



# RAN

Retail Association of Nevada

September 2019

LOOKING OUT FOR BUSINESS

410 South Minnesota Street • Carson City, NV 89703-4272

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NEVADA NEWS

## ONE SHOULD REALLY REFLECT ON POLITICS AND POLITICIANS

By Mary Lau

**I**N THE DIVISIONARY WORLD THAT WE SEEM TO BE WITNESSING AND LIVE IN TODAY,

how many times do you hear, "I hate politics," "all politicians are (fill in the blank)," "my voice doesn't count," and on and on?

In many years of observing and participating in politics, I came to realize that politics and negotiations are our natural states of living. Ever tried to get a teenager to wear last year's styles, or your preschooler to rise to a level of excitement when leaving mom for the first time?

What about the give and take of getting a new family car that turns into getting a new truck for dad? Getting a Boxer or a Corgi, or even a cat versus a dog? You know, all the stuff of negotiations and the lobbying effort that goes into those decisions.

Aristotle is regarded as the scientific father of Politics. I love that term, "the science of politics." That's what it actually is. Aristotle identified various philosophical ideals and touted them through investigation and development. Interestingly enough, he included logic, natural philosophy, metaphysics, and the

philosophy of ethics and politics in his investigatory discussions and publications.

The appetite for political activity in the population at-large today is waning. There's a detachment today that is both healthy and concerning. However, this is not so with political activists or those engaged in the business, such as the Retail Association of Nevada.

Media used to be the informants and watchdogs, now they seemingly spread opinions and take sides. Media has become an "entertainment venue" versus an investigatory agency. Sam Shad, a Nevada journalist and shrewd political observer, recently pointed this out to me and I found it fascinating to research that statement and come to a similar opinion.

This change on the part of the journalism community from watchdog to opinion "mongerer," in my opinion is a shame, as politics is the process of making informed decisions that apply equally to all groups of people.

Former State Senator Ann O'Connell had a favorite quote from Pericles, "Just because you do not take an interest in politics doesn't

mean politics won't take an interest in you". She was right and I loved working with her. I often recall her quote and remember her fondly.

Senator O'Connell is spot on. Politics affects our everyday lives. Politics are even more important to small business owners who have risked so much in search of the American dream. They are the supporters, constituents, and voters that live in the districts of those citizens who run for office.

Once elected, the now elected politician, is still reliant on those citizens to keep them informed, to communicate with them, and to be held accountable by them. Political participation

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# RETAIL ASSOCIATION JOINS LAWSUIT

**T**HE RETAIL ASSOCIATION OF NEVADA JOINED THE lawsuit challenging the constitutionality of tax and fee increases passed without a two thirds majority vote in the 2019 legislature and signed into law by Governor Sisolak. This legislation found in bills SB 551 and SB

552 are significant due to the fact they would set a precedent for future tax and fee increases without a constitutionally mandated two thirds majority. Bryan Watcher, RAN's Senior Vice President of Government Affairs and chief lobbyist, consistently testified to these bills warning legislators to mind the constitution when

attempting to increase or pass new taxes. In reference to education funding, which these bills partially addressed, he said in a press release, "Nevada needs to have an in-depth and thorough debate on financing as we move further into the 21st century, instead we see our education community once again used as a pawn

in a quest to rewrite our constitution." Watcher directly challenged the motives of SB 551 and SB 552 as a means to justify the end and change the landscape of how and why we pass business tax increases in Nevada. ■

## POLITICS AND POLITICIANS *Continued from page 1*

is one of the best ways for small businesses to make a substantial change in his or her community. This past legislative session had many bills that effected small business. Unfortunately, many of those effects were negative. As a result, respectful communications continue to be necessary.

It's hard at the end of the day to stay engaged, I get that, but the elected officials need the business community's input. They get a lot from associations like ours, but personal contact remains critical. Once elected the feedback these officials get provides

a clearer understanding of political plusses or minuses, they also get a clearer understanding of where the government is going wrong. Sometimes the why becomes apparent but they can't get the how correct, either, unless they hear from you. Participation makes

***"RUN FOR OFFICE YOURSELF if you're in a position to do it."***  
MARY LAU

it harder to ignore the problems of the people, which should in itself, mean more will be done to address political and social issues. That's the easy part of engagement, the next

step is to volunteer for the candidate of your choice, encourage a yard sign, walk with them during the campaign season, attend a town hall (better yet hold one). The final biggie: RUN FOR OFFICE YOURSELF if you're in a position to do it. Running is the best way that small business voices can be heard. If you have children at the helm of the business, or excellent managers in place or you just know you should, stop complaining and run. If you don't know how, fine – there is an easy solution. Call a member of RAN's team, talk to your party's leadership, go



Mary Lau, RAN CEO

to meetings and make connections. You know — lead! Representative democracy needs an informed and politically active citizenry. ■

*Mary Lau*



# SUNSHINE — ALWAYS THE BEST DISINFECTANT

By Andy Peterson

**T**RANSPARENCY IS BEST IN MOST, IF NOT ALL, TRANSACTIONS,

and it is especially exceptional when governments operate openly in a manner which gives those governed the sense that whatever is being regulated is in the best interest of all citizens and not a select few. This is fundamental to American's sense of fairness and right play, and to better functioning government, whether it be local, state, or federal levels of government.

Recently, the Retail Association of Nevada took note of the Clark County Board of Health's (CCBH) intent to raise certain fees pertaining to restaurants.

To be sure, we all want clean and sanitary places to eat. Nobody, the public, the restaurants, or the CCBH wants anything less. However, this does not mean we are not concerned with how and why the CCBH might raise restaurant inspection fees.

As a business association, which has a significant number of restaurants amongst our

membership, we want our county health district to first find innovative ways to get things done and then pass along fair and just fees as a means to assure clean and safe restaurants.

On August 23rd several members of RAN's government affairs team attended a public CCBH workshop on proposed restaurant inspection fee increases.

Bryan Watcher, our senior vice president in charge of government affairs, spoke in opposition to the process. He asked for more time to involve our members in the process prior to the new fees being enacted.

As well, the RAN team interacted with several different owners and operators of Clark County restaurants immediately

***"Of note are the ten new fees, and the three increased fees which will affect all restaurants in Clark County. Especially egregious are the three new "downgrade" fees."***

after the conclusion of the meeting.

From the workshop and our interactions with restaurateurs we learned inspection fees had not been raised since 2009 and that the workload of the

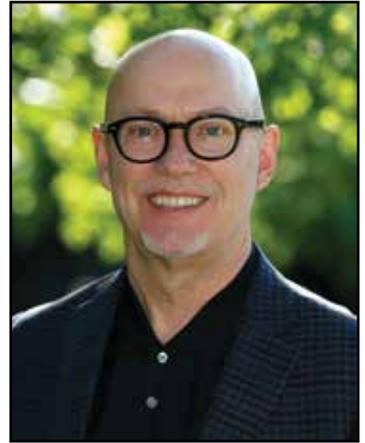
CCBH inspection team has increased dramatically in the last decade.

We also learned the CCBH wanted to make sure the inspection process was self-supporting, which means the fees support the process of inspection.

All seems reasonable so far, except that some fees will go up exponentially and several proposed fees might incentivize the CCBH to find things wrong at restaurants in order to raise revenue.

Of note are the ten new fees, and the three increased fees which will affect all restaurants in Clark County. Especially egregious are the three new "downgrade" fees.

These would be applied to any restaurant whose cleanliness score falls, hence the B and C grades. All restaurants and



Andy Peterson

downgrades are a means to accomplish this end. This is tantamount to the small-town cop sitting behind the billboard waiting for out of towners to absentmindedly speed past only to be tagged with a revenue raising ticket. Restaurateurs should be concerned.

Additionally, the CCBH is seeking input into whether these new fees would establish a direct impact or economic burden, and if the new fees might restrict the formation, operation, and expansion of a business. We congratulate the CCBH for seeking such input. The short answer is yes, all of the above.

RAN is all over these proposed fee increases. We hope to help the CCBH be as transparent as possible regarding their proposals. ■



# TOBACCO SALES COMPLIANCE IN NEVADA

By Liz MacMenamin

## THE 2019 LEGISLATURE REVISED THE TOBACCO

sales statutes (Senate Bill 263). SB 263 specifically addresses sales to underage minors. Retailers that sell these products in Nevada need to be aware of the changes that will go into effect on January 1, 2020.

The new law regarding tobacco sales to minors includes all e-cigarettes and the components or devices sold in conjunction

with those products. The law also includes a mechanism to fine both employer and employee if these products are sold to anyone under age 18.

- For the first violation of the statute, an employee who sells to a minor will be subject to a \$100 fine.

- If an employee is caught selling to a minor a second time within twenty-four months, he or she will be subject to a \$250 dollar fine.

- If caught selling to a minor for the third time within twenty-four months he or she will be subject to a \$500 dollar fine.

- The employer, or business owner, on the other hand, will be given a warning for first and second violations.

- If an employer is caught for a third violation on the premises, they will be given a civil penalty of \$500 dollars. The fourth and fifth violations on the same premises will be a \$1,250 dollar fine, and a \$2,500 dollar fine.

RAN met with the Department of Health and Human Services representative, Meg Matta, to discuss these changes and how an employer can educate their employees to help them understand the importance of being diligent in selling tobacco products to the public.

There is a website available in Nevada for merchants to implement training for employees selling tobacco products.

This is provided by Nevada Responsible Tobacco Sales, a coalition of agencies working together to prevent the sales of tobacco to minors by retailers.

RAN recommends that all employers train their employees as soon as possible. The state will start implementing “stings” on businesses once the law goes into effect.

RAN also recommends a business keep a record of the training of employees. The training is free and takes less than 10 minutes and is available on <https://responsibletobacconv.com>.

The FDA also has a link on compliance,



Liz MacMenamin

enforcement and training that is also free of charge. That link is: <https://www.fda.gov/tobacco-products/compliance-enforcement-training>.

Secret underage shoppers will soon be sent into stores in order to try to buy tobacco. Store owners and operators would be wise to make sure their store complies with the current and future law which will be implemented on January 1, 2020.

Make sure that you protect yourself and your business. Doing this will assist in helping your community by being a responsible merchant with tobacco products. ■

Responsible Retailers

# CHECK ID

We Don't Sell Tobacco to Minors

Ask for a photo ID from everyone under 27.

**UNDER 18? NO SALE!**



# OCTOBER 1, 2019 LAWS TO BE AWARE OF

By Lindsay Knox, Policy Director, McDonald Carano

**OCTOBER 1, 2019 IS QUICKLY APPROACHING, WHICH MEANS**

another 120 bills will come into effect. Fortunately, this go round of implementation is relatively light for the business community. Here are the Top 10 bills we will see go into effect:

Speaker Frierson introduced **AB 207** to keep Nevada on the map as one of the most business-friendly states and hopefully out doing Delaware in corporate formation. The focus of this legislation was to create ease of use and predictability in corporate formation. Corporations will now provide responsibilities up front, clarify fiduciary responsibilities of LLC's and delivery of books and records.

Assembly members McCurdy and Neal joined forces to introduce **AB 385**, which requires the Director of the Governor's Office of Economic Development to meet at least once a quarter with the Southern Nevada Community Board to collaborate and discuss strategies for economic development within the community and surrounding areas. The Board is additionally required to communicate with the Office of Economic Development projects

within the community that are recommended to receive abatements or other incentives, as well as recommendations for any legislative action concerning development incentives.

**AB 413** was introduced by the Assembly Committee on Government Affairs which provides that if a governing body fails to consider potential impact on a business before taking action to adopt a proposed rule, the action taken by the body is void.

The new law also requires a local government to consider the business impact statement at a public meeting held at least 10 calendar days before the meeting to adopt a proposed rule. Further, a business can file a petition objecting the rule on the grounds that the governing body failed to consider the potential impact. Finally, the governing body may take action to readopt the rule after considering the potential impact on business.

**AB 432**, which was introduced by Speaker Frierson establishes worker cooperative corporations in Nevada and provides that a private corporation may elect to be governed as a worker cooperative and establishes various

requirements of article of incorporation or bylaws that a corporation must implement. The new law also authorizes a worker cooperative corporation to act as an internal capital account cooperative and allows the corporation to set up various account that may declare patronage dividends from net earnings and issue membership shares.

Assembly Committee on Taxation introduced **AB 445** in response to the United States Supreme Court decision in Wayfair. The new law defines a "marketplace facilitator" and requires a marketplace facilitator to collect and remit sales tax if the marketplace facilitator had, in a calendar year, cumulative gross receipts from retail sales to customers in Nevada exceeding \$100,000 or made 200 or more separate retail sales to Nevada customers. Certain reporting obligations on marketplace facilitators will be imposed.

The Assembly Committee on Commerce and Labor introduced **AB 477** which enacts the Consumer Protection from the Accrual of Predatory Interest After Default Act.

The new law contains provisions governing the use of form contracts in certain



Lindsay Knox

retail consumer transactions. We will now see various limitations on the accrual of interest in certain consumer form contracts and the collection of attorney's fees in any action for collection of a consumer debt by a business. The law further provides that if a consumer form contract violates the certain provisions, the contract should be deemed void and unenforceable.

Senate Committee on Commerce and Labor introduced **SB 40**, which removes from statute the specific dollar amounts of various administrative fines that may be assessed by the Division of Industrial Relations against an employer who violates provisions of the state's occupational safety and health administration laws. The new law also provides

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# Nevada Notes

## NEVADA BUSINESS SAYS LEGISLATURE INCREASING BUSINESS COSTS

At a round table discussion several business association representatives suggested Nevada is a more expensive place to do business as a result of the 2019 legislative session. This is due, in large part, to increased regulation and also to the elimination of scheduled tax sunset which would have lowered the modified business tax. One panelist intimated these trends to be reflective of California attitudes which seem to be more normal nowadays in Nevada. Another panelist suggested the changes are due to a shift in legislative attitude which relies more heavily upon government oversight rather than competition.

Evidence cited for increased business expense include; senate bill 551 which eliminates a portion of the modified business tax slated to sunset. This new revenue goes to fund education. Senate bill 321 which mandates paid time off for employees if you employ more than fifty people, and assembly bill 456 which raises the minimum wage to \$12 dollars per hour by 2024.

*Las Vegas Business Press*

## CCSD CONSIDERS CHANGES TO MARIJUANA POLICIES

Clark County School District (CCSD) board considers changing its ban on marijuana use by employees. This is light of Nevada law which legalizes marijuana use for individuals over age twenty-one within the state. At present, the federal government has not legalized marijuana. Board members are also concerned about medical use of marijuana by staff members.

Board members reviewed a presentation about CCSD regulations, and state, and federal law regarding marijuana. While marijuana use is legal in Nevada, possession of marijuana is prohibited within school buildings. Additionally, use of prohibited drugs by CCSD employees is grounds for dismissal.

The CCSD board took no action.

*Nevada Independent*

## NEVADA INDEPENDENT SUES

The Nevada Independent (Indy) filed a lawsuit against the Nevada Department of Health and Human Services seeking access to the state's 2017 diabetes drug pricing transparency law.

The Indy was looking for annual reports explained how and why drug prices spikes over time. The state departments refused to provide information, beyond what is already in the public domain, stating this was confidential information due to federal trade secret law.

The Indy is seeking to understand the cause of the cost increases including how research, manufacturing, and marketing affect a drug's price.

*Nevada Independent*

## ASSOCIATION HEALTH PLANS IN LIMBO

Trade association health plans are in limbo after a federal judge ruled the Trump administration rule allowing them violates the Affordable Care Act. Some associations have stopped offering them while others continue to market them to association members. Confusion exists at the state Division of Insurance as to the plans that violate the rule. The division does not know which plans are in violation and which ones are not.

The Las Vegas Metro Chamber of Commerce had offered a plan to its members for nearly thirty years. They were one of the first to offer a plan to members after the Trump administration ruling. As

of now the Chamber has stopped enrolling new businesses into its plan. However, if a business is already enrolled it allows the business to add new employees.

*Nevada Independent*

## FEDERAL AND STATE POLITICS

● Nevada will be the third state to caucus on the candidate for the 2020 Presidential Democratic nomination on February 22, 2020, following Iowa and New Hampshire. Joe Biden has been the top fundraiser and the leader in most polls. The other top fundraisers, in order, are Bernie Sanders, Kamala Harris, Pete Buttugieg and Elizabeth Warren.

● The Central Committee of the Nevada GOP has proposed a rule change that will require all delegates to support President Trump's re-election campaign. The rule change will be considered by the Central Committee on September 7, 2019. The 2020 GOP Presidential caucus is scheduled for February 25, 2020.

● All statewide constitutional officers and both United States Senators will be mid-term in 2020.

● As of July 2019,

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# National Notes

## ONE SEAMLESS WALMART EXPERIENCE

According to the Wall Street Journal, July 25, 2019, Walmart is striving to support the business in a more integrated and customer centric manner. This is a result of combining its supply chain team with the heads of grocery, ecommerce, fleet operations and other functions. Customers should experience an increased food and consumption business, an expansion in general store merchandise, and an increased Walmart ecommerce business. All is a result of merging supply chain teams. Ultimately Walmart intends for its strategy, tactics, and teams to be seamless. Some areas such as merchandising will remain distinct in order to enable focus and speed.

As of July 19th, its stock closed at \$113.90, down 0.7 percent. However, it should be noted its stock is up 23 percent since the start of the year. Walmart's stock capitalization is \$325 billion.

*FMI Daily Lead*

## WALMART EXPLORES AUTONOMOUS VEHICLES

Autonomous car company, Gatik, has partnered with Walmart to pilot self-driving car in its hometown. The car will

operate within a two-mile track delivering groceries between two stores. This in the wake of legislation in Arkansas which allows autonomous cars to operate within the state. Walmart plans on using the opportunity to learn and explore opportunities for store to store delivery and customer grocery delivery.

*FMI Daily Lead*

## ROBOTS IN STORE NEAR YOU

Kroger and Walmart are using technology directly with customers in-store. This is no surprise to anybody who shops. However, they have both challenges and benefits for customers. Challenges include customers being creeped out, they don't always appeal ascetically, and they can eliminate jobs. On the plus side robots can work twenty-four hours per day without breaks or overtime doing the grunt work, they can get all the prices right as long as data is properly updated, and they can show you where to find something. Expect to see more robots in a store near you. *Forbes*

## MEAT, IT IS WHAT'S FOR DINNER

Meat isn't leaving the menu anytime soon even though plant-based protein is a hot topic. A

recent study revealed 62 percent of people said they would give up meat due to environmental concerns, and 43 percent said they would switch from meat to plant-based protein altogether. Of note are flexitarians, who buy plant-based proteins but also continue to buy meat. Flexitarians spend more on protein altogether. Meat only consumers spend on average of \$643 dollars per year, while flexitarians spend \$808 dollars per year. Expect plant-based protein sales to significantly increase as options increase.

*Grocery Dive*

## NEW LEADERSHIP AT JCPENNY'S

JCPenny's executive vice president, chief stores and supply chain officer, has left JCPenny's. He is being replaced by Jim DePaul. DePaul has twenty years of experience, most recently as Shopko's chief operations officer over stores, supply chain, and e-commerce.

JCPenny's has an established private-label operation in apparel retailing and has extensive relationships with overseas suppliers. Approximately twenty-one percent of JCPenny merchandise comes from China.

*Dallas News*

## TARGET ROLLS UP PICKUP

Target ups its game in Drive Up curbside click-and-collect service. Target strategically timed their expansion of 300 new store click-and-collect to coincide with the start of school. This brings the total store program to 1,850 stores. Mostly, the new expansion of the service is in the Northeast portion of the US in Massachusetts, Rhode Island, Maine, and New Hampshire.

The service allows a customer to buy product on a mobile device and then pull up to a store and have the merchandise delivered to the car in less than two minutes. Customers, using the Target app, can chose from furnishings, household goods, or most anything Target sells. Customers then alert the store they are on their way and park in designated parking spot to have their car loaded up by an associate.

*Chain Store Age*

## GOOD & GATHER AT TARGET

Target is rolling out its own brand of private label foods. Starting in September the brand will appear on food shelves. This in addition to its private label goods in apparel and home goods.

*Continued on page 8*



# NATIONAL NOTES *Continued from page 7*

The new food label will have everything from organic pizza crusts to milk, eggs, pastas, and peanut butter. Target believes food stuffs play an important role in its offerings and private label foods help as most shoppers already have at least one food item in their basket already when they check out.

Moreover, Target wants to be a one stop shop for consumers.

The roll out will likely help target increase its share of grocery sales. Customers buy less grocery from Target than do consumers do at Walmart. Target's sales are typically about twenty percent versus Walmart who sells at nearly fifty percent. Private label at Target is viewed as a means to add more grocery sales from Target consumers.

In 2018, Target's sales grew to \$75.36 billion from \$71.88 billion in 2017. Target shares have outperformed the industry and are up more than twenty seven percent this year. *CNBC*

## PLANT BASED MEAT: IT MIGHT BE FOR DINNER...

Demands for plant-based protein are on the rise for many reasons. These include saving the environment, protecting animals, personal health, and taste preferences. The market for plant-based

protein was more than three billion dollars in 2018. As more alternatives are developed to soy and wheat-based proteins one can expect the market to grow even more driven primarily by millennials and GenZs.

Early on consumers could choose from tofu, tempeh, seitan, and vegetable/rice based burgers and patties. Nowadays more foods have advanced and include plant-based sausages, deli slices, crumbles, and chicken nuggets. Expect more plant-based protein products to be available in a grocery store near you as demand increases. *Forbes Women*

## NEW LEADERSHIP AT NGA

The National Grocers Association has named new President and CEO. Greg Ferrara will lead the organization effective September 1, 2019. Ferrara will take the reigns of the organization as Peter Larkin retires. Larkin will remain in an advisory capacity through the end of 2019.

Ferrara becomes CEO with a plethora of experience. According to the NGA Board of Directors, Ferrara has the right experience as a former independent grocer and as NGA's chief lobbyist to lead the organization into the future.

Greg holds a BA in Political Science from Loyola University New Orleans and is a fellow of the prestigious Institute of Politics at Loyola University. He is a graduate of the US Chamber of Commerce Institute for Organization Management and is a graduate of the NGA Executive Leadership Program at Cornell University.

*National Grocers Association*

## ONLINE SHOPPERS STILL GO TO STORE

According to research by Valassis, nearly a third of consumers have made an online grocery purchase in the last year. However, that does not mean shoppers have stopped going to the store to pick things up. Many use store pick up as well as delivery services. The more urban the more likely you are to order online; this breaks down to forty-eight percent of urban consumers, 25 percent of suburban consumers, and nineteen percent of rural consumers. Valassis research also found that among online grocery shoppers, 41% seek faster, cheaper shipping options, as well as better discounts and deals.

*Supermarket News*

## WHAT CONSUMERS THINK OF TARIFFS

In a new survey by ShopKick sixty percent of

respondents said they will adjust the retailers at which they shop if impending tariffs go into effect. Of those nearly forty percent said they would reduce their shopping. Of those responding nearly sixty percent said they were aware of tariffs and forty percent said they were aware of increasing prices. Most respondents expect an increased household price of \$500 hundred dollars per year, while some expected \$1,000 dollars per year increase.

Shopkick found that awareness level about the tariffs differs by generation: Only 34 percent of Gen Z respondents are aware of tariffs, compared to 74 percent of boomers. Fifty percent of millennials plan to cut down on spending compared to thirty eight percent of boomers, sixty two percent of boomers will seek alternative options to cut costs. Lastly, ShopKick found consumers will adjust their habits as the scope and finality of tariffs become reality.

*Chain Store Age*

## CVS DOES MEMBERSHIP PROGRAM

CVS expands its appeal to millennials by expanding its membership program. For as little as five dollars per month, CarePass, will deliver pharmacy delivery.

*Continued on next page*



# NATIONAL NOTES *Continued from page 8*

Consumers can purchase an annual pass for forty-eight dollars per year.

Members can expect one to two-day delivery of pharmaceuticals, over-the-counter medications, vitamins, supplements, and personal care items. They will also receive a ten-dollar coupon and 24/7 access to a pharmacist helpline. Initial customer response has been positive including acceptance amongst millennials. *Chain Store Age*

## WALGREENS CLOSES 200 STORES

Walgreen will close two hundred stores as a cost cutting measure as a means to deal with a changing industry. The chain has already announced it will close seven hundred fifty stores. In a security filing the company said it would experience a charge between \$1.9 to \$2.5 billion. According to its website Walgreens said it operates 9,560 stores. *Forbes*

## CVS SLOWS GROWTH OF NEW STORES

CVS will open 100 stores this year verses the normal 300 stores despite strong growth and profits. This is due to growth in other areas such as delivery and mail-order services as well as its acquisition of health insurance Aetna Inc.

“These results demonstrate our ability to

execute on our strategic priorities to accelerate enterprise growth as we seek to fundamentally transform the consumer health experience,” stated CVS Health president and CEO Larry Merlo. A shift in focus includes “health hubs,” which will offer more services to consumers in one convenient place.

*Chain Store Age*

## TARGET PROMOTES GEN Z ENTREPRENEURS

Target held a demo day for Gen Z entrepreneurs to demonstrate their business and how it would benefit the planet. Eight young Gen Zer’s topped off an eight-week program and a three day conference. Target employs a chief strategy and innovation officer who also addressed the conference.

*Chain Store Age*

## SEARS CONTINUES TO RIGHT SIZE

Transform Corp, Sear’s new parent company, announced it will close an additional twenty-one stores in order to right size its operations. This is due to a weak retail environment. TransForm is working to bring profitability back to Sears while working to bring several new store formats to fruition. The company indicated it may close additional stores in the future.

*Chain Store Age*

## RETAIL IMPORTS REMAIN HIGH DESPITE TARIFFS

According to the National Retail Federation and Hackett Associates, retail imports at ports remain high despite tariffs. “Even with virtually everything American imports from China soon to be subject to tariffs, it isn’t quick or easy for retailers to change their supply chains,” NRF Vice President for Supply Chain and Customs Policy Jonathan Gold said.

President Trump last week announced a new round of tariffs on \$300 billion in Chinese goods. This means almost everything imported from China will be subject to a tariff.

According to Tariffs Hurt the Heartland, a national campaign group against tariffs, American importers paid \$6 billion in June 2019, up 74 percent from the same month last year.

“The uncertainties of the administration’s tariff policies continue to vex the markets,” Hackett Associates Founder Ben Hackett said. “Our overall outlook is more pessimistic than last month, underlining that trade wars are not harbingers of good things to come.”

Hackett said the 10 percent tariffs would not likely have an immediate impact on import volumes but an increase to 25

percent – as happened earlier this year with the most recent previous round of tariffs – “would have a significant impact and would cause us to lower our trade projections further.

*NRF*

## HOME DEPOT DEPLOYS ZEBRA/PROFIT

Home Depot is using artificial intelligence and machine learning to uncover issues and recommend remedial solutions across its 1,900 stores. They are employing Aebra/Profitect based on its ability to provide smart tasks, workflow for accountability, and insights into data. Initially the platform will be used within the asset protection space. Later it will be deployed within other departments. Home Depot hopes to reduce shrink and mitigate loss. *Chain Store Age*

## TARGET OPENS SMALL FORMAT STORES

For the most part Target’s new stores are small format. Many small format stores are near college campuses and urban neighborhoods. At present there are nearly 100 of these stores and it plans to open another thirty per year over the next few years. Small format stores average 17,000 feet each and are 15 percent the size of a normal store.

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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.

**Blue Macaw Mexican Restaurant LLC**

**Joe's All American Food LLC**

## 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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**Elko Office**  
557 W. Silver Street, #206, Elko, NV 89801  
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**MEMBERSHIP INFORMATION:** Find out more about RAN's self insured group. Call Pro Group, **800-859-3177**,

10 ♦ 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](http://www.RANNV.org).



## NEVADA NOTES *Continued from page 6*

Democrats have a 71,000 voter registration advantage over Republicans statewide, which is within the average lead over the past five years for this time of year. In Clark County, Democrats have a 136,000 voter

registration advantage over Republicans, and non-partisan registrations are increasing. Nevada is a closed primary state, so non-partisan voters are unable to vote in primary elections, meaning that major party candidates

must lean further left or right to win a primary. ● Seven candidates have announced they will run against incumbent Steven Horsford (D) in Congressional District 4. Democrats hold a 35,000 voter registration lead over

Republicans in District 4. ● Assemblywoman Ellen Spiegel (D) has announced her candidacy for State Senate District 7, being vacated by term-limited David Parks (D).  
*McDonald Carano (used with permission)*

## NATIONAL NOTES *Continued from page 9*

The small design allows for products with smaller packaging and allow easier transport when customers use public transport.

*Chain Store Age*

**RETAIL APOCALYPSE NOT A REALITY**  
A new report debunks the retail narrative of apocalypse. According to the report for every retailer which closes a store another

retailer opens one or more stores. This according to IHL Group, a research firm. In 2019 twenty chains represented nearly seventy-five percent of all closures. In 2019 fifty six percent of

chains added stores. IHL reviewed 1,660 retail chains with 50 or more locations in the United States across nine industry segments.  
*Chain Store Age*

## OCTOBER 2019 LAWS *Continued from page 5*

that the monetary amounts of the fines may not be greater than the amounts set forth for OSHA violations and any adjustments to the amounts that are made pursuant to the Federal Civil Penalties Inflation Adjustment Improvements Act of 2015. Finally, there will be an increase from 15 working days to 30 calendar days for an employer to file a notice of contest for a citation or proposed penalty.

Senator Cancel introduced **SB 177**, which requires the Nevada Equal Rights Commission of the Department of Employment, Training and Rehabilitation to notify a person who files a claim of injury as a result of certain unlawful employment

practices that he or she may request a right-to-sue notice. The Commission, upon request, must issue a right-to-sue notice indicating the claimant may, under certain circumstances, bring civil action in district court against the person named in a complaint. Additionally, a court is authorized to award the employee the same legal or equitable relief that may be awarded to a person pursuant to Title VII of the Civil Rights Act of 1964, if the employee is protected under the provisions of Title VII or certain provisions of existing state law.

Majority Leader Cannizzaro introduced **SB 220**, which prohibits an

operator of an Internet website or online service from selling certain personally identifiable information collected from a consumer if a consumer submits a verified request to the operator directing the operator not to sell such information. The new law also requires an operator to respond to a customer's verified request within 60 days of receipt. Additionally, authorizes the attorney general to seek an injunction or a civil penalty against an operator who violates these provisions. Finally, excludes from the definition of "operator" certain financial institutions and entities that are subject to certain federal laws concerning privacy

and certain persons who manufacture, repair, or service motor vehicles.  
The Senate Committee on Judiciary tightened up the organized retail theft statute with **SB 431**, which makes it a crime to directly or indirectly engage in such activities instead of just participating in them. The changes to statute also clarifies that committing organized retail theft through the use of the internet is unlawful and it extends from 90 days to 180 the period of time in which the value of the property stolen may be aggregated for the purpose of determining a criminal penalty. ■



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## NEVADA NEWS

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# THANKSGIVING WEEKEND SHOPPING — COMING SOON

**I** N 2018 THERE WERE AN EXPECTED 164 MILLION PEOPLE

shopping on Thanksgiving weekend. There is no reason to believe there will be any fewer shoppers on the 2019 Thanksgiving weekend.

This includes online cyber shoppers who will buy all weekend and continue to do so through Cyber Monday.

Twenty-one percent of all shoppers plan to shop on Thanksgiving day but

seventy-one percent plan to shop on Black Friday. Forty-one percent plan to shop on Saturday, which is Small Business Saturday. Of those forty-one percent seventy-eight percent say will shop that day in order to support small businesses. On Sunday twenty percent of people will shop, and on Cyber Monday forty-six percent will shop online.

Last year sixty-five percent of shoppers said they shopped on Thanksgiving weekend

in order to find deals and bargains. Twenty-six percent cited the reason they shop to be the tradition of shopping on Thanksgiving weekend, while twenty-three percent said they shopped for something to do. ■

*Information provided by the National Retail Federation and Prosper Insights & Analytics, a global leader in consumer intent data. Data released November 2018.*

**NRF 2020 VISION: RETAIL'S BIG SHOW**

**JANUARY 11: OPENING RECEPTION**

**JANUARY 12-14 CONVENTION AND EXPO**

**NEW YORK CITY**