

This Issue

Bill Status

1 - 4
Bills still being considered.
4 - 5
Exempt bills still being considered.
5
Bills that need 2/3rd majority to pass.
5 - 6
Bills that died in committee.

Contact Your Legislators

7
Here's a listing of phone numbers and email addresses.

Seminars

7

Tech News

8
Protect yourself from spam and viruses.

News Brief

9
Food retailers need to respond to proposed new labeling rules.

Self Insured Page

10
New member listing.

Larsen Column

11
Use superior technique for managing important meetings.

Washington Watch

12
Internet tax moratorium in the news again.

Bills that survived • bills that died

Following are four lists of bills that the Retail Association of Nevada has been working on and monitoring for its members during the 2003 legislative session. As of April 11, 2003, the first list includes bills that have passed out of committee and are still being considered. The second list includes bills that are exempt from the standing rules that pertain to bills and are still being considered. The third list includes bills that need a 2/3rd majority to pass. The fourth list consists of those bills that died in committee.* (Bills of particular importance to our members are in bold.)

*Note: Bills that died in committee may still reappear in other bills or as substantially unchanged. RAN continues to follow all bills that affect our membership. Contact us if you have questions or concerns.

Bills being considered

AB 2 - Limits right of employer to own certain intellectual property developed by employee.

AB 7 - Reduces concentration of alcohol that may be present in blood or breath of person while operating vehicle or vessel.

AB 32 - Revises certain provisions governing public utilities, alternative sellers, providers of discretionary natural gas service and eligible customers.

AB 33 - Provides additional penalty for manufacturing methamphetamine in certain circumstances.

AB 35 - Makes various changes concerning Legislative Committee for Local Government Taxes and Finance.

AB 40 - Extends period of limitations for commencing civil action after action has been dismissed under certain circumstances.

AB 48 - Provides expressly that certain provisions related to labor include persons unlawfully employed.

AB 79 - Provides for external review of final adverse determinations made by managed care organizations, health maintenance organizations and certain insurers.

AB 81 - Authorizes award for treble damages, attorney's fees and costs in certain civil actions relating to marks.

AB 88 - Revises provisions relating to Department of Information Technology.

AB 92 - Various changes to requirements governing filing and form of certain documents.

AB 106 - Revises penalty for driving under influence of intoxicating liquor or controlled or prohibited substance and revises qualifications of person who may apply to court to undergo program of treatment for alcoholism or drug abuse.

AB 108 - Makes various changes concerning investigation and prosecution of certain persons who sell or distribute alcoholic beverages to person under 21 years of age.

AB 111 - Makes various changes related to processing and sale of dairy products.

AB 119 - Revises provisions governing specification of expiration date for certain drugs or medicines.

AB 124 - Revises provisions governing apportionments from State Distributive School Account and distribution of money to school districts and charter schools.

Bills still being considered continued on page 2...

bills still being considered

"bills still being considered" continued from page 1

AB 125 – Makes various changes to laws governing elections.

AB 140 – Provides penalty for failure to comply with order to cease business operations at place of employment for failure to maintain or provide industrial insurance.

AB 144 – Prohibits pharmacist from refusing to fill or refill prescription under certain circumstances.

AB 153 – Revises provisions regarding petty cash accounts of state agencies and emergency account in State General Fund.

AB 163 – Makes various changes to provisions concerning financial practices.

AB 168 – Revises provisions governing industrial insurance.

AB 194 – Prohibits insurer from using information included in consumer credit report of applicant or policyholder for certain purposes.

AB 200 – Provides for sale of tax lien against parcels of real property.

AB 205 – Increases tax on rental of transient lodging within City of Sparks to pay certain costs related to promotion of tourism.

AB 225 – Provides that Public Employees' Deferred Compensation Program approved by committee to administer the Program may consist of any plan to reduce taxable income.

AB 232 – Requires establishment of registry of certain telephone numbers and prohibits telephone solicitors from making unsolicited telephone calls to telephone numbers included in registry under certain circumstances.

AB 236 – Directs Office for Consumer Health Assistance to assist consumers in gaining information regarding certain prescription drug programs.

AB 258 – Revises provisions relating to cosmetology.

AB 261 – Requires certain policies of health insurance and health care plans to provide coverage for continued medical treatment by provider of health care under certain circumstances.

AB 268 – Requires increased salaries for certain speech pathologists employed by school districts.

AB 293 – Revises provisions relating to appointment of committees to prepare arguments advocating and opposing certain ballot questions.

AB 294 – Makes various changes related to issuance of checks by insurer for payment of industrial insurance benefits.

AB 298 – Prohibits state and local governments from paying for certain publications, advertisements and television programming that are reasonably likely to affect outcome of election.

AB 324 – Revises provisions governing frequency of renewal of registration of certain vehicles and frequency of renewal of certain drivers' licenses.

AB 356 – Revises various provisions relating to establishment of living wage and certain benefits for certain employees in private employment.

AB 361 – Requires local governments that acquire certain public utilities or expand certain facilities for utility service to make certain payments or provide certain compensation in lieu of taxes and franchise fees.

AB 384 – Makes various changes concerning provision of prescription drugs by Department of Human Resources.

AB 386 – Makes various changes relating to product safety for children.

AB 389 – Prohibits control of thrift companies by certain persons.

AB 403 – Revises provisions governing forfeiture of certain water rights.

AB 420 – Revises provisions relating to secondhand dealers.

AB 432 – Revises provisions concerning certain penalties against and withholding of money from contractors and subcontractors on public works.

AB 433 – Makes various changes to provisions regulating persons providing check-cashing and deferred deposit services.

AB 437 – Revises definition of "supplier" for purposes of tax on and sale of liquor.

AB 528 – Makes various changes to provisions governing elections and campaign finance.

AB 529 – Makes various changes concerning reporting of campaign contributions and expenditures.

AB 531 – Establishes joint and several liability of responsible person and other taxpayers for payment of certain taxes, interest and applicable penalties that are owed.

SB 8 – Increases penalty for certain punishable conduct by employer leading to death of employee.

SB 10 – Prohibits certain regulation of use of telephonic device by person who is operating motor vehicle.

SB 16 – Specifies effect of abstention from voting by member of certain public bodies on necessary quorum and number of votes necessary to take action on matters.

SB 28 – Provides that certain money set aside for group insurance for officers and employees of school districts must not be used for other purposes.

SB 31 – Authorizes boards of trustees of school districts to provide access to classes at community colleges for gifted and talented pupils and establish program of independent study for gifted and talented pupils.

SB 32 – Makes various changes regarding Task Force for the Fund for a Healthy Nevada.

SB 35 – Provides for alternate route to teacher licensure.

SB 36 – Authorizes regional training programs for the professional development of teachers and administrators to facilitate access to information concerning issues related to

Bills still being considered continued page 3...

bills still being considered

"bills still being considered" continued from page 2

suicide among pupils.

SB 44 – Revises provisions governing class-size reduction program.

SB 50 – **Authorizes state agencies and local governments to adopt more stringent restrictions governing tobacco and products made from tobacco than restrictions imposed pursuant to state law under certain circumstances.**

SB 66 – **Revises provisions governing certain agreements relating to sale of cigarettes.**

SB 68 – Revises provisions governing terms of members of Commission on Educational Technology and Council to Establish Academic Standards for Public Schools.

SB 69 – Revises requirements concerning consignment of vehicles.

SB 72 – Authorizes State Forester Fire Warden of Division of Forestry of State Department of Conservation and Natural Resources to determine amount of wages paid to certain offenders in conservation camps.

SB 82 – Makes various changes concerning public health laws.

SB 83 – Expands circumstances under which registered nurses are authorized to dispense dangerous drugs.

SB 91 – **Removes element of knowledge from crime of selling, giving or furnishing alcoholic beverage to person under 21 years of age.**

SB 105 – **Makes various changes to provisions pertaining to crime of placing graffiti on or otherwise defacing property.**

SB 109 – Requires only name of candidate receiving majority of votes in primary of certain nonpartisan elections to be placed on ballot for general election.

SB 112 – Makes various changes to provisions relating to Secretary of State.

SB 113 – Revises manner of valuing certain property that becomes exempt from taxation for purposes of allocating certain tax revenue among taxing agencies and redevelopment agency.

SB 114 – Revises provisions governing manner of determining prevailing rate of wages to be paid on public works.

SB 122 – Makes various changes regarding malpractice insurance and actions.

SB 124 – Revises statutory liability of stockholders, directors and officers of corporations.

SB 131 – Requires certain insurers to disclose coverage for control of mold in property insurance policies and to offer coverage for control of mold.

SB 140 – Revises provisions governing acquisition by county or state of municipal obligations issued by certain water authorities.

SB 145 – Makes various changes concerning counties.

SB 147 – Makes various changes relating to Commission on

Ethics.

SB 168 – **Revises provisions governing industrial insurance.**

SB 173 – Exempts certain licensing boards from State Budget Act and certain provisions governing financial administration.

SB 174 – Makes various changes concerning powers and duties of Commission on Economic Development.

SB 175 – Makes certain documents relating to information technology of state agencies confidential and authorizes appointment of advisory committee on security issues.

SB 181 – Revises provisions relating to amendment of redevelopment plans.

SB 186 – Imposes fee upon obligor each time employer withholds income for payment of support for child.

SB 221 – Prohibits lobbyist from misrepresenting authorization from Legislator to request certain services from employee of Legislative Counsel Bureau.

SB 277 – **Requires using agencies to purchase prescription drugs, pharmaceutical services, or medical supplies and related services only through Purchasing Division of Department of Administration under certain circumstances.**

SB 285 – Makes various changes to provisions pertaining to Uniform Commercial Code.

SB 303 – Makes various changes concerning dissemination of records of criminal history by Central Repository for Nevada Records of Criminal History.

SB 307 – **Requires posting of signs in certain food establishments warning of risk of drinking alcoholic beverages during pregnancy and merges Advisory Subcommittee on Fetal Alcohol Syndrome into Advisory Board on Maternal and Child Health.**

SB 312 – Requires state and local governmental entities to accept consular identification card for purpose of identifying person under certain circumstances.

SB 315 – Provides that cigarette vending machines may be placed in public area only if persons who are under 21 years of age are prohibited from loitering in that area pursuant to certain statutes.

SB 317 – Makes various changes relating to incarcerated persons.

SB 322 – Revises provisions relating to self-insurance for taxicabs regulated by Taxicab Authority.

SB 327 – **Provides for reuse of certain prescription drugs.**

SB 334 – Authorizes metropolitan police committees on fiscal affairs to submit to voters question of imposition of additional ad valorem tax for support of metropolitan police department.

SB 337 – Revises certain provisions relating to dispensing or distributing drugs via the Internet.

SB 339 – **Makes various changes relating to use of tobacco products.**

Bills still being considered continued on page 4...

bills still being considered

“bills still being considered” continued from page 3

SB 353 – Clarifies requirements for determining whether charitable organization qualifies for exemption from taxes on retail sales.

SB 372 – Revises provisions relating to cosmetology.

SB 373 – **Revises certain provisions governing importation of liquor.**

SB 387 – **Revises provisions relating to drugs and prescriptions.**

SB 394 – Revises various provisions relating to certain criminal statutes.

SB 400 – Makes various changes relating to telecommunication service, high-speed Internet access service and broadband service.

SB 422 – Revises certain provisions relating to operation of service stations by refiners.

SB 440 – Provides for postponement of payment of property taxes in cases of severe economic hardship under certain circumstances.

SB 445 – Revises provisions governing grants of money from Fund for the Promotion of Tourism by Committee for the Development of Projects Relating to Tourism.

SB 448 – **Revises authority of State Treasurer to invest money held in certain trust funds and to administer proceeds from certain settlement agreements and civil litigation**

between State of Nevada and tobacco companies and revises qualifications for millennium scholarships.

SB 449 – Makes various changes to provisions governing questions appearing on ballot for general election.

SB 453 – Authorizes electors to register to vote and cast ballots on election day under certain circumstances.

SB 465 – Makes certain changes concerning calculation of amount of basic governmental services tax distributed to county school district.

SB 466 – **Authorizes disclosure of certain information from records and files of Department of Taxation concerning administration of business tax.**

SB 469 – Revises formula for distribution of certain revenues among local governments.

SB 485 – Makes various changes to provisions governing weights and measures.

SB 489 – Makes various changes to provisions governing exemption from local school support tax for systems that use renewable energy to generate electricity.

AJR 10 – Proposes to amend Nevada constitution to provide requirements for use of proceeds from certain settlement agreements and civil litigation between State of Nevada and manufacturers of tobacco products and to provide for sale of right to receive those proceeds.

Bill Status –exempt bills still being considered

AB 179 – Revises provisions governing education.

AB 267 – Revises provisions relating to certain fees and surcharges charged and collected in regard to vehicles leased for short term.

AB 281 – Imposes and increases certain taxes and fees and makes various changes to provide additional state revenue and to stabilize revenue base of state.

AB 283 - Provides subsidies from Fund for a Healthy Nevada for coverage of limited-scope dental and vision benefits to certain senior citizens.

AB 297 – Revises provisions governing payment of hospitals for treating disproportionate share of Medicaid patients, indigent patients or other low-income patients.

AB 341 – Effectuates specific and limited waiver of immunity of State under Eleventh Amendment to the United States Constitution with regard to certain federal laws regulating employment practices.

AB 348 –Revises provisions governing development of certain factors used in determination of taxable value of improvements to real property for assessment of property taxes.

AB 377 – Makes appropriation to Classroom on Wheels for purchase of two buses to provide mobile school services for homeless children in Clark County.

AB 426 – Requires school districts to reimburse University and Community College System of Nevada for cost of

required remedial education of certain graduates of high schools in district.

AB 430 – **Prohibits Department of Human Resources from taking certain actions to restrict access to prescription drugs for mental illness provided pursuant to Medicaid.**

AB 441 – Enacts provisions relating to ensuring security of State of Nevada and its residents with respect to acts of terrorism and related emergencies.

AB 495 – **Makes various changes relating to industrial insurance.**

AB 502 – Requires certain policies of health insurance and health care plans to include coverage for certain medical treatment provided in clinical trial or study.

AB 504 – **Requires Department of Human Resources to establish program to extend coverage for prescription drugs and pharmaceutical services to certain persons.**

AB 514 – **Provides for enactment of certain provisions that are necessary to carry out Streamlined Sales and Use Tax Agreement.**

AB 516 – Makes various changes to provisions governing taxes on motor vehicle fuels.

AB 533 – Makes various changes to provisions governing the recordation and taxation of property.

AB 543 – Repeals credit against general tax on insurance premiums for certain assessments paid by insurers providing

Exempt bills still being considered continued on page 5...

exempt bills still being considered

“exempt bills still being considered continued from page 4”

industrial insurance.

SB 2 – Makes appropriation to State Distributive School Account to ensure that amount of money expended per pupil meets or exceeds national average.

SB 22 – Broadens applicability of laws relating to unlawful employment practices.

SB 33 – Revises provisions governing charter schools and distance education programs.

SB 34 – Revises provisions governing pupils in public schools.

SB 42 – Enacts provisions pertaining to problem gambling.

SB 127 – Makes various changes to provisions governing hazardous materials.

SB 132 – Requires licensure of persons engaged in certain activities relating to control of mold.

SB 138 – Requires Department of Human Resources to enter into agreement with Federal Government to determine eligibility for Medicaid at same time Federal Government determines eligibility for Supplemental Security Income Program.

SB182 – Makes appropriation to Department of Education for revision of test-taking and grading sections of multiple-choice portion of high school proficiency examination.

SB184 – Revises certain provisions governing occupational diseases contracted by police officers.

SB 191 – Makes various changes governing education to facilitate implementation of federal No Child Left Behind Act of 2001.

SB 210 – Makes various changes governing education and makes related appropriations.

SB 229 – Makes various changes regarding public meetings.

SB 230 – Makes various changes regarding transportation of pupils.

SB 255 – Makes various changes relating to telecommunications.

SB 313 – Clarifies provisions governing collection of tax on use of leased property.

SB 319 – Makes various changes to provisions regulating insurance.

SB 366 – Establishes program to award grants of money to school districts for classes in agriculture and natural resource sciences provided pursuant to program of occupational education at secondary level.

SB 368 – Provides for reimbursement of Legislators for certain travel expenses incurred during legislative interim.

Bill Status – bills that need a 2/3rd majority

AB 285 – Revises provisions regarding filing of declaration of candidacy or acceptance of candidacy.

AB 452 – Makes various changes regarding dispensing opticians.

AB 536 – Makes various changes to filing requirements for business entities.

SB 297 – Makes various changes relating to personal identi-

fying information.

SB 298 – Makes various changes to provisions pertaining to business.

SB 320 – Makes various changes to provisions governing industrial insurance.

SB 425 – Makes various changes relating to pharmacy.

Bill Status – bills that died in committee

AB 1 – Repeals prohibition against cosmetological establishment engaging in certain practices.

AB 9 – Makes various changes concerning tort actions.

AB 11 – Provides increased penalty for certain repeat offenses involving vandalism.

AB 12 – Revises provisions regarding policy that must be adopted concerning sale of tobacco products through use of Internet.

AB 80 – Revises provision governing deemed employer and wage of apprentice or trainee for purposes of industrial insurance

AB 96 – Revises provisions governing smoking of tobacco in public places.

AB 104 – Reduces concentration of alcohol that may be present in blood or breath of person while operating vehicle or vessel.

AB 154 – Revises provisions governing smoking of tobacco in public places.

AB172 – Revises provisions relating to premiums for motor vehicle insurance.

AB 202 – Prohibits smoking in certain stores that are principally devoted to sale of food for human consumption off premises unless area is segregated by walls on all sides.

AB 229 – Increases amount of tax that county of origin may impose on certain transfers of water.

AB 269 – Requires certain health care plans and insurance policies to provide, under certain circumstances, coverage for medical care if confirmation of coverage and prior authorization is obtained.

AB 279 – Abolishes requirement of binding arbitration for teachers and educational support personnel and provides authority to strike under certain circumstances. (BDR 23-108)

AB 281 – Imposes and increases certain taxes and fees and

Bills that died in committee continued on page 6...

bills that died in committee

“bills that died in committee continued from page 5”

makes various changes to provide additional state revenue and to stabilize revenue base of state.

AB 307 – Creates Silver State Commission on Prescription Drugs.

AB 312 – Requires issuance of certain limited licenses to practice medicine, dentistry or osteopathic medicine.

AB 317 – Revises provision pertaining to amount recoverable by contractor upon notice of lien.

AB 339 – Increases business tax.

AB 342 – Imposes occupancy tax on rental of room or space in transient lodging establishment.

AB 347 – Makes various changes concerning civil liability of occupational licensing boards and of persons who provide information to, assist or file complaints with such boards.

AB 351 – Proposes to exempt medicines and medical devices that are ordered for senior citizens by providers of health care and sold over counter, without prescription, from taxes on retail sales.

AB 364 – Authorizes imposition of additional tax on motor vehicle fuel by cities and counties.

AB 374 – Imposes additional tax on special fuel for repair and restoration of local roads.

AB 387 – Makes various changes to provisions governing taxation.

AB 400 – Authorizes certain persons to have personal information contained in certain public records kept confidential in certain circumstances.

AB 412 – Increases the period of residency required to qualify as candidate for certain offices.

AB 413 – Makes various changes relating to state financial administration.

AB 423 – Authorizes manufacture of switchblade knives in this state under certain circumstances.

AB 434 – Requires Department of Motor Vehicles to authorize new vehicle dealers to issue certificates of registration, license plates and decals.

AB 436 – Revises provisions governing ballot questions.

AB 439 – Makes various changes to provisions pertaining to business.

AB 455 – Authorizes certain counties to impose additional taxes on motor vehicle fuel and to increase certain impact fees for new development.

AB 517 – Imposes tax on financial institutions for privilege of doing business in state.

SB 9 – Revises provisions governing exclusivity of certain rights and remedies under industrial insurance.

SB 14 – Clarifies exemption of religious, charitable and other nonprofit organizations from regulation as food establishments.

SB 21 – Increases monthly fee for state gaming license.

SB 47 – Makes certain opt-out provisions in contracts with consumers unenforceable under certain circumstances.

SB 60 – Provides for damages under certain circumstances against retail seller who fails to deliver merchandise reserved for purchase by retail buyer pursuant to agreement for layaway.

SB 118 – Revises provisions governing ability of State Fire Marshal to regulate construction, maintenance and safety of buildings and structures in certain counties.

SB 129 – Requires certain insurers that make adverse underwriting decisions based on consumer reports, credit history or insurance scores to follow certain procedures.

SB 130 – Provides for use of form for employers to apply for health insurance under certain circumstances.

SB 160 – Provides that actions for personal injury must involve physical injury that is manifest or ascertainable.

SB189 – Provides for biennial inspection and testing of emissions of motor vehicles in certain counties.

SB 228 – Exempts certain persons from provisions governing licensing of private investigators.

SB 251 – Enacts provisions governing confidentiality of certain information.

SB 271 – Authorizes certain licensees to move their locations and transfer their licenses under certain circumstances and provides for imposition of additional monthly licensing fees and distribution of such additional fees to at-risk schools.

SB 293 – Repeals certain exemptions and abatements from taxes on property and on retail sales or use of property.

SB 304 – Requires addition of bittering agent to certain anti-freeze to render it unpalatable.

SB 308 – Revises manner in which revenue from property taxes is distributed.

SB 333 – Revises provisions relating to health insurance for small employers.

SB 343 – Authorizes rebate of certain taxes on motor vehicle fuel paid by certain retailers determined to be operating at competitive disadvantage to retailers of neighboring states.

SB 348 – Requires certain lenders to meet with borrowers to execute loan documents before transmitting documents to title insurer.

SB 379 – Establishes various provisions relating to identity theft.

SB 385 – Increases tax on transfer of real property.

SB 442 – Requires local governments that acquire certain public utilities or expand certain facilities for utility service to make certain payments or provide certain compensation in lieu of taxes and franchise fees.

SB 445 – Revises provisions governing grants of money from Fund for the Promotion of Tourism by Committee for the Development of Projects Relating to Tourism.

SB 461 – Increases tax on cigarettes and revises manner in which revenue from tax is allocated.

SB 468 – Revises limitation on total ad valorem tax levy.

SB 474 – Revises limitation on total ad valorem tax levy.

Legislature contact information

The following toll-free phone numbers will connect you directly to the Nevada State Legislature. By calling these numbers, an operator will be able to connect you with any of the needed services or information listed below.

Toll Free Numbers (800) to reach the Nevada State Legislature

(800) 992-0973 (Toll Free From Anywhere)
(800) 995-9080 (Toll Free From Anywhere)
(702) 486-2626 (Toll Free From Southern Nevada)

Legislative Hotline

(775) 684-1385
Legislative Counsel Bureau staff members will answer your questions regarding the following: bill status, bill summaries, legislator votes on particular bills, committee hearing times and legislator contact information. They can also mail you copies of legislation.

Legislative Message Center

775-684-6789
The legislative Message Center allows you to leave personal messages for legislators. We believe that you are the most effective advocates on issues of importance to business.

Fax

To fax a member of the Nevada Senate, dial 1-775-684-6500
To fax a member of the Nevada Assembly, dial 1-775-684-8533

Mail

Nevada Legislature
401 S. Carson Street
Carson City, NV 89701-4747

The Taxation Committees meet at the following times and locations. Included is contact information for the respective members.

Senate Taxation

2:00 p.m. T. and Th.; Rm. 2135 • Committee Manager, Mavis Scarff - 684-1442

Republican

Mike McGinness (Chairman) 684-1442
Dean Rhoads (Vice Chairman) 684-1447
Randolph Townsend 684-1451
Ann O'Connell 684-1457
Sandra Tiffany 684-1481

Democrat

Joe Neal 684-1429
Bob Coffin 684-1427

Assembly Taxation

1:30 p.m. T. and Th.; Rm. 3142 • Committee Manager, Joyce Hess - 684-8821

Democrat

David Parks (Chairman) 684-8821
David Goldwater (Vice Chairman)
684-8541
Bernie Anderson 684-8563
Morse Arberry 684-8587
Kathy McClain 684-8835
Harry Mortenson 684-8803
Peggy Pierce 684-8599

Republican

Dawn Gibbons 684-8855
Tom Grady 684-8507
Lynn Hettrick 684-8843
John Marvel 684-8851
Josh Griffin 684-8841

You can get up-to-date BDR and bill information at the Legislature's website, www.leg.nv.us.

• Seminars •

May - 2003

The FMI Show • The Industry Standard

May 4 - 6, 2003
Chicago, IL
Contact: 202-220-0899 or
www.fmidelivers.com

June - 2003

PMA Retail Produce Solutions Conference

June 6 - 9, 2003
Monterey, CA
Contact: www.pma.com or
Dianna Garvey at
dgarvey@mail.pma.com

The Retail Produce Solutions Conference

June 7 - 9, 2003
Monterey, CA
Contact: www.pma.com

NACDS Marketplace 2003

June 7 - 10, 2003
San Diego, CA
Contact: 703-549-3000 or
www.nacds.org

July - 2003

FMI Unsaleables Management Conference

July 23 - 25, 2003
Newport, RI
Contact: www.fmi.org or phone at
202-452-8444

GreenlyR@shop.org

NRF Best Practices in Online Merchandising Workshop

July 31 - August 1, 2003
Sonoma, CA
Contact: www.shop.org or Ron
Greenly at 202-686-8190 or
GreenlyR@shop.org

Abbreviations

FMI • Food Marketing Institute
NACDS • National Association of Chain
Drug Stores
NRF • National Retail Federation
PMA • Produce Marketing Association

Spam fighter wins in court

Congress may be afraid to make a move on spam, but a federal appeals court in Maryland gave the nod to a self-appointed spam buster in Maryland. Francis Uy, a tech specialist at Johns Hopkins University, claimed victory over George Moore, owner of Maryland Internet Marketing, Inc., when Anne Arundel County District Court Judge Robert Wilcox ruled against Moore.

The Case: After receiving an unsolicited email offer from one of Moore's Internet marketing sites for what appeared to be an unauthorized copy of a Norton Antivirus product, Uy traced the source and posted Moore's personal information (e.g. phone number, address) on his anti-spam site. Then Moore started receiving his own unsolicited stuff at his home, like dozens of products and 200 magazines he hadn't ordered. Ironically, Moore brought a harassment suit against Uy asking that his personal information be removed from Uy's site. Judge Wilcox ruled there was no harassment because the information Uy had posted is true and that Moore was not directly threatened by the posted information. In fact, Moore had published the same information on an unsecured page on his website salescape.com.

Although Moore sells Norton anti-virus software online, which Symantec says is pirated, he's better known as Dr. Fatburn and hawk's gastrointestinal and diet aids, including Fat-N-Emy and Extreme Colon Cleanser, on his sites. He's no stranger to spam-fighting sites and is listed on a number of them including Spamhaus.org.

Uy says he'll continue his anti-spam work and encourages those being spammed from a company based in Maryland to take advantage of the state's anti-spam laws. As

for Moore, Uy posted this suggestion on Slashdot.org—"Your best option is to crawl back under a rock and suck it up, or move to some state other than the one I live in." Maryland's law allows consumers to sue spammers for up to \$500.

Dozens of Internet sites offer help for the spam-weary. Sites like Junkbusters.com, Spamreaper.com and Spamhaus.org carry information like spam history, the consumer cost of spam, latest news and developments, how to trace a spammer, how to make a complaint, how to filter, how to protect your address and

more.

The latest FBI report shows that there were 48,000 spam complaints referred to prosecutors in 2002, triple that of 2001. Topping the list were auction fraud, non-delivery of promised merchandise, credit card fraud and fake investments. The dollar loss is estimated at \$54 million. Spamhaus reports that the ROSKO registry of known spam operations lists "180+ known, determined spammers, many with criminal records for fraud and theft, responsible for over 90 percent of American and European spam."

Protect your computer from invaders

Viruses, worms and Trojan horses—no, it's not the plot of a horror movie, but they do put a scare into every business that uses computers. They're the spawn of malevolent software makers who want to throw a wrench into your technical gear.

Virus: A software program sent through the Internet that when activated by your computer, displays messages, installs other software or files, deletes your files and can cause your system to crash. It can attach itself to file formats like Microsoft Word and can be passed through email attachments.

Trojan Horse: Named after the famous Greek ruse, it hides inside another program or masquerades as something it's not, such as a game or image file. If you use it, it can spread from your computer to other computers. Unlike a virus, it usually doesn't infect other programs.

Worm: It's a virus, but it doesn't infect other programs. It makes copies of itself and infects other computers, usually through network connections. It doesn't attach itself to programs, but it can alter, install or destroy files and programs.

The good news is you can take steps to protect your computer.

- Never open email attachments from people you don't know. Because viruses can move unintentionally through a familiar address, it's wise to use your virus protection before opening these attachments.
- Update your software. Software makers like Microsoft continually create updates to protect their programs from viruses and other problems.
- Don't mess around with junk email. Delete it without opening, and empty your trash.
- Back up those hard drives, preferably at the end of each day but at least once a week. There are storage programs you can buy and Web-based storage services on the Internet.

USDA proposing new labeling rules

Food retailers need to let their voices be heard

The official comment period regarding Country of Origin Labeling (COL) ended on April 9, but the United States Department of Agriculture (USDA) is still accepting comments. Food retailers have recognized the need for labeling and have been complying with voluntary rules

already released, but rules establishing matters such as recordkeeping could become onerous. All food retailers (restaurants are exempt from COL) still need to make their views known before final rules are established.

The COL program covers all fresh and frozen fruits

and vegetables, beef, pork and lamb (muscle and ground), seafood (fresh and frozen, farm-raised or wild caught), peanuts and ingredients in processed food items. Blended products, such as hamburger and fruit salad, must be labeled in their entirety and in descending order of

predominance.

Of particular concern to the Food Marketing Institute (FMI) and other grocery associations are accountability, flexibility, recordkeeping, exemptions, enforcement and Internet transactions.

Source: Food Marketing Institute

Accountability

Consumers buy their food at its final destination—retailers. By the time a product reaches the supermarket, it's passed through growers, producers, handlers, packers, processors and importers. There needs to be a clear directive that the entire food chain will be held responsible for country of origin labeling information.

Flexibility

The voluntary guideline provides that labeling can be achieved by a "label, stamp, mark, placard or other clear and visible sign on the covered commodity or on the package, display, holding unit or bin containing the commodity at the final point of sale to consumers." This provision is reasonable, and retailers need to make sure that the flexibility is retained.

Recordkeeping

As it stands, every person engaged in the business of supplying a covered commodity for retail sales must keep records for two years. FMI and others argue that most of the covered products are sold and consumed well before the two-year time period. Recordkeeping is costly and to keep it at each retail facility beyond its usefulness will cause unnecessary expense. They also argue that retailers should only be required to keep the records that connect covered commodities to those who made the country of origin determination.

Exemptions

Retail grocers often have a variety of food services besides products to be taken home and prepared by the consumer. Many supermarkets offer prepared foods at delis, salad bars and other venues. The current statute exempts these areas from COL, and retailers should urge the USDA to retain this exemption.

Enforcement

Retailers are subject to penalties of up to \$10,000 per "willful" violations of the statute. Although retailers make every effort to mark products appropriately, labels don't always stay where they've been placed. For example, a bunch of bananas may be properly labeled, but if a consumer chooses to pull just three of the bananas off the bunch, then the label is compromised. Also, label adhesives can fail. The USDA should recognize that if a majority of the items are labeled, then there has been no willful violation.

Internet Transactions

The current provision requires the retailer to provide COL information on the sale vehicle, in this case, the Internet site. Chain stores buy, store and distribute products, such as strawberries, from different countries. What one store in the company gets most likely won't be the same as another store in the company. To provide the right country of origin label, each store should be allowed to satisfy its obligation to consumers by providing information to the consumer at the time the food is delivered.

Act Now!

The final provisions of COL will go into effect on Sept. 30, 2004. Because retailers will need time to set up systems to implement the new rules, they need to know as soon as possible what those provisions will be.

It's time to write your letters to the USDA. Contact RAN, 775-882-1700, for information on sample letters. The Food Marketing Institute also has up-to-date COL information available at its website, www.fim.org. Information is also available from the USDA, www.usda.gov.

Take Control of Your Workers' Comp Cost

Take Advantage of...

- ☛ Greater management control that cuts overhead costs
- ☛ Pre-employment screening at a small co-pay for NRN members only
- ☛ Team Safety/Loss Control Program for all members
- ☛ Investigation and defense of claims
- ☛ Direct savings that give members greater incentive to control losses

Be Part of...

The Nevada Retail Network

Certificate #5004

or

The Nevada Casino Network

Certificate #5008



• Self Insured Groups •



TAKE CONTROL TODAY

Call Willeta Kerschner

775/882-1700

or

800/690-5959

Let's discuss qualification criteria and the benefits of membership for you personally.

Sponsored by THE RETAIL ASSOCIATION of NEVADA

1007 N. Nevada Street
Carson City, NV 89703-3937

• Membership in RAN Required •

Important Information for SIG Members

The NRS governing self insured groups requires notifying members of all new members to the Group. New members for NRNSIG as of April 17, 2003, are listed below. For a complete member list, please call RAN at 775-882-1700. Please Note: Due to the many new members added each month to NRNSIG, we are able to list only new members on this page. For information on NRNSIG, please see information below.

NRNSIG

Advanced Autodynamics, Inc.
 All Valley Home Health Care-LV
 All Valley Home Health Care-Reno
 American Auto Service
 Ben's Fine Wine & Spirits
 Big O Tires #28820
 Dolphin Court Salon & Spa 1
 Dolphin Court Salon & Spa 2
 Dolphin Court Salon & Spa 3
 Dolphin Court Salon & Spa 4
 Ed's Doghouse Bar
 Grumpy's Saloon & Eatery
 Horizon Market
 Jethro's Oven and Grill

Las Vegas Handyman, Inc.
 Paradise Texaco
 Precision Chem-Dry
 Pro Lo Carpets
 Regent Care Center of Reno
 Sign-A-Rama
 Silver State Coffee & Water
 Smart Pools of Las Vegas
 Star Chem Dry, Inc.
 Triangle Texaco
 Tricolour, Inc.
 Valley Blueprint & Supply
 Wiggin Out Wigs, Inc.
 7-Eleven #18386

NRNSIG members who wish to register a negative vote on a new group member, write NRNSIG at 810 E. Fifth St., Suite A, Carson City, NV 89701, indicating which member and the reason(s) for the negative vote.

MEMBERSHIP INFORMATION

Find out more about RAN's self insured groups by calling Willie Kerschner at 775-720-8125 or the RAN office at 775-882-1700 or 800-690-5959. Don't forget our website, www.RANNV.org.

Global Payments™

THE BANKCARD PROCESSOR ENDORSED BY RETAIL ASSOCIATION of NEVADA

Cut the wait. Cut the hassle. Use Global Payments' processing services and offer your customers what they want—quick service using their credit, debit, EBT or purchasing card.

• Card Processing Services

Global Payments authorizes your credit, debit, EBT and purchasing card transactions in seconds.

• Check Services

Global Payments guarantees 100% payment of check's face value within three days if returned by your financial institution. You'll have check guarantee, verification, and recovery services.

• Reporting

Global Payments provides features such as standard terminal and paper reporting, electronic reporting, online merchant statements, daily notification of retrieval requests and chargebacks and data export for further analysis.

• Superior Terminal Management & Support

• POS Options, eCommerce Services

Take advantage of the low rates available exclusively to Retail Association of Nevada members. Call Tim Jensen, 1-800-234-7800 ext. 3053, or email tim.jensen@globalpay.com



Running on three cylinders

Research discovers a superior technique for managing important meetings

Have you ever chaired a meeting where some people talked too much and others not enough? Have you ever attended a meeting and felt your contribution did not receive adequate consideration? Have you ever opened the hood of a small, four-cylinder car, pulled off one of the spark plug wires, then driven it to work?

In all of these situations, objectives will be reached: The meetings will end with a sense of resolution and closure, and you will get to work in your coughing, gasping and jerking car. But in all three cases, there is frustration, lower performance and possible damage that diminish your ability to correct these problems in the future. Good people find new employers who will make better use of their contributions, and your car may blow a gasket.

In 1992, researchers invented the stepladder technique, a novel way of structuring group discussions. In the years since, other researchers have tested this technique and found that groups using it outperform conventional groups. Most recently, Steven Rogelberg, from Bowling Green State University, tested the stepladder technique in an audio conferencing setting, and once again, obtained superior performance. The conclusion is obvious—the stepladder technique needs to be in your repertoire of useful management practices.

The technique

Imagine four people who must meet and consider an important question. Using the stepladder technique, they would follow these rules.

- 1) Everyone will consider the question before the meeting and be prepared to present his or her best ideas when asked to do so.

- 2) Two of the people will begin the meeting alone and explain their ideas to each other.
- 3) Next, the third person will join the group and explain his or her best ideas. This person will speak first and will not be interrupted until he or she is finished. Then the three will discuss all of their ideas with the goal of ensuring that everyone understands one another's position.
- 4) The fourth person will then join the group and follow the same pattern as when the third person joined. (Additional members will follow the same pattern.)
- 5) Once all members of the group have joined and discussed their own ideas and the ideas of all the group members, then the group will move toward a decision.

Superior performance reported

So far, this technique has led to superior performance in all the settings in which it has been tested.

In his article, Professor Rogelberg discussed two advantages the stepladder technique offers. First, it forces all group members to be engaged in the task. When people arrive for the meeting, they know they will be the first to speak, and they know that their listeners will quickly perceive if they know what they're talking about. They must know the subject, and they must demonstrate that they have given it some thought, or they will lose face in the group. Second, since making a decision is postponed until all members are present and have explained their ideas, the preliminary goal of understanding everyone's ideas leads to better communication.

Professor Rogelberg also discovered a third advantage in his

research. The stepladder technique allows the best members of the group to emerge and dominate the final decisions.

In any group considering important questions, members' contribution value varies. Effective groups tap this resource. They encourage those with the best ideas to speak up, then make use of these ideas to formulate their decisions and plot their actions. In Rogelberg's research, he identified the best members in each of the groups. In those using the stepladder technique, 17 of these individuals emerged as most influential in their groups, but of 26 groups using a conventional approach, only 7 of their best individuals emerged as most influential in their groups. In other words, most of the time, stepladder groups succeeded in making use of their best members' contributions (17 of 26 groups). Conversely, most of the time, conventional groups failed to make use of their best members' contributions (7 of 26 groups).

There's a drawback

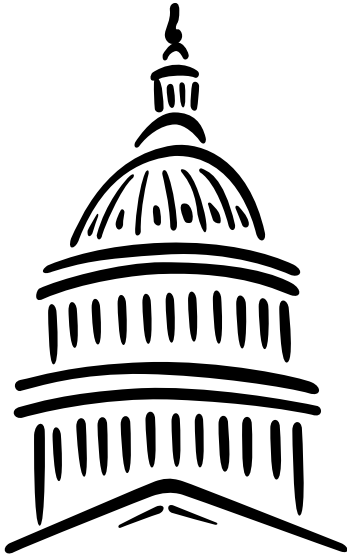
Rogelberg also found one drawback for the stepladder technique—it takes more time. Stepladder groups met an average of seven minutes longer than conventional groups.

Some problems and opportunities are so important that investing a little more time to improve the quality of the decisions that emerge from a group are worth the costs. When that is true for you, use the stepladder technique.

*Reference: Rogelberg, Steven, Matthew O'Connor, and Matthew Sederburg (2002) "Using the Stepladder Technique to Facilitate the Performance of Audioconferencing Groups." **Journal of Applied Psychology**, 87 (5), 994-1000.*

C 2003 Management Resources

*Washington
Watch*



Congress moves on Internet tax moratorium—Can states collect taxes on Internet access or sales? Many states say they should be allowed to level the playing field for brick-and-mortar retailers by also taxing purchases made over the Internet. At the same time, Congress is pursuing to permanently exempt Internet access from taxation.

In 1998, Congress placed a moratorium on taxing Internet access with the Internet Tax Freedom Act. It also included a provision that banned imposing discriminatory taxes on online activities, e.g. don't tax it online if it's not taxed offline. Legislators reasoned that full growth of the Internet would be hindered by imposing taxes.

The ban was to expire in October

2001, but was extended until November 1, 2003. Now Congress is trying to make the ban permanent.

It's estimated that in 2001, states lost out on \$13 billion in tax revenues. That amount overshot a prediction made in Y2K by the National Tax Journal which estimated that states would lose a combined total of \$10.8 billion by 2003.

Thirty-six states (including Nevada) and the District of Columbia want the right to collect sales tax on Internet purchases and are members of the Simplified Sales Tax Project (SSTP), formed March 2000 to create a simplified plan for taxing Internet sales. They agreed to a common tax structure in November 2002. Now member states are working on conforming legislation.

Retail Association of Nevada

Mary F. Lau, Executive Director
Willeta Kerschner, Account Executive/Workers' Comp
Elizabeth MacMenamin, Office Manager/Government Affairs
Joan Morrow, Editor

Nevada News is an official publication of the Retail Association of Nevada.

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



Nevada News

Retail Association of Nevada

1007 N. Nevada Street
Carson City, NV 89703-3937
775/882-1700
Website: www.RANNV.org