

# SESSION WINS, CHALLENGES, AND OUTCOMES

*By Mary Lau*

## LEGISLATIVE SESSIONS ARE DYNAMIC AND HAVE A LIFE OF

their own. Every session is different having its own set of challenges, obstacles, and winners. For those who engage – legislators, business owners and operators, and lobbyists alike — it is consuming, exhausting, and exhilarating all at the same time.

RAN members were again strongly represented in the 2019 session. The entire team, comprised of Mary Lau, Bryan Wachter, Liz MacMenamin, Andy Peterson, and Piper Brown were all engaged and oversaw various bills, all of which dramatically affect Nevada Retailers.

Although we successfully promoted many bills, it was primarily a defensive session. This was due to the 2018 blue electoral wave which ushered in significant democrat majorities in the assembly and senate. Democrats also controlled the governor’s office. This meant RAN had to pivot and primarily work with a different set of objectives and expectations. These differences primarily centered around the small government

proclivities of the republican controlled 2015 session, the 2017 session when government was divided amongst democrats and republicans, and the newly found social justice footing the democrats brought to Carson City in the 2019 session.

Depending upon one’s viewpoint, one either cheered or groaned. In our view it was what it was – our main job to make sure retailers found themselves getting the best legislation possible.

The results included mandated paid time off for all employees, collection of sales taxes on internet sales, electronic prescribing of controlled substances, significant minimum wage increases, organized retail crime reforms, and increased tax collections. Fortunately for RAN legislative leadership allowed access and a listening ear. What can be said is that many legislative deals were tempered as a result of our efforts. Without RAN’s cajoling and tenacity retailers would have surely experienced more severe outcomes making it even more difficult to do business in Nevada.

As a result of the session

it will be more challenging to do business in Nevada. Yet the sky is not falling and retailers will live for another day. We know the retail powerhouse of Nevada’s economy will adjust, adapt, and anticipate more changes in the 2021 session.

Until then we’ve compiled a set of significant 2019 bills for which we have been intimately involved. We anticipate the governor will sign the bills in the next ten days. There are more bills, of course, but these represent the most pressing.

The team was honored to represent you and we will happily discuss how any one of these bills became law and how they might affect your business. ■

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# ASSEMBLY BILLS MOST CONCERNING TO RETAIL AT THE 2019 LEGISLATIVE SESSION

By RAN Team

## AB90 – PAID SICK LEAVE

Allows an employee to use his or her sick leave to assist immediate family members with an illness, injury, medical appointment, or other authorized medical needs.

**Bottom Line:** We recognize the need for employers to be flexible in certain circumstances in order for employees to be fully present when they are at work.

**RAN Supported the bill but it failed due to provisions in SB312.**  
<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6069/Overview>

## AB113 – PRIVATE GUN SALES TAX

Makes certain that the act of transferring a gun for the purposes of conducting a background check is not calculated in the retailer's inventory for purposes of taxation.

**Bottom Line:** RAN's concern included the taxable portion and the tax liability to retailers. Democrats regard this bill

as win over the gun lobby. **RAN supported this bill. However, the bill died in committee.**  
<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6128/Overview>

## AB132 – PRE-EMPLOYMENT SCREENING FOR MARIJUANA

Prohibits, with certain exceptions, denying employment to a prospective employee due to a positive drug test for marijuana.

**Bottom Line:** Employment laws are evolving due to legalized marijuana and we recognize the evolving nature of this issue. Employers are still allowed to have and enforce their drug free workplace after hiring.

**RAN Supported after amendments and the bill passed.**  
**Effective Date – January 1, 2020**  
<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6191/Overview>

## AB181 – EMPLOYEE REPORTING IN SICK

Prohibits employers from requiring employees to be physically present at their workplace in order to "call in" sick for the day. Allows employers to maintain other aspects of absence/attendance employment policies.

**Bottom Line:** This is a common sense bill. If an employee is sick, he or she should stay home in order to recover and to avoid spreading the illness to other employees.  
**RAN Supported the bill and it passed.**  
**Effective Date – Upon Passage & Approval**  
<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6284/Overview>

## AB236 – CRIMINAL JUSTICE REFORM

A massive bill addressing most aspects of criminal justice sentencing including increased felony theft thresholds, dismissal and sealing for some fraud-related felonies, treatment for drug and

alcohol related crimes, mental illness, and so forth. The bill's intent, ultimately, is lowering the state's incarceration rates and avoiding spending massive amounts of money on incarceration.

**Bottom Line:** While criminal justice reform is needed, culpability and consequences are still important to the business community.

**RAN Initially opposed the bill but supported the final amended version of the bill. It passed.**  
**Effective Date – July 1, 2020**  
<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6419/Overview>

## AB271 – CALL CENTERS

Requires call centers to give notice when attempting to move to another country. As well, it requires any economic development monies that the company may have received would have to be paid back prior to moving. As a result, private employers are more

Continued on page 4



# SENATE BILLS MOST CONCERNING TO RETAIL AT THE 2019 LEGISLATIVE SESSION

By RAN Team

## SB135 – STATE EMPLOYEE COLLECTIVE BARGAINING

Allows for collective bargaining for state employees.

### Bottom Line:

Collective bargaining will likely raise costs for Nevada taxpayers, as it has in other states, and would create budget pressures in future biennium budget cycles.

**RAN Took no position on this bill. The bill passed.**

**Effective Date – Upon Passage & Approval**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6159/Overview>

## SB166 – EMPLOYMENT DISCRIMINATION/PAY EQUITY

Brings state law into compliance with federal law by defining the time an employee can file a discrimination claim. The bill also allows for penalties if an employer discriminates against an employee.

**Bottom Line:** As filed this bill was extremely punitive towards

employers but after compromise with the bill sponsor it is now a reasonable bill banning discrimination in the workplace.

**RAN Originally opposed the bill but supported it after amendment. The bill passed.**

**Effective Date – January 1, 2020**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6256/Overview>

## SB176 – WORKERS COMPENSATION

Makes changes to the Nevada Industrial Insurance Act by requiring inclusion of certain health care providers and allowing injured employee to choose health a care provider.

**Bottom Line:** The bill included approximately \$2.3M to implement.

**RAN This bill never had a hearing and failed due to deadline requirements.**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6277/Overview>

## SB177 – NERC RIGHT TO SUE

Requires the Nevada Equal Rights Commission to notify employees who have filed a complaint of their right to file a civil lawsuit. The bill also establishes revises timelines for such lawsuits.

**Bottom Line:** This bill reflected a campaign promise of legislative leadership. As amended, it is more straightforward for employers than originally proposed.

**RAN Supported the bill as amended. The bill passed.**  
**Effective Date – October 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6295/Overview>

## SB178 – CREATES COUNCIL ON FOOD SECURITY AND FOOD FOR PEOPLE, NOT LANDFILLS PROGRAM.

Statutorily establishes a new council and program regarding food waste.

**Bottom Line:** The council will work with the Governor and Health and Human Services on food

security issues and oversee the Food for People, Not Landfills program. The program will be evaluating ways to reduce food waste and divert the waste to increase food security.

**RAN Supported this bill. The bill passed unanimously in both houses.**

**Effective Date – July 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6298/Overview>

## SB187 – CHANGES REQUIREMENTS AND RESTRICTIONS FOR PRESCRIBING CONTROLLED SUBSTANCE.

**Bottom Line:** The bill would have allowed changes to Governor Sandoval's opioid legislation from 2017 session (AB474). The practitioner is currently required to do a review of patient medical records before prescribing and opiate. This would have removed that requirement for a dentist, a physician, an optometrist and a pain



# ASSEMBLY BILLS *Continued from page 2*

controlled by government regulations.

**Bottom Line:** This bill prescribes labor arrangements regardless of technological advancement or collective bargaining, and illustrates an intrusion of union self-interest.

**RAN Originally opposed but after amendments we were neutral. The bill passed.**

**Effective Date – January 1, 2020**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6494/Overview>

## **AB337 – RAILROADS**

Requires two person crews in all major railroads regardless of technological advancement.

**Bottom Line:** This bill prescribes labor arrangements regardless of technological advancement or collective bargaining, and illustrates an intrusion of union self-interest.

**RAN opposed this bill but it passed.**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6628/Overview>

## **AB310 – ELECTRONIC PRESCRIBING**

Requires doctors to prescribe electronically submit prescriptions for

all controlled substances. The intent of the bill is to reduce or eliminate opportunities to abuse the use of controlled substances in the use of written prescriptions and to improve accuracy and efficiencies for the benefit of the patient and medical community.

**Bottom Line:** This bill is another step in addressing the opioid epidemic. RAN worked with all stakeholders and the Speaker to craft language that would achieve best practice goals for Nevada.

**RAN Supported and promoted this bill. The bill passed unanimously in both houses.**

**Effective Date – January 1, 2021**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6569/Overview>

## **AB355 – GROCERY STORE SALES**

Originally required those selling grocery stores to give 90 days' notice and continue to employ its employees 90 days post sale. Ostensibly, this would ensure continued union representation of organized employees. This would set a precedent for other employers thereby resetting labor law in Nevada. The bill was amended to 60 days

for both sale notice and employment.

**Bottom Line:** The bill in original form was terrible public policy for labor law in Nevada. **RAN Opposed this bill, and it died in the Senate.** <https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6659/Overview>

## **AB370 – PROVIDES COLA INCREASES FOR DEATH BENEFICIARIES OF WORK COMP RECIPIENTS**

**Bottom Line:** This properly workers' compensation providers to provide COLA increases to survivors of death benefits going back into perpetuity.

**Bottom Line:** The bill originally spread liability unfairly but with legislative intent it provides for a fair distribution of this liability.

**RAN Opposed but the record of legislative intent assured providers that the regulatory process would be fair. This bill passed.**

**Effective Date – July 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6701/Overview>

## **AB445 – COLLECTION OF SALES TAX ON INTERNET SALES**

Brings the state into compliance with the

“South Dakota verses Wayfair” US Supreme Court decision thereby allowing the state to collect “use,” or sales taxes on internet sales. It also outlines the requirements of internet Marketplaces and their role in tax department collections. The bill levels the playing field between brick and mortar stores and online stores.

**Bottom Line:** This bill is good for retail and eliminates the state from choosing winners and losers amongst retailers no matter if they are physically present in the state or not.

**RAN Promoted and supported this bill. It passed.**

**Effective Date – July 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6858/Overview>

## **AB456 – MINIMUM WAGE BILL**

Raises the minimum wage for all private employees in Nevada. Starting in 2020 the minimum wage will increase yearly by \$.75 cents per hour until 2024 when it reaches \$12 per or more per hour. If an employer provides health care the wage raises the wages until it reaches \$11 or more per hour.

**Bottom Line:** The

*Continued on next page*



# ASSEMBLY BILLS *Continued from page 4*

bill is indiscriminate and targets all employers large and small. It offers no relief for training wages, youth wages, or credit for tipped employees. It may also make it more challenging for some Nevada businesses to compete. On top of other employer mandates passed this session it will surely be more difficult for some businesses to remain viable.

**RAN Opposed this bill. Nonetheless the bill passed.**

**Effective Date – July 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6870/Overview>

## **AB447 – RETAIL TAX ON SALE OF DIGITAL PRODUCTS**

Imposes a sales tax reflective of the tax charged in each county for digitally delivered products. These include downloads of music, electronic books, videos, software and so forth.

**Bottom Line:** RAN supports the concept of this bill but it needs more study and further research in the legislative interim in order for it to be good public policy.

**RAN Opposed the bill. The bill died in Committee.**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6860/Overview>

## **AB477 – INTEREST CONTRACTS**

A consumer protection bill which prescribes conditions regarding loans and enforceability and non-enforceability.

**Bottom Line:** This bill reflects the continued erosion of legal rights for businesses.

**RAN Opposed this bill but it passed.**

**Effective Date – October 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6918/Overview>

## **AB538 – MODIFIED BUSINESS TAX (MBT)**

Maintains the current rate charged on employers rather than dropping it to predetermined rates

defined in the commerce tax legislation.

**Bottom Line:** When passed the commerce tax called for reductions in the MBT if the commerce tax preformed at certain rates. Governor Sisolak included the rate to be maintained, at the current rate, in his budget in order to maintain certain spending levels.

**RAN Opposed this bill due to the constitutional requirement that any bill which raises revenue to require three quarters of legislators to vote affirmatively. The bill failed but its provisions were included in SB551.**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/7064/Overview>

# FIRST DO NO HARM

*By Bryan Watcher*

## **WITH THE 2019 LEGISLATIVE SESSION BEHIND US,**

it's now time for Nevada businesses to begin preparing for the new and changed laws to take effect.

But regardless of what the media is saying, Nevada businesses came out of this legislative session with minimal harm from what was expected. That's not to say there isn't change,

including an increasing minimum wage and numerous policy changes, but it gives us a clear indication of what is to come as long as there is a Democratic Governor and majority in both houses.

Arguably, the greatest impact to Nevada businesses will be the increasing minimum wage. We knew going into this session that a minimum wage increase

was going to happen, but we were unsure of the rate, which settled at \$12 per hour. RAN did not support this legislation because, fundamentally, the increase combined with other employer mandates passed will make it more difficult for some businesses to compete or remain viable.

In addition to that, it lacks the flexibility for employers to provide

training wages, youth wages, or credit for tipped employees.

In addition to the minimum wage increase, the proposed changes to Nevada's business policies were numerous; we supported some and opposed many. In the end, the results included mandated paid time off for all employees,

*Continued on page 7*



# SENATE BILLS *Continued from page 3*

management physician. Language also revised restrictions on renewals of a prescription for opiates. **RAN – Remained neutral with concerns on this bill. The bill passed from senate into assembly but failed to receive votes in Assembly Commerce and Labor.**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6315/Overview>

## **SB215 – HEART LUNG BILL**

Allows certain carcinogens to be an occupational hazard and be compensable for firefighters and police officers.

**Bottom Line:** This is a “devil is in the details” type of bill. After amendment the bill is reasonable and straightforward.

**RAN Was neutral on the bill as amended. The bill passed. Effective Date – July 1, 2019**

## **SB 220 – INTERNET PRIVACY BILL**

**Bottom Line:** In amended form this bill begins to address the concerns of consumers and business.

**RAN – Was supportive of the bill as amended. The bill passed. Effective Date – October 1, 2019**  
<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6359/Overview>

[nv.us/App/NELIS/REL/80th2019/Bill/6359/Overview](https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6359/Overview)

## **SB263 – REGULATION AND TAXATION OF VAPOR PRODUCTS**

Requires certain vapor products be taxed, regulated, and charged a licensing fee, and makes selling to minors subject to penalties for both employers and employees.

**Bottom Line:** Common sense bill which slows minor consumption and collects a tax on a nicotine product.

**RAN Was supportive of the bill. The bill passed. Effective Date – January 1, 2020**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6446/Overview>

## **SB283 – PRESCRIPTION DRUG COVERAGE UNDER STATE PLANS**

The legislation removes restrictions on the list of preferred drugs used for Medicaid and revises criteria for selection of these drugs by the Prescription and Therapeutic Committee.

**Bottom Line:** The preferred drug list for Medicaid has been prevented from considering a “protected class” of drugs and this would remove

that protection from certain drugs on this list. RAN opposed the original language of this bill that would have required all prescription information be submitted to the Prescription Drug Monitoring Program. The bill sponsors worked with RAN and amended this language out of the bill. This agreement moved our position to neutral.

**RAN Opposed originally and neutral on the amended versions.**

**However, the bill failed.**  
<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6491/Overview>

## **SB310 – BOTTLE RECYCLING**

Establishes a bottle deposit and recycling program in Nevada.

**Bottom Line:** The bill was amended into a pilot program which ultimately is expensive, cumbersome, and onerous for government, retailers, and recycling companies.

**RAN Opposed the original bill and the amended bill. The bill died in committee.**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6545/Overview>

## **SB312 – PAID TIME OFF**

A bill requiring forty hours of sick time for

employees.

**Bottom Line:** As amended the bill now requires forty hours of PTO for each employee to be accrued after 90 days of service. There are no reporting requirements for employers but requires employees to give reasonable notice of intent to use PTO. Employees can use the PTO for any reason.

**RAN Supported the amended version of the bill. The bill passed. Effective Date – January 1, 2020**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6553/Overview>

## **SB361 – PHARMACIST PRESCRIBED CONTRACEPTIVE**

Allows for the prescribing of contraceptives by a pharmacist.

**Bottom Line:** Require the Chief Medical Officer of Nevada to issue a standing order allowing for the pharmacist to dispense contraceptives. RAN will be working with the Board of Pharmacy on regulations if this bill is signed into law.

**RAN Supported this bill but it failed to gain an assembly vote.**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6655/Overview>



## SENATE BILLS *Continued from page 6*

### **SB377 – PROVIDES COLA FOR WORKER’ COMPENSATION TOTAL DISABILITY RECIPIENTS**

This language increases compensation of “permanent total disability” claims that occurred before 2004.

**Bottom Line:** This would increase compensation for certain claimants that were not included in a COLA increase for claimants injured after January 1, 2004. **RAN Originally, RAN supported the bill but after amendments we moved to neutral. The bill passed.**

**Effective Date – July 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6684/Overview>

### **SB431 – ORGANIZED RETAIL THEFT**

Allows for aggregation of organized retail theft of at least \$3,500 and a period of 120 days for participation in and/or if the person involved uses the internet as a means to return, sell, or profit from stolen goods.

**Bottom Line:** This bill is helpful in combatting increasingly brazen organized retail crime.

**RAN Fully supported this bill and it passed.**

**Effective Date – October 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6812/Overview>

### **SB493 – EMPLOYEE MISCLASSIFICATION**

Applies an enumerated test to employee and independent contractor classification and applies fines and eventual business license revocation for non-compliance. The bill was amended to include a task force that is charged with a consolidated review of standards for classification as well as reviewing expected federal regulations for the same topic.

**Bottom Line:** As amended the bill studies, in the legislative interim, employee misclassification.

**RAN Originally opposed the bill but moved to neutral after amendments. The bill passed.**

**Effective Date – July 1, 2019**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6952/Overview>

### **SB551 – MBT TAX PLUS**

Incorporates AB448 and AB443 and provides for educational appropriations.

**Bottom Line:** Simply put this bill was introduced with partisan intent. **RAN Opposed this bill. The bill passed.**

**Effective Date – Upon Passage & Approval**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/7071/Overview>

## FIRST DO NO HARM *Continued from page 5*

collection of sales taxes on internet sales, electronic prescribing of controlled substances, significant minimum wage increases, organized retail crime reforms, and increased tax collections. We were able to stop many of the worst bills, including an egregious breakdown of Nevada’s right to work laws by requiring grocery stores to give 90 days’ notice of sale and continue to

employ workers 90 days post sale.

I would be remis to not to include the MBT extension, passed without a two-thirds majority vote.

Contrary to numerous previous opinions, LCB reversed direction and issued a new opinion that extending a tax that was due to sunset would not require the support of two-thirds of both houses, and Democratic leaders

were determined to set this new precedent during the session. RAN adamantly disagrees with the new LCB opinion and opposed this legislation. While it is unclear if and when a legal challenge will take place, RAN is greatly concerned about how this precedent will be applied during future legislative sessions.

Nevada businesses may have come out of the 2019 Legislative Session

with minimal harm done, but we’re not out of danger yet. Nevada Democrats may have found a workaround to raise funds today, but don’t doubt, they have their eyes on supermajorities in both houses to make tax increases a reality in the future. Now we regroup and prepare for a legal challenge and the next election on the horizon. ■



# STATE BOARD OF PHARMACY REGULATIONS

By Liz MacMenamin

## THE NEVADA STATE BOARD OF PHARMACY MET IN RENO

on June 6th and 7th for disciplinary and regulatory matters. The two regulatory issues discussed at the board during workshop was the forwarding of information between pharmacies and the changes to technician ratios as a vital assistant within the various settings.

## FORWARDING OF PRESCRIPTION INFORMATION

The current regulations prohibit a pharmacy from forwarding a new prescription that has not been filled. Currently the patient who submits a prescription to Pharmacy X and then determines that they want to take their prescription to Pharmacy Y, they would have to return to their physician for a new prescription. This regulation will change that standard and allow the pharmacy to forward the prescription information to the patient's requested pharmacy. This regulation passed unanimously and will now be heard in a public hearing at the next board meeting.

## PHARMACEUTICAL TECHNICIANS

RAN has been a part of the pharmaceutical technician conversation since the actual inception of the pharmaceutical technician as an accepted assistant within the pharmacy. Unlike other states, Nevada requires an arbitrary number to be assigned regulatorily as to how many technicians may assist in the pharmacy under the supervision of a pharmacist. There are many different arguments that have been heard regarding this arbitrary number.

There are pharmacists who understand that these educated technicians can be a valuable tool with the ever-changing role of a pharmacist and a pharmacy within the healthcare system. Many are willing to step up as the highly educated health care professional they are and provide much needed services to their patients.

The state of Nevada has consistently been at the bottom of the list regarding patient-healthcare practitioner

ratio and a pharmacist's role has been completely overlooked. But that is changing in our state and for this to succeed, the pharmacist will need to be able to spend more time with the patient.

the choice to practice in different setting will continue to increase.

While RAN represents the pharmacy, it has always been our mantra that the pharmacists are the key to the success of these



The same argument is being heard by a new group of young pharmacists that were not around when this law was passed. They are "fearful of losing jobs," "unsure they can supervise these techs" and basically the "sky is falling". These are trained professionals and there is a belief that once they see that their fears are unfounded, they will be able to embrace the changing face of pharmacy. There are many different practice settings and there is a belief that

retail business models and we are always trying to promote the importance of the pharmacist and to also advocate for their acceptance as a vital part of the health care team within the health care community in Nevada.

No action was taken on this regulation and it will be heard again during workshop at the next board meeting. The next board meeting will be held in Las Vegas on July 17th and 18th. ■





# A TRIBUTE TO ANDE ENGLEMAN

## ANDREA (ANDE) ENGLEMAN PASSED AWAY AT HER

home on June 12th, aged 79 from cancer.

Engleman had a long association with the Retail Association of Nevada serving as our newsletter editor and news provider to RAN staff on a daily basis.

Her primary responsibilities included editing the staff's newsletter materials and making sure all articles provided to members was timely, accurate, and up to AP standards of journalism.

As well, we had a front row seat to Engelman's news clipping service as she provided pertinent

news articles to RAN staff on a daily basis, most of the news was on our computer screens prior to 4 a.m.

Engleman was born in Los Angeles May 3, 1940 to S. Keith and Alice Linden. She was raised in both California and Washington DC. She graduated from high school in 1958 from Bethesda-Chevy Chase High School and earned a bachelor's degree in business administration from the University of Maryland.

Engelman found her way to the Carson City area in the 1980's and involved herself in politics and journalism. She served in the administration of Governor Bryan and in the

office of Secretary of State Dean Heller. She also served as the Executive Director of Nevada Press Association. Engleman considered Carson City home.

RAN staff will remember her for her exacting standards, her passion for details, and her advocacy of what she thought was the right thing in public policy.

Engleman was the influence and guiding force which kept our newsletter factual and on time. Our newsletter will never be the same without her.



Engleman is survived by three daughters, Pam Enger, Laura Lohmeyer, and Karen Munson. She is also survived by a sister, brother, and four grandchildren. ■

## LEGISLATIVE SESSION WAS A CHALLENGE

By Andy Peterson

### “NO ONE PRETENDS THAT DEMOCRACY

is perfect or all-wise...” observed Winston Churchill in 1947, and he was right. His words could be easily be adapted to describe the recently

concluded Nevada legislative session. The session was neither perfect or all wise even though it was entirely controlled by one political party. Sure, there were some big wins for democrats as they fulfilled numerous

campaign promises. These included boosting the minimum wage, giving state employees the right to collectively bargain, and requiring private employers to provide paid time off to employees. To be sure, these wins will have far reaching

consequences. However, what is often not said about the democratic process, and legislative sessions in particular, is the real value of what is not passed. Precious little of what is not passed gets covered in

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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.*

BB of Southern Nevada LLC dba Budget Blinds of Southern Nevada

Chica's Bar LLC

Cocolini LLC dba Cocolini Harman

Criterion Environmental Inc dba Premier Environmental Consulting

D&S dba Kit Kat Ranch

El Dorado Tivoli 55 LLC dba El Dorado Tivoli

Five Star Logistics LLC

Flores Landscape LLC

Gerald Eaton dba Cutright Property & Landscaped Maintenance

Green Day Lawn Care LLC

Itchyfeet USA Inc dba Grandma's Fudge Factory

Marthas Cleaning Corp

Pure Ground Ingredients Inc

Rhino's Maid Services LLC

Roller Network LLC

See Canyon LLC

Solar Panel Cleaning Professional LLC

Tri State Surveying LTD

Turner CNC Inc

V and J smoothies LLC dba Smoothie King

## CREDIT CARD PAYMENTS

*The Retail Association of Nevada is happy to announce that you can now pay your annual membership dues by credit card on our website: [www.rannv.org](http://www.rannv.org).*

*Please contact Piper Brown if you have any questions, 775-882-1700.*



**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.



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# NATIONAL ASSOCIATION OF CHAIN DRUG STORES PRAISES AB 310

## THE NATIONAL ASSOCIATION OF CHAIN DRUG STORES (NACDS)

today praised Nevada’s enactment of an electronic prescribing bill (AB 310) that would require prescriptions for controlled substances, including opioids, to be submitted electronically, which will help in the fight against opioid abuse.

Nevada Gov. Steve Sisolak (D) signed the bill into law June 7, and it will become effective January 1, 2021.

NACDS expressed appreciation for the leadership of Assembly Speaker Jason Frierson (D), who was the bill’s primary sponsor. Frierson said, “With the signing of Assembly Bill 310, Nevada now joins the growing number of states that have passed mandatory e-prescribing laws in an effort to combat the opioid crisis.”

Frierson added, “Electronic prescribing has proven to be an effective tool for reducing unlawful and fraudulent prescriptions, tracking and

monitoring medication regimens, and reigning in doctor shopping.”

NACDS also thanks Liz MacMenamin with the Retail Association of Nevada; Catherine O’Meara with the Nevada Medical Association; and Board of Pharmacy Executive Secretary Dave Wuest, whose hard work was instrumental in getting this bill passed. Law enforcement, the Nevada Dental Association, the Nevada Psychiatric Association, the Nevada Hospital

Association and the Las Vegas Chamber of Commerce also lent their critical support in getting the legislation passed.

NACDS has been instrumental in advancing the use of electronic prescribing as a safeguard and was on the leading edge of working with the Drug Enforcement Administration to allow electronic prescribing of controlled substances. Until 2010, it was not allowed. ■

## LEGISLATIVE SESSION WAS A CHALLENGE *Continued from page 9*

the press, nor would most people find it interesting even if these types of stories received front page coverage. The unsaid value, then, is poorly proposed legislation is often times modified or suppressed.

Examples are numerous but for clarifications sake take SB310, a piece of well-intended but poorly written legislation, which would have implemented a Nevada Bottle Refund Program.

As first proposed all single use bottles would have required a five-cent deposit paid by consumers who could reclaim their deposits at recycling centers. Fiscal notes provided by state agencies

estimated this would have cost the state \$14.1 million in the next biennium.

The next, or amended, version of the bill would have cost consumers ten cents per bottle and retailers would have been responsible to collect both the deposits and used bottles.

The final version of the bill amended the program into a pilot program local government could implement and included fiscal notes of approximately \$2.1 million dollars. Ultimately Senator Joyce Woodhouse (Democrat, District 5) wisely let the bill languish in the senate finance committee without a hearing.

This example is illustrious due to its “non-news” nature of an unimplemented bill which had a great deal of unintended consequences had it actually become law.

Not all bills with negative consequences were so easily extinguished. Two of the aforementioned bills – minimum wage and paid time off – were bills which became law.

However, it should be noted the minimum wage law might have been worse had not Governor Sisolak indicated his desire to eventually cap the wage at \$12 per hour instead of \$15 per hour that some wanted.

The paid time off bill

was originally a paid sick time bill with reporting requirements aimed at employers with more than five employees. Again, the bill was modified to apply to employers with more than fifty employees as a paid time off bill without reporting requirements.

Some, of course, will view these bills as unacceptable but given current political realities some of the bite was removed before the bills advanced into signed law.

Churchill was right. “No-one pretends that democracy is perfect or all-wise...”The same can be said for legislative sessions. ■



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# RETAIL SHRINK TOPS \$50 BILLION AS CYBER THREATS BECOME MORE OF A PRIORITY

**WASHINGTON, JUNE 6, 2019 —THEFT, FRAUD AND**

losses from other retail “shrink” totaled \$50.6 billion in 2018, up from \$46.8 billion the year before as industry security executives said there is a growing overlap between loss prevention and cybersecurity efforts, according to the annual National Retail Security Survey released today by the National Retail Federation and the

University of Florida. According to the report, shrink averaged 1.38 percent of sales during 2018, up slightly from 1.33 percent in 2017, but has held steady around 1.4 percent over the past few years. With the percentage largely unchanged, the increase in the dollar amount is due primarily to growth in retail sales.

The largest losses per incident came from robberies at an average \$2,885.15 (down from

\$4,237.02 in 2017), followed by employee theft at \$1,264.10 (up from \$1,203.16), and shoplifting/organized retail crime at \$546.67 (up from \$543.28).

Of those surveyed, 89 percent said there is increasing overlap between retail loss prevention teams and cybersecurity teams, but only 30 percent of LP executives said they were regularly involved in cybersecurity issues. Most of the time, LP is brought

in after the fact on cyber issues, with 60 percent saying they are called in for incident response with only 26 percent involved in threat analysis.

For over a century, NRF has been a voice for every retailer and every retail job, educating, inspiring and communicating the powerful impact retail has on local communities and global economies. ■