

LOOKING OUT FOR BUSINESS

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SQUISHY REPORT READ BY SQUEAMISH PUBLIC

By Bryan Wachter

CLUSTERS OF HUDDLED GROUP MEMBERS

dotted the hallways of the Grant Sawyer State building on Friday, May 14th, 2010. For the first time, all but one member of the Nevada Vision Stakeholders' Group were present in Las Vegas. They were there to vote on the final version of the executive summary of their report which was due to lawmakers, according to the enabling legislation from 2009, by June 1, 2010. That's the first of many goals this group won't meet.

What was widely considered by many members of the vision group as hazardous to the planning process was the release of their Final Report's executive summary to the public.

Nevada's Open Meeting Law requires that materials provided to public bodies must be released at the same time to the public. The draft executive summary implied that taxes would be raised to pay for future "visions."

Chairman Robert Lang, of Moody's Mountain West, UNLV, deplored the press coverage

"before a final vote" could be taken by the Committee and admitted the report was a bit "squishy." There was considerable discussion, led by Chairman Lang, how the group might circumvent the Open Meeting Law. He even coined the term "structured inquiry" as a code for voting outside meetings after he was advised by the Legislative Counsel Bureau that such actions could violate Nevada's Open Meeting Law.

Their released report, which will be rewritten and voted upon at an, as of yet, unscheduled meeting, included goals such as building a high speed train between Las Vegas and Reno, or achieving a 90% Nevada participation rate in food stamp usage. It should be noted the committee removed the Las Vegas/Reno Train at their meeting on the 14th of May.

Legislators from the 2009 session that created the Nevada Vision Stakeholders' Group and hired Moody's Analytics to study the tax structure may have bitten off more than they can chew with the kinds of goals and suggestions this

preliminary report outlined. Serious questions need to be answered by Moody's Analytics, hired to help facilitate the meetings, and the Vision Group by their next meeting or the public might join the committee in having, in the words of Chairman Lang, "squishy feelings" of the report.

As of the *Nevada News* deadline for printing, no follow up meeting had been scheduled, and no revised report had been released. The Retail Association will continue to publish updates of the Vision Group and Moody's tax research as new information becomes available. ■

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CAMPAIGN 2010

By the time you receive this newsletter, the primary will be over and the campaign for the November General Election will have begun. Over the new few issues, Nevada News will be spotlighting a few candidates who will be on the November ballot. More information on Matrix Scores can be found at www.rannv.org under Government Affairs.

STATE SENATOR
BARBARA K. CEGAVSKE
(R – Clark S.D. 8)
Matrix Score 85%
Small Businesswoman
www.barbaracegavske.com

Barbara Cegavske first ran for the Legislature to combat taxes and fees, especially those imposed on small businesses. Her second passion is education.

Cegavske wants to roll back the sales tax hike and the vehicle registration fees passed in 2009.

“The fight against higher taxes just seems to go on and on,” said Cegavske. I did help stop the gross receipts tax in 2003, but sometimes it’s a lonely battle with just a few of us continuing the fight and voting against taxes. The present tax study could make the 2011 session as contentious as 2003,” she explained.

“Jobs are the real concern. We can’t expect our Nevada businesses to expand and add employees if we’re going to take away their profits. We should cut back on the payroll

tax to encourage hiring. New companies aren’t going to move here while the discussion of possible new taxes continues. Businesses like stability and predictability. This tax study has companies saying ‘Let’s wait and see what Nevada does before we decide to move there.’ We’re suffering a deep recession right now, this is not the time to be looking at additional taxes,” Barbara emphasized.

“Enterprise zones are also important. We’re one of six states that doesn’t have enterprise zones. If we can get them enacted, it would be another reason for new businesses to relocate here,” she pointed out.

For years, Cegavske has fought for charter schools, local empowerment and school choice, all ideas now being supported at the federal level.

“I know we need to improve education, and I have my own plan. All parents should have the option of sending their children to charter schools. Children need to spend more time in

the classroom learning the basics. Choice will create some competition between schools and the result will be a self-imposed improvement,” she said. Barbara and her husband Tim have two children who attended public schools in Las Vegas.

ASSEMBLYWOMAN
DEBBIE SMITH
(D – Washoe A.D. 30)
Matrix Score 68.75 %
Retired Small Businesswoman
www.votedebbiesmith.com

Although she retired from her work as a benefits consultant, Debbie Smith isn’t finding any leisure time.

“My husband asked me when the spare time was going to kick in,” she laughed, “but I’m working hard on the leadership of the Assembly to give greater power to my district and Northern Nevada,” she explained. “One of the many interim committees I sit on is reapportionment. I think it’s so important that we not

get any seats cut in the North this time. I’ll be fighting to add some seats, if necessary, to maintain the ratio of citizens to representatives. The entire Northern Nevada delegation will need to work together on this in a bipartisan manner,” Debbie emphasized.

And she is busy. As a member of the powerful Ways and Means Committee, Debbie Smith is one of the lawmakers involved in the interim tax study. She also chairs the Stimulus Oversight Committee and sits on the Committee to Consult with the Director.

“Government needs to be more accountable and efficient,” Debbie said. “That’s why I’m serving on the tax study. We need to set some goals and standards as to where we want to be in the next 5, 10, 15 years. Then we’ll be looking at how to get there. We have to be careful not to hurt the small businesses in Nevada, but we can no longer be ranked #49 in education nationally. New businesses

Continued on next page

ENERGY EFFICIENT APPLIANCE REBATE FUNDS STILL AVAILABLE

By Lea Tauchen

IN NOVEMBER 2009, NEVADA RECEIVED APPROXIMATELY \$2,495,000 FOR THE Nevada Energy Efficient Appliance Rebate Program. This funding, from the American Recovery and Reinvestment

Act of 2009, allows Nevada residents to receive rebates from the purchase of new energy-efficient appliances when they replace used appliances. Energy Star qualified refrigerators, freezers, washing machines and dishwashers are eligible for

various rebate amounts. Rebates are being distributed on a first-come, first-served basis until the funds are depleted.

The Nevada State Office of Energy (NSOE) is tracking remaining rebate funds in near real-time on their Web site at

www.energy.nv.gov. When the amount of rebate funds reaches a critically low level, the NSOE will distribute a press release and display a message on their Web site alerting consumers. ■



CAMPAIGN 2010

Continued

won't move here unless we improve education. This will be a great opportunity to discuss the future of Nevada and how we can have a more stable economy," Smith said.

As Chairman of the Stimulus Oversight Committee, Debbie is involved with checking the stimulus funds coming into the state and ensuring they go towards creating jobs.

"Jobs are so important to our economy. It's the number one concern in my district and something I'll be fighting for in the next session. I'm watching the logistics interim study and think that will really benefit our area. We have a head start in the north with the industrial business park, but I see this idea benefiting the entire state," Smith explained.

Equally important is Debbie Smith's work with the Legislative Counsel Bureau (LCB).

"With all the retirements due to term limits, we're going to have a large number of new legislators who will need some sort of training. No one talks about it much, but we also have a number of LCB staff retiring. That means we'll lack institutional memory and that's so important to the process. So we're working now so that we'll be all organized by the start of the next session," she concluded.

Debbie and her husband Greg have three children and two granddaughters.

LUCY FLORES
(D – Candidate for A.D. 28)
Diversity Officer/UNLV
Graduate William S. Boyd
School of Law 2010
www.lucyflores.com

When Assemblyman Mo Denis decided to run for the state senate, Lucy Flores knew exactly what she wanted to

do. After all, she'd traveled up to Carson City during the last legislative session to lobby on a couple of bills. She was fascinated with the process. She knew she wanted to run for office.

Flores plans on being a fierce advocate for her district. "I grew up here. I worked for small businesses part-time. I've done accounting for mom-pop operations. I know

how government regulations, taxes and fees can hurt a small business just trying to hang on," emphasized Flores.

"We need legislation for job development that will educate and train people for a variety of industries. At the end of the day, an educated and highly-skilled workforce will do more to attract new industries and provide good-paying jobs to our community and state," she explained.

Lucy has seen the effects of the recession first-hand as she's walked her district. It makes her more determined than ever to find some solutions.

"In the next session of the legislature, we'll be faced with high unemployment, a devastated housing market, crime and related issues, budget shortfalls and the need for a more stable revenue base. We have to look at a new diversified revenue structure, but not one that will burden already struggling businesses. We'll need to look at those industries which are not paying their fair share," she said thoughtfully.

"We need a blue print for the future and how we want to grow in the future," Flores concluded.

Public safety and health care are also major concerns of Lucy Flores. ■

NRF WELCOMES SENATE APPROVAL OF AMENDMENT REQUIRING "REASONABLE" DEBIT CARD TRANSACTION FEES

THE NATIONAL RETAIL FEDERATION WELCOMED SENATE APPROVAL OF AN AMENDMENT TO FINANCIAL SERVICES REFORM LEGISLATION THAT WOULD DIRECT THE FEDERAL RESERVE TO determine "reasonable and proportional" transaction fees for debit cards.

"Main Street America bailed out the biggest banks in this country not so long ago," NRF Senior Vice President and General Counsel Mallory Duncan said. "Passage of the Durbin amendment ensures that those same banks won't repay our generosity by undermining the fairness and integrity of the checking and debit card system."

The Senate voted 64–33 to approve an amendment to S. 3217, the Restoring American Financial Stability Act of 2010. NRF counted consideration of the amendment as a key vote to be included in NRF's annual ranking of lawmakers on issues important to the retail industry. (Senator Harry Reid (D-NV) and Senator John Ensign (R-NV) voted for the amendment.)

NRF wrote to all members of the Senate to urge passage of the amendment.

"Plastic checks — debit cards — formerly passed at face value, but now the biggest banks and card companies are using them to circumvent the system and are reducing the face value of debit card transactions through higher fees," NRF Senior Vice President for Government Relations Steve Pfister said in the letter. "This hurts retailers and merchants of all sizes, including doctors' offices, restaurants and florists, and it causes all of our customers to pay more."

The amendment requires the Federal Reserve to establish "reasonable and proportional" interchange fees for debit transactions. The fees would have to take into consideration both the actual cost of processing the transactions and the fact that paper checks are paid at face value.

The fee for debit cards currently averages about one percent and is charged to merchants each time a card is swiped to pay for a purchase. NRF estimates that the fees cost merchants at least \$10 billion a year, and card industry practices effectively require that they be built into the price of merchandise, driving up costs for consumers.

The amendment would exempt an estimated 99 percent of credit unions and banks by applying only to financial institutions with \$10 billion or more in assets. But most consumers would still be protected because the majority of cards are issued by a handful of the nation's largest banks. ■

As the world's largest retail trade association and the voice of retail worldwide, NRF's global membership includes retailers of all sizes, formats and channels of distribution as well as chain restaurants and industry partners from the United States and more than 45 countries abroad.



NEVADA CANCER INSTITUTE AND THE VONS FOUNDATION TO DEVELOP REHABILITATION AND EXERCISE LAB FOR BREAST CANCER PATIENTS

IMPLEMENTATION OF EXERCISE PROGRAMS IN CANCER PATIENTS HAVE BEEN SHOWN TO IMPROVE QUALITY OF LIFE

LAS VEGAS, MAY 12, 2010 — IN THE COMING MONTHS, THE NEVADA CANCER

Institute (NVCI) with The Vons Foundation's support, will be opening a new Cancer Rehabilitation & Exercise Lab on campus. NVCI has a long-standing relationship with Vons, and this contribution came as a result of the Foundation's annual October breast cancer campaign which encouraged customers to make a donation at any of its southern Nevada stores.

The opening of the Cancer Rehabilitation & Exercise Laboratory will allow NVCI researcher and clinician, Dr. Karen Milligan, a facility in which to study the relationship between exercise and breast cancer both during and after patients' treatments.

"Implementation of exercise programs in cancer patients has been shown to improve quality of life and reduce fatigue during and after chemotherapy and radiation. Now, research should focus on exercise's effect on the survivability of cancer patients. This is an exciting initiative that will positively impact not only NVCI patients, but researchers everywhere," said Dr. Milligan.

This is NVCI's third year in partnership with The Vons Foundation, whose mission is

to improve the quality of life in the community.

Because of the efforts of Vons' dedicated employees and loyal customers, NVCI has cumulatively received over \$560,000 for breast cancer research and awareness.

Director of Government Relations for Vons and Chair of The Vons Foundation, Daymond Rice, said, "As an organization

we are pleased to provide the funding to establish the Cancer Rehabilitation & Exercise Laboratory and support the research that will be taking place at Nevada Cancer Institute. It is exciting to be a part of cutting-edge research for cancer patients, and building awareness programs are one of our community investment priorities."

ABOUT NEVADA CANCER INSTITUTE

Nevada Cancer Institute (NVCI) is the official



From left to right: Dean Willhite, VONS District Manager, Southern Nevada; Carlos Illingworth, VONS Manager of Public Affairs and Government Relations; Senator Allison Copening, District 6; Daymond Rice, VONS Director of Public Affairs and Government Relations, Chairman of The Vons Foundation, and Vice Chairman of RAN; Dr. Karen Milligan, Project Researcher; Dr. John Ruckdeschel, CEO of the Nevada Cancer Institute.

cancer institute for the State of Nevada. For more information, please visit www.nevadacancerinstitute.org or call (702) 822-LIFE.

ABOUT THE VONS FOUNDATION

Established in 1995 as a grassroots fundraising program, The Vons Foundation is the charitable arm of the Vons Division of Safeway, a Fortune 100 company. Working in partnership with local organizations, and through the generous donations of Vons

employees and customers, The Vons Foundation supports a variety of worthy causes across southern California and southern Nevada. In 2009 alone, The Vons Foundation contributed over \$15 million to support such important causes as hunger relief, cancer research, education enrichment programs and services focused on assisting veterans and people with disabilities. ■

UPCOMING EVENTS

July 12-14, 2010: Shop.org Online Merchandising Workshop
Huntington Beach, CA

July 15, 2010: General Counsels Forum Summer Meeting
Washington, DC

August 15-17, 2010: NRFtech: IT Leadership Summit
Half Moon Bay, CA

September 13-14, 2010: ARTS Users' Meeting
Orlando, FL



ASSEMBLYMAN MO DENIS' AB326 WORKING GROUP

By Liz MacMenamin

THE RETAIL ASSOCIATION OF NEVADA (RAN) HAS BEEN INVOLVED WITH

a working group on prescription drug abuse in Nevada. The group was asked to look at this issue by Assemblyman Mo Denis and they have been charged with bringing forward language to the Interim Health Care Committee on May 26th. If the Health Care Committee accepts the proposed language,

then it will become a bill draft for the next legislative session. I would really like to thank Assemblyman Denis for his concerns on this issue and his foresight in putting together a group of interested parties to work with him.

The proposed changes would require a doctor to get a written acknowledgement, signed by the patient that is seeking controlled substances, that the doctor will be obtaining a report of prior behavior

from the prescription monitoring program. Joanee Quirk, program administrator at the Board of Pharmacy and a member of the task force, asked that language be included that would allow the state to enter into agreements with other states to share prescription monitoring information. There was also language introduced that would provide immunity for the providers that participate in the Nevada Prescription Monitoring

Program. RAN General Counsel Mark Amodei recommended the association support the inclusion of this language for protection of participants.

I will do a follow-up report on the status of this proposed language after the meeting on the 26th of May and will include this in the next issue of *Nevada News*. ■

SOUTHERN NEVADA IMMUNIZATION COALITION

By Liz MacMenamin

PAM BEAL, EXECUTIVE DIRECTOR OF THE SOUTHERN NEVADA IMMUNIZATION

Coalition (SNIC), invited the Retail Association of Nevada to provide a presentation on the current immunization statistics provided by Nevada pharmacists.

To date, the Department has been unable to determine a way for pharmacies to bill for the administrative cost of immunizing Medicaid recipients, but we hope they will have a solution before the fall so we can prepare for the onslaught of immunizations during the flu season.

Nevada law has allowed a pharmacist, who is properly trained in immunizations, to provide this service with no age restrictions. We are one of the few progressive states that have recognized the need to have these professionals involved in this process. The one reason for this thought process could be the

low numbers of children being immunized in Nevada.

We would like to thank Pam for this opportunity and for her involvement in trying to get reimbursements for providing this service to Medicaid recipients from the Department of Health and Human Services. ■

IMMUNIZATION EDUCATION IN NEVADA

By Liz MacMenamin

RAN AND NATIONAL ASSOCIATION OF CHAIN DRUG STORES (NACDS) WILL BE

preparing a Continuing Education program to be presented at an

event for pharmacists in southern Nevada on September 16th, 2010. This Continuing Education (CE) program will be on immunizations provided by the pharmacists. We have been asked to participate with

the Southern Nevada Immunization Coalition to help promote the use of pharmacy and pharmacists in the immunization process in Nevada. We will be looking for speakers for this program and are working with

Larry Pinson, Executive Director of the Board of Pharmacy to get CE hours for the pharmacists who participate. He has agreed to work with us and to speak at this event. ■

WELCOME PIPER BROWN!

THAT WARM AND WELCOMING VOICE YOU NOW HEAR WHEN YOU CALL RAN

belongs to Piper Brown, the Retail Association's new office manager.

Born and raised in California, Piper and her husband Shannon fell in love with Nevada while visiting her in-laws in Gardnerville. They've now lived here two years and still love it.

"It's just wonderful over here," Piper exclaimed. "We were so fortunate that my husband was selected to be the principal at Gardnerville Elementary so we could move here. Our daughter

Holly (age 12) and son Samuel (age 9) are equally happy!"

Just as perfect timing played an important role in bringing the Browns to Nevada, it played an equally important part in Piper landing the job at RAN.

"I had worked part-time in Minden while we were getting settled and the kids were getting acclimated. In California, I spent 12 years working for a Sacramento lobbying firm and really missed the political atmosphere. Then this opening came along where I could use my administrative skills and also be involved in political activities. I really wanted this job," Piper explained.

When Danielle Cherry decided to be a full-time mom, the RAN staff wondered if finding a replacement would be a problem.

"We were amazed at the large number of excellent applicants we had," said Mary Lau, RAN CEO. "It was going to be a tough choice, but then Piper walked in with her strong background with a lobbying firm, and she went to the top of the list. There's so much involved in the political side that you can't always teach someone. Piper already knows those necessary subtle nuances in dealing with candidates and elected officials. Plus she has the necessary skills for helping and assisting the

RAN membership," Mary explained. Besides running her children to various sporting events, Piper is president of the Gardnerville Elementary Parent Teacher Student Organization.

"With all the budget cuts, it's necessary to raise funds to help the school," Piper said. (NOTE to Candidates running for office, Piper's group raised \$3,000 with a Jog-a-thon.) "I'm afraid all my fundraising ideas are a bit elementary," Piper joked.

Piper can be reached at the RAN office by calling 775-882-1700 or e-mailing her at Piper@rannv.org ■



Nevada Notes

SMALL BUSINESS LOBBY TO GO TO COURT ON HEALTH LAW

Attorneys general and governors for 20 states (including Nevada) won't be alone in their legal challenge to President Barack Obama's health care overhaul.

The nation's most influential small business lobby is going to court with them.

The National Federation of Independent Business will join the argument that Americans cannot be required under the Constitution to obtain insurance coverage, the groups president, Dan Danner, said in an interview. The group plans to announce Friday it's joining the suit.

Regardless of whether the constitutional argument sways federal judges hearing the case, NFIB'S involvement ensures the point will be heard extensively during the fall political campaigns. All but one of the state officials who have filed the case in Florida are Republicans, and with 350,000 members the NFIB boasts a far-reaching network of local activists.

The health care law, passed by a Congress divided on partisan lines, puts the nation on a path to coverage for all. One of its pillars is the requirement that most Americans carry health insurance — through an employer, a government program, or by buying their own policy.

The mandate is effective in 2014, when new competitive insurance markets open for business. Insurers will then be required to take all applicants, no longer allowed to turn away those in poor health. The government will offer tax credits to help middle-class households pay premiums. And Medicaid will be expanded to cover millions more low-income people.

Individuals who refuse to get health insurance will be hit with a tax penalty, although exceptions are allowed for financial hardship and religious reasons. Businesses will also be required to contribute to the cost of their workers' health insurance, but companies with fewer than 50 employees are exempt.

WSJ

STATES WANT TO SHARE PATIENT RX USE TO CURB ABUSE

While a California online drug database went into effect last year to thwart addicts who bounce from doctor to doctor to feed a habit, or make a small fortune peddling meds, there's now a push to extend it beyond state lines to share so-called doctor shoppers and curb drug abuse.

Doctors can be hamstrung in making critical decisions about prescribing painkillers if they aren't able to find out if patients filled prescriptions elsewhere.

Forty states have passed legislation to allow prescription drug monitoring programs, but only 34 are operating due to lack of funding.

Joanee Quirk, who runs Nevada's prescription monitoring program, said having access to other state databases would help stop those from Southern California or Hawaii who come to Las Vegas or Reno to score Vicodin or OxyContin. Nevada's four-year-old program has grown to more than 225,000 patient requests in 2009 from about 155,000 in 2008. Most prescription monitoring programs are voluntary, but Nevada requires doctors to check a patient's drug history during a first visit.

"If we took it away the practitioners would have a revolution," Quirk said. "It's almost like getting a lab test, where the doctors are trying to figure out what is wrong with this person and whether they are trying to get drugs legally."

Some privacy groups are concerned databases could invade patients' privacy.

Washington Post

WASHOE COUNTY WINS MONEY IN WALMART BULB CHANGE CAMPAIGN

Walmart has awarded \$5,000 to Washoe County, to be used for energy efficient projects.

The county won the award in the Change the World, Start with Energy Star campaign sponsored by the retailer to engage in friendly energy behavior such as replacing incandescent bulbs with compact fluorescent bulbs.

Nearly 800 Washoe residents

promised to change more than 8,500 bulbs.

RGJ

A WHOLE NEW RETAIL REALITY

Southern Nevada's retail market boasted tenant waiting lists and record high rents during real estate's heyday. Today's recession-racked market paints a different picture: A glut of space lies empty despite rent cuts as deep as 30 percent.

The valley's anchored retail vacancy rate has increased nearly 300 percent since the first quarter of 2007, when vacancy stood at a constrained 2.7 percent, Las Vegas-based economic advisory firm Restrepo Consulting Group reports. Southern Nevada had more than 43.1 million square feet of anchored retail space in 265 shopping centers during the first quarter, with a 10.2 percent direct vacancy rate.

Because shoppers remain budget-conscious, bargain retailers' sales have ticked up during the economic downturn, industry insiders say.

The Retail Association of Nevada reports that sales performance of publicly traded retail businesses with local operations rose to its highest point in more than five years in April. It attributes the increase to improvements in the broader equity market. As of March, the retail index value was 51 percent greater than the same month in 2009.

"We are starting to see some discretionary spending come back as the savings rate falls," association government affairs director Bryan Wachter said. "The commercial market is showing some signs of life."

A full market recovery could still be long and painful despite encouraging signs of activity. Retail employers have shed 6,500 positions since last year. More retailers have moved out of space than moved in, as the market recorded nearly a half-million square feet of negative absorption during the last year, Las Vegas-based business advisory firm Applied Analysis reports. Statewide taxable retail sales were down 8.1 percent at the end of the first quarter compared with last year.

Las Vegas Business Press

NEW NORTH VALLEYS WALMART TO OPEN IN 2011

Walmart is preparing to plant a footprint in the North Valleys. The retailing giant — already one of the biggest employers in Northern Nevada — will open competitive bidding later this year on a 150,000-square-foot store near Lemmon Drive just off of the U.S. 395 freeway.

Walmart Stores Inc. spokeswoman Delia Garcia said a 10- to 12-month construction period is planned with opening in late 2011. The new store will employ 300 full- and part-time workers. Hiring will begin three months before opening. The closest Walmart now is in the Northtowne center at McCarran Boulevard and U.S. 395. But that store is set to close when a new 186,000-square-foot Walmart opens later this year a few miles south on East Second Street. Walmart, the world's largest retailer, employs about 4,000 people in Northern Nevada.

That includes five stores in Reno-Sparks and one in Carson City as well as a Sam's Club in Reno and a 900,000-square-foot warehouse/distribution center 17 miles east of Sparks.

RGJ

RALEY'S NAMED A WINNER BY THE RENO GAZETTE-JOURNAL

"Raley's Reach" fund-raising program chose the Junior League of Reno's Universally Accessible Playground as a participant.

Raley's program recognizes five outstanding community projects in the categories of arts, health and improving the lives of children. For an organization to win, community members had to vote for their favorite project. Votes were limited to one per day at raleys.com/reach/1413695.

With the support of several Northern Nevada residents and businesses, the playground, to be built at Dick Taylor Park near the University of Nevada, has already raised \$70,000 of the \$250,000 needed for construction. Voting for the \$7,500 award ended May 12.



National Notes

'RETURNAHOLICS' OBSESSED WITH TAKING STUFF BACK

There is a self-described shopping movement taking place that literally has certain consumers coming back for more. It's a growing trend of conspicuous consumers, who want to get the most bang for their buck. They are not out to break the law; they just know how to make it work in their favor.

Returns total \$185 billion nationwide last year and most stores welcome returns with a valid receipt and ID. But consumers would be surprised to learn that there is much more to a return than just swiping your ID.

An Irvine-based company called The Retail Equation actually tracks consumer returns and shopping behavior through a system called "Verify-1 Return Authorization System." By requesting an ID to accompany a return, retailers can look at the dollar amount of a customer's returns, number of items, attempts without a receipt and can even blackball you from stores based on their findings.

Although these databases are set up to catch fraudulent returns and consumers who are out to abuse the return benefits, those individuals, who are engaged in frequent large-scale returns, will have to be evaluated and at some point, there's a possibility they will be cut them off.

Dr. Timothy Fong from UCLA said "returnaholics" are similar to compulsive shoppers, because their actions trigger the 'feel good' part of the brain.

CBS

NEW DRUG CONTROL STRATEGY SIGNALS POLICY SHIFT

President Barack Obama announced a revised approach to "confronting the complex challenge of drug use and its consequences," putting more resources into drug prevention and treatment. The new drug control strategy boosts community-based anti-drug programs, encourages health

care providers to screen for drug problems before addiction sets in and expands treatment beyond specialty centers to mainstream health care facilities.

The plan — the first drug plan unveiled by the Obama White House — calls for reducing the rate of youth drug use by 15 percent over the next five years and for similar reductions in chronic drug use, drug abuse deaths and drugged driving.

According to the White House, the number of deaths from illegal and prescription drug overdoses was rising.

The new drug plan encourages health care professionals to ask patients questions about drug use even during routine treatment so that early intervention is possible. It also helps more states set up electronic databases to identify doctors who are overprescribing addictive painkillers.

The drug control office's budget request does include a 13 percent increase in spending on alcohol and drug prevention programs, along with a 3.7 percent increase for addiction treatment.

AP

WALGREENS TAPPED FOR NATIONAL AWARD FOR ITS FLU VACCINATION EFFORTS

Walgreens was honored May 18, 2010, for the contributions made to Americans' preventive health through its massive immunization program during the 2009 to 2010 influenza season.

The National Influenza Vaccine Summit, co-sponsored by the American Medical Association and the Centers for Disease Control and Prevention, announced that Walgreens' had garnered one of four 2010 NIVS Immunization Excellence awards in the category of "corporate campaign" for its nationwide flu shot campaign. The awards honor "the value and extraordinary contributions of individuals and organizations towards improved adult, and/or childhood influenza vaccination

rates within their communities," according to the organization.

NIVS added in a statement. "The reach of their services included assisted living facilities, religious centers, shopping malls, schools, community centers and other locales."

The Summit is composed of more than 400 members representing more than 100 public and private organizations with an interest in addressing and resolving influenza and influenza vaccine issues, according to the group. For more information, contact the Summit's website at www.PreventInfluenza.com.

Drugstore news

CONSUMERS BACK IN THE PRACTICE OF GIFT GIVING THIS GRADUATION SEASON

There's no question that graduates the last few years have had it rough when it comes to job hunting, but this year family and friends will soften the blow of the real world by giving graduates cash, gift cards and even electronics or apparel. National Retail Foundation's 2010 Graduation Consumer Intentions and Actions survey, conducted by BIGresearch, found fewer people will buy graduation gifts (31.4% vs. 32.5% in 2009) but each gift giver will spend slightly more.

NRF Press Release

COLLECTING E-COMMERCE TAXES

States will lose an estimated \$8.6 billion in 2010 from failing to collect sales tax from online and catalog purchases. And the total revenue loss is projected to balloon to \$37 billion from 2009 to 2012. With nearly every state facing mounting budget shortfalls, this revenue could help fund police, schoolteachers and other much-needed programs.

Some states are taking action. Twenty-three states already have complied with the Streamlined Sales and Use Tax Agreement, which

enables volunteer sellers, both online and catalog, to collect sales taxes for the respective state.

A proposal under discussion in Congress, the Main Street Fairness Act, would require sellers to collect the tax. As it is now, the Supreme Court ruled that states could only require retailers to collect state taxes in territories where they have offices or stores. The Main Street Fairness Act would change that.

WSJ

LAWMAKERS CALL FOR RESTRICTIONS ON POLITICAL ADS

Lawmakers are urging Congress to move swiftly to put restrictions on corporate and union sponsorship of political campaign ads.

They are seeking to counteract a January ruling by the Supreme Court, which upheld the First Amendment rights of such groups to spend money on ads, greatly increasing their ability to influence federal elections.

Lawmakers are pushing legislation requiring that political ads reveal their top funding sources and that the CEO of the company paying for the ad appear in it with an "I approve this message" statement.

The Democratic-led supporters say their goal is to pass the legislation by July 4, the time frame that is necessary if a new law were to be in effect for the November midterm elections.

AP



THE RETAIL ASSOCIATION OF NEVADA AND APPLIED ANALYSIS CREATE RAN RETAILER INDEX

IN AN EFFORT TO CONTINUOUSLY UPDATE OUR MEMBERS ON THE STATE OF THE

retail market in Nevada, RAN and Applied Analysis have developed the RAN Retailer Index (RRI). The RRI will be released monthly to provide insight into investor and market expectations about major retailers that operate in Nevada. Such information can provide valuable help in forecasting economic trends here.

The RRI gauges equity valuations of fourteen publicly-traded, retail-related enterprises having significant operations in Nevada. These enterprises include department stores, discount and wholesale retailers, pharmacy and drug

stores, electronic stores, home improvement retailers, automobile makers and grocery markets; all companies selected for the index have a strong presence in Nevada.

The enterprises included in the RRI have operations nationwide, and in some cases, worldwide. Tracking the stock market performance of these retailers is a valuable indication of the outlook for these companies on a broader scale, and may offer insight into where the national economy and retail sector are headed.

Trends in the national economy often impact Nevada's tourism and hospitality industry, among other industries, which in turn impacts our local economy. The condition of our

local economy affects all of Nevada's retailers; public and private, large and small.

The RRI has been base-lined so that the value of the index in January 2005 equals 100, while any subsequent increase or decrease in the composite value of the index would push the index above or below a value of 100.00, respectively. Every month, the change in each company's stock price is assigned a weight based on the contemporaneous market capitalization of that company.

INDEX REACHES A FIVE-YEAR HIGH IN MARCH

The RRI rose 7.8 points in March to 130.37, its highest value since January 2005. The 6.4 percent increase was partly due

to improvements in the broader equity market, as the Dow Jones Industrial Average climbed 530 points, or 5.1 percent, over the same month. Although retailers reported stronger results than the broader market nationally, Nevada remains a weak spot with taxable retail sales down 8.1 percent during the latest month compared to the same month of the previous year, and down 16.8 percent during the latest 12 months.

Read more at <http://www.appliedanalysis.com/eupdates.ran/ran-ri.pdf>

Applied Analysis, founded in 1997, is a Nevada-based advisory services firm providing information and analyses for both the public and private sectors.
www.appliedanalysis.com

THE FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

NEW FEDERAL TOBACCO REGULATIONS

By Lea Tauchen

EFFECTIVE JUNE 22, 2010, NEW FEDERAL REGULATIONS RESTRICTING THE

sale, distribution and promotion of cigarettes and smokeless tobacco will take effect. The FDA has issued a broad set of requirements designed to make these products less accessible and less attractive to kids. Below are additional details or you can learn more by visiting: www.fda.gov.

NEW REQUIREMENTS RELATING TO SALE AND DISTRIBUTION

- Prohibits the sale of cigarettes or smokeless tobacco to people

- younger than 18.
- Prohibits the sale of cigarette packages with fewer than 20 cigarettes.
- Prohibits the sale of cigarettes and smokeless tobacco in vending machines, self-service displays, or other impersonal modes of sales, except in very limited situations.
- Prohibits free samples of cigarettes and limits distribution of smokeless tobacco products.

NEW REQUIREMENTS RELATING TO MARKETING (LABELING, ADVERTISING, AND PROMOTION)

- Prohibits tobacco brand name sponsorship of any

- athletic, musical, or other social or cultural event, or any team or entry in those events.
- Prohibits gifts or other items in exchange for buying cigarettes or smokeless tobacco products.
- Requires that audio ads use only words with no music or sound effects.
- Prohibits the sale or distribution of items, such as hats and tee shirts, with tobacco brands or logos.

P.A.C.T. ACT SIGNED BY PRESIDENT OBAMA

The Prevent All Cigarette Trafficking (P.A.C.T.) Act is a new law that prohibits shipment of

cigarettes through the U.S. Mails. It effectively ends the mail-order sale of cigarettes over the Internet and/or by telephone or fax. The law goes into effect on June 27th, 2010.

Attorneys general of many states have signed agreements with Federal Express and United Parcel Service to disallow shipments of cigarettes.

RAN supported the new law, which is expected to increase sales locally. Cigars, "filtered" cigars and electronic cigarettes are exempt from the law. ■



DRUG ROUND-UPS IN NORTHERN NEVADA

RPD PRESCRIPTION DRUG ROUND-UP NETS MORE THAN 93,000 PRESCRIPTION PILLS

ON APRIL 24, 2010, OFFICERS OF THE RENO POLICE DEPARTMENT IN

conjunction with Join Together Northern Nevada, held a prescription drug round-up. The round-up of old medications was created to remove old medications from homes to eliminate the potential for abuse or dependence by anyone who can get them from medicine cabinets, including young children and teenagers. The effort is also designed to help minimize the potential for pollution of water supplies and the impact on pets and wildlife as a result of improper disposing of medications by flushing them down toilets.

The event was sponsored by Join Together Northern Nevada, the Reno Police Department, Washoe County School District, Nevada Attorney General's Office, Truckee Meadows Water Authority,

Washoe County Department of Water Resources, the Retail Association of Northern Nevada (RAN), The Nevada Prevention Resource Center, Scolari's Food & Drug, the Sparks Police Department, The Washoe County Sheriff's Office, local pharmacists and others.

This event was a great success, as a result of the operation, Police Department Officials were able to collect and categorize over 93,000 prescription pills (188 Lbs.), multiple over the counter medications and liquid preparations. None of the over 93,000 pills collected will have the opportunity to find their way into the hands of our community youth, nor into the water system of the Truckee Meadows. In comparison, the Round-up Held in October 2009 netted 39,000 pills.

Information on the proper disposal of drugs can be found at www.jttn.org

PRESCRIPTION DRUG ROUND-UP IN CARSON CITY/LYON COUNTY

In response to a surge in prescription drug abuse, Partnership Carson City and the Healthy Communities Coalition in Lyon County urged residents to safely dispose of their unused and expired prescription drugs during a community-wide round-up May 8th.

From 9 a.m. to 1 p.m. at three Save-Mart locations in Carson City and at Lyon County senior centers in Dayton, Silver Springs, Fernley and Yerington, officers collected drugs for destruction.

A key reason for the drug round-ups is an apparent rise in abuse of prescription drugs by young people and adults in Nevada. Used in the wrong way, prescription drugs can be just as dangerous and addictive as illegal street drugs.

Removing unused prescriptions from households

is one way of reducing the total amount of drugs in our communities. Left unattended in a medicine cabinet, the drugs can find their way into the hands of visitors or even family members who may abuse or sell them.

Throughout the year, the Carson City or Lyon County sheriff's offices also collect expired or unused prescription drugs or illegal drugs. Residents could simply bag up their unused drugs and bring them to one of the collection points. Called the Anonymous Drug Program in Carson City, people can drop off the items Monday through Friday during business hours and no questions will be asked. And if you don't have transportation or can't make it to the sheriff's office, call **887-2007** and an officer will respond to pick up items for destruction. ■

(Liz MacMenamin contributed to these stories)

Carson City Sheriff's Office, 911 E. Musser St., 887-2007.
Lyon County Sheriff's Office, 30 Nevin Way, Yerington, 463-6600.





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Important Information for SIG Members

The NRS governing self insured groups requires notifying members of all new members to the Nevada Retail Network Self Insured Group. New members for NRNSIG from May 1, 2010 to May 31, 2010 are listed below.

- CTC Financial
- Cigarettes For Less
- Day R Williams, Attorney
- Desert View Hospital
- DQ/Orange Julius/Quizno's
- Henderson Electric Motors
- Pinenut Livestock Supply
- ReSys Real Estate
- Roadrunner Glycol
- Silver State Window Cleaning
- Southwest Imaging
- Sweet Mojo
- Turn Key UTV
- WC Equestrian/Winston & Chloe

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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The Retail Association of Nevada

410 South Minnesota Street
Carson City, NV 89703-4272

MEMBERSHIP INFORMATION: Find out more about RAN's self insured group.

Call Mike Olson, **800-859-3177**,
or the RAN office at **775-882-1700** (toll free in Nevada 800-690-5959).

Don't forget to check out our website, www.RANNV.org.



HEALTHCARE REFORM SCAM ALERT

THE NEVADA DIVISION OF INSURANCE COMMISSIONER URGES CONSUMERS TO BEWARE

CARSON CITY, NEV. — SCAM ARTISTS ARE BEGINNING TO USE THE recently passed federal healthcare reform legislation as an opportunity to defraud consumers, and Nevada Insurance Commissioner Scott Kipper is urging Nevadans to beware.

The Division of Insurance recently received reports of unscrupulous individuals in other states going door-to-door attempting to sell phony "federal policies." These types of scams are completely unacceptable, and Nevadans should be on the lookout for similar forms of fraud

and abuse. "The Division has taken a number of steps over the past several years to educate the public regarding insurance scams, and I'm proud of our efforts," Commissioner Kipper said. "But we want Nevadans to know that with this recently passed health reform legislation, it is more important than ever — before signing anything — to question the company and their plan."

Consumers should especially be on the lookout for:

- Policies that are time limited
- Policies that offer limited benefits

- Products advertised as being necessitated by health insurance reform
- Anything that looks "too good to be true"

As the agency tasked with protecting the rights of Nevada insurance consumers, the Division has resources available to verify whether a company, agent, broker or plan is legitimate. Consumers can use the "License Look-Up Tool" on the Division's Web site, <http://doi.nv.gov>, or contact our Consumer Services section in Carson City at (775) 687-4270 or in Las Vegas at (702) 486-4009 for help.

Also, through a partnership with the Nevada Independent Insurance Agents and the Nevada Surplus Lines Association, the Division provides NV Insurance Alert, a Web site (www.nvinsurancealert.com) and hotline (1-888-467-4195) designed to protect consumers from insurance scams. The NV Insurance Alert public education campaign, "Question the Company and Their Plan," also launched to further this very important anti-fraud message. ■

SMALL BUSINESS CARDS NOW CARRY SIZABLE RISK

SMALL BUSINESS PEOPLE HAVE FOUND BUSINESS CREDIT CARDS TO BE AN INVALUABLE TOOL in managing cash flow to their businesses.

However, some credit card companies have begun reporting the cards on cardholders personal credit reports. This can make it appear that the businessperson is over extended in their credit.

Traditionally, that hasn't been the case. When a highly-utilized business credit card appears on a person's individual report, the negative effect could snowball quickly.

Even if small business owners deem the practice unfair, it is legal. Issuers can report business credit-card usage to consumer credit

reports as long as they have the business owner's authorization to check their personal credit. Typically, consumers grant that authorization when they apply for the card.

Business credit cards can be a valuable cash-management tool for small business owners. They tend to have more generous credit lines and their rates are slightly lower than those associated with consumer credit cards. But they do have

a personal liability waiver in their terms and conditions. By opening and using the card, you agree that, if the account becomes delinquent, the issuer can come after your personal assets for the balance. That includes any charges made by any business employees you designate as authorized users of the card.

2. CARD ACT IMMUNITY

The CARD Act does not

will be a voluntary decision. So, as of Feb. 22, 2010, issuers could no longer hike interest rates for existing balances on consumer credit cards, but they will still be able to do that with the credit cards issued to and used by businesses.

3. A HIT TO YOUR PERSONAL CREDIT

Although most issuers do not report business credit cards to the consumer credit reporting agencies right now, they do report the accounts if they become delinquent. If times get tough for the business and the owner

can't make a card payment, they have to dig into their personal savings in order to keep the account current – or risk a hit to their personal credit. ■

Smart Money/WSJ

"When a highly-utilized business credit card appears on a person's individual report, the negative effect could snowball quickly."

drawbacks. Here's what small business owners should know before they sign up.

1. PERSONAL LIABILITY

Most — if not all — business credit cards include

apply to credit cards used for business purposes. Although card issuers may elect to apply the same rules to their consumer and business-card portfolios to keep their operating costs low, that move



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WASHINGTON RETAIL INSIGHT

“RED FLAG” THEFT RULE GOES INTO EFFECT NEXT MONTH

BARRING ANY MORE DELAYS, ENFORCEMENT OF THE FEDERAL

Trade Commission’s “Red Flag” rule requiring companies that grant credit to implement procedures to prevent identify theft is scheduled to go into effect in June.

Enforcement was originally scheduled to begin on November 1, 2008, but was delayed until May, August and then November of 2009 because of confusion and disagreement over which businesses were meant to be covered, and how they were to comply. On October 30 of last year – one day after a court decision against the rule and just two days before the November effective date — the FTC

announced that enforcement would be delayed until June 1 of this year.

There have been no indications that another delay is expected, and businesses have been encouraged to take steps to comply with the rule’s requirements.

The rule requires any business that grants “credit” to develop procedures to prevent identity theft, including provisions to identify, detect and respond to patterns, practices or activities that could lead to the crime. Its definition of “credit grantor” includes virtually any business that provides a service or product before collecting payment. But the FTC said last year it would be “unlikely” to bring enforcement action in cases where a business knows

its customers individually, services are performed at a customer’s home or the business operates in a sector where identity theft is rare.

The FTC originally contended that retailers who provide private label credit cards via third parties should be considered credit grantors even if their only involvement was to help customers fill out applications. In response to arguments from NRF, however, the agency said those retailers would be in compliance if they follow their card-issuing banks’ identity theft procedures for accepting and processing card applications. Retailers will still have to have a written ID theft policy in place, but can copy their banks’ procedures rather than developing their own.

Last fall’s delay came the day after a U.S. District Court judge ruled in favor of an American Bar Association lawsuit contending that the FTC did not have authority to require lawyers to comply with the rule. The FTC said billing practices such as charging clients on a monthly basis make attorneys creditors. But the judge said that interpretation was equivalent to calling a plumber who sends a bill after fixing a toilet a creditor. The injunction barring the rule from being applied to attorneys did not address other businesses, but the reference to plumbers could lead to arguments that enforcement should be suspended more broadly. The ruling is under appeal by the FTC. ■