developed. Schabram used the term "practice" to describe this group.

Three groups with separate answers to the same question, and each formed the basis for addressing the next question. "What do I do now?"

People in the identity group, hurting and confused about themselves, experimented in their work roles, often seeking more narrowly defined roles where they could isolate themselves. They also found themselves in frequent conflict with coworkers. People in the contribution group interpreted frustration in teaching and leading ignorant coworkers as a symptom of their low

organizational rank. They strove for advancement so they could be boss and run the show. People in the practice group concentrated on improving their own skills. They asked coworkers to help them learn and help them with difficult tasks.

By now, it should be clear where each group is headed. The identity group burned out. They couldn't maintain the effort to preserve the sense of being specially gifted in their current work settings. They left and sought out less demanding roles, but they left with their sense of self shaken and in many cases broken. They were not especially gifted.

The contribution group burned out, too, but for a different reason. They encountered resistance and obstinacy and decided that the employment setting was to blame. They were especially gifted, but their skills would have to find another setting for expression. They left the job and the field.

The practice group grew and thrived. They had reached out to others both for help and to help. They became skilled craftsmen/women embedded in a web of relationships with a history of working together and learning together. They stayed, and they couldn't imagine working anywhere else. Their careers were a legacy others followed.

Recall your own

emergence into the grown up world of business, freshly graduated, and ready for new challenges. Now imagine that young, eager, idealistic self-listening to the harsh words of dismissal from someone you'd hoped would be a pathway to a brighter future. "Not interested." "No time to talk to you today." "Can't use you." "No." How did you answer question one at that time? Schabram would guess that your answer fell into one of the three categories listed above. Now, recall how you answered question two, and compare the trajectory of your own career with those outlined in Schabram's study.

Schabram's findings reveal a self-perpetuating cycle that begins with the answer to the question "Why do I do this?" This answer sets in motion a pattern of understanding, action, new challenges, and back to understandings and actions. If you can place yourself, Schabram's work also allows you to look ahead.

Do you see exhaustion, burnout, and leaving the field, or a master craftsman/woman enjoying success and broad community support? Now would be a great time to take a look. You may be able to see the future while you still have time to correct it. ■

Reference: **businesspsych.org**



RETAILERS URGE CONGRESS TO REAUTHORIZE PERKINS ACT

THE NATIONAL RETAIL FEDERATION (NRF) AND

more than 200 business groups urged Congress to pass legislation that would reauthorize the Carl D. Perkins Career and Technical Education Act.

“Employers are reporting a shortage of skilled workers to fill in-demand positions,” NRF and the other groups said in a letter. “Modernized and relevant career and technical education programs designed with the input of employers and responsive to the needs identified by labor market data are central to overcoming this skills gap.”

The groups called career and technical training “an effective tool for improving student outcomes” that “helps prepare both secondary and postsecondary students with the necessary academic, technical and employability skills required to be successful in the workforce.” The training prepares students for college and careers and “is critical to meeting the needs of this new 21st century economy,” the letter said.

The letter was sent to members of the House of Representatives, who are scheduled to vote this afternoon on the

Strengthening Career and Technical Education for the 21st Century Act.

The action in Congress comes as the NRF Foundation is implementing RISE Up (Retail Industry Skills and Education), a new training and credentialing initiative developed with dozens of retailers and non-profits that was launched in January. The program is intended to help individuals acquire skills needed to secure jobs in retail and advance into careers regardless of their education, background, economic means or age. RISE Up is designed to build competencies and pathways for the retail

workforce of the future from in-store to digital and mobile commerce.

About NRF

NRF is the world’s largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and internet retailers from the United States and more than 45 countries. Retail is the nation’s largest private sector employer, supporting one in four U.S. jobs – 42 million working Americans. Contributing \$2.6 trillion to annual GDP, retail is a daily barometer for the nation’s economy. ■

RETAILERS SUPPORT PERMANENT TAX REFORM

THE NATIONAL RETAIL FEDERATION (NRF) WELCOMED

comments from Speaker Paul Ryan regarding the need for permanent comprehensive tax reform that lowers rates without shifting the burden to consumers.

“Retailers agree with Speaker Ryan that the best way to grow our economy and create new jobs is to

reform and simplify the tax code,” Senior Vice President for Government Relations David French said. “We see eye to eye with the Speaker on many elements, such as lowering rates by eliminating tax credits and incentives that pick winners and losers among businesses. Retailers are also pleased to hear the Speaker call for permanent reform, rather than a temporary fix, so businesses

have the certainty they need to make plans for the future.”

“Speaker Ryan acknowledged that there were a number of ways to grow domestic manufacturing, and the border adjustment tax is just one idea. Retailers know that creating a new \$1700 tax on consumers will wipe out the benefits of lower business tax rates. We will keep fighting for comprehensive tax reform

that grows the economy without shifting the tax burden to American families.”

The United States has one of the highest corporate tax rates in the world and NRF has led the retail industry in advocating for comprehensive tax reform that would broaden the tax base and lower the rate. Retail benefits from few of the tax breaks that lower tax bills for

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Important Information for SIG Members

*NRS requires all existing members of a self-insured group to be notified of all new members.
NRNSIG new members are listed below.*

- Art Bus Coffee LLC**
- BP Solutions LLC**
- Clydebon Adventures dba Reno Computer Fix**
- Comfy Home Cleaning Service**
- Diverse Services**
- HD Solutions**
- Hotel Nevada & Gaming Hall LTD dba Hotel Nevada**
- Jaulia Inc dba Lend A Hand Senior Services**
- Lincoln Group Association LLC**
- Munoz LLC dba Pet Kingdom**
- Parkview MHP LLC dba Dayton RV Park**
- R.A. Entertainment LLC dba The Entertainer**
- The Chop Shop LLC dba Reno Chop Shop**
- Unifern LLC dba AAMJ LLC**
- Video Internet Phone Installs Inc**
- Whipple Brewing and Distilling Co LLC dba Mill Street Still and Brew**

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.



“Workers’ comp that works for you”

Take Control of Your Workers’ Compensation through the Self Insured Group Administered by Pro Group

- Increased workplace safety
- Effective claims management
- Lower claims cost
- Reduced rates
- Full Control of your coverage
- Help you retain your profits
- Protect your Employees
- Comply with State Regulations
- Pay-as-you-go with no annual deposits or renewals
- Reduce interruption in production and services
- Management, Supervisor, and Employee Training

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RETAILERS SUPPORT PERMANENT TAX REFORM *Continued from page 9*

other industries, and most retail companies pay at or close to the full 35 percent rate.

The "Better Way" tax reform plan proposed by House Speaker Paul Ryan, R-Wis., and Ways and Means Committee Chairman Kevin Brady, R-Texas, includes a provision that would, in effect, create a 20 percent border tax on imported goods by ending retailers' ability to deduct the

cost of merchandise that they import. That means retailers would be taxed at nearly the full selling price of imported merchandise rather than just their profit.

The border adjustment tax would have significant implications for retailers and other industries that rely on complicated global supply chains, including automobiles, technology, food and fuel. Analysis by NRF and many

of its member companies indicates that the proposed tax would drive up costs, erode profits and exceed any benefits from a lower corporate tax rate. It would require consumer price increases of 15 percent or more to retain profitability, effectively creating a new tax paid by consumers.

The BAT would also put at risk millions more retail-supported jobs than

it would theoretically create for manufacturing. A BAT could cause retailers to see tax bills three to five times the amount of their profits, threatening to drive some merchants out of business. The small retailers that make up 98 percent of the retail industry and provide 40 percent of its jobs would be at the biggest risk. ■

GOVERNOR VETOES THREE EMPLOYMENT BILLS *Continued from page 5*

statutory definition on constitutionally required 'health benefits' not only conflicted with the flexible approach called for in the Nevada Constitution, but it also risked upsetting the careful, incentive-based balance that Nevada's voters approved in 2006." Read his full veto message at: https://www.leg.state.nv.us/Session/79th2017/Reports/VetoMessages/AB175_79th_VetoMessage.pdf

SENATE BILL 106

would have increased the minimum wage for an employee in private employment by \$0.75 each year until the minimum wage was \$12 or more if the employer does not offer health insurance or \$11 if the employer offers health

insurance. Additionally, this bill would have entitled an employee who prevailed in a civil action to recover all equitable remedies, including back pay, damages, injunctive relief, and attorney's fees and costs. Governor Sandoval stated "SB106, although commendable in its attempt to extend higher wages for Nevada workers, would place a significant burden on the State's small business employers at a time when they are emerging from a downturn that cost hundreds of thousands of jobs and closed the doors of businesses across the State." Read his full veto message at: https://www.leg.state.nv.us/Session/79th2017/Reports/VetoMessages/SB106_79th_VetoMessage.pdf

SENATE BILL 196

would have required an employer to provide paid sick leave to employees at a rate of not less than one hour per 40 hours worked by full-time employees. An employee, on their first anniversary of employment, could have used that accumulated time. The employer could have limited the usage of sick leave to 40 hours per year and accrued paid sick leave would have been carried over between years of employment with a limit of 80 hours. The employer would have also been required to maintain records of the accrual and use of paid sick leave for each employee for a 3-year period. Violation by an employer would have resulted in penalties of up to \$5,000 per incident. Governor

Sandoval asserted "the mandates of SB196 come with a substantial cost to businesses, particularly small business. In addition, the decision to provide employee benefits is one reserved to a business owner who must respond to the demands of a competitive job market." Read his full veto message at: https://www.leg.state.nv.us/Session/79th2017/Reports/VetoMessages/SB196_79th_VetoMessage.pdf

If you have questions or would like additional information, please contact Lea Tauchen at lea@rannv.org or (775) 882-1700. ■



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NEVADA NEWS

Nevada News is published by the Retail Association of Nevada, a nonpartisan, nonprofit corporation founded in 1969 representing the Retail Community, the Chain Drug Council and the Grocery Industry Council.

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RETAILERS SAY SENATE BILL WOULD MAKE HEALTH CARE MORE AFFORDABLE, ACCESSIBLE

McCONNELL PROPOSAL WILL STRENGTHEN COMPETITION-DRIVEN PRIVATE INSURANCE MARKET

WASHINGTON—
THE NATIONAL
RETAIL
FEDERATION

(NRF) praised a plan unveiled by Senate Republican leadership to replace former President Barack Obama's Affordable Care Act, saying the bill would protect the foundation of employer-based health benefits that are the source of coverage for 177 million Americans.

"Senator McConnell's proposal steers health care reform back in the direction of strengthening the competition-driven private insurance market," NRF Vice President

for Health Care Policy Neil Trautwein said.

"Retailers welcome this step forward in the process to repeal many of the most onerous mandates in Obamacare and replace them with policies that will make it easier for employers to offer health care coverage and make it more affordable for their employees."

Among other actions supported by NRF, the legislation would effectively repeal the ACA's employer mandate that businesses provide health insurance to full-time workers. While the budget

reconciliation process being used in the bill does not allow the mandate to be repealed outright, the measure would reduce the penalties for non-compliance to zero.

Additional steps would be needed to relieve regulatory burdens associated with the employer mandate. NRF also welcomes the inclusion of a small business health plan proposal authored by Wyoming Senator Mike Enzi in the bill.

The legislation would also delay the so-called Cadillac Tax on the value of health plans, and would repeal Obamacare's health insurance tax, medical

device tax and pharmaceutical tax permanently. It would also increase flexibility for health savings accounts and would take a substantial first step toward Medicaid reform.

NRF opposed passage of Obamacare and has sought its repeal while working with Congress to mitigate the impact of its most onerous provisions. Rather than lowering costs, the controversial law emphasizes mandates that have driven up health insurance expenses for both employers and employees. ■