



LEGISLATIVE UPDATES

Nevada Economic Forum

The Economic Forum released the state's revenue projections for the upcoming two years last week. The panel is projecting a shortfall in state revenue of \$900 million. Governor Jim Gibbons is working on a revised budget plan to submit to the Legislature. Drastic spending cuts are expected as well as tax increases.

Food Donation Legislation Passes

The bill aligning state level immunity with the federal Good Samaritan laws, AB 332 is has passed both houses and has been signed by the Governor. The new law establishes provisions governing immunity from liability for donating, receiving or distributing certain grocery products or food. This legislation protects restaurant operators who donate to local food banks and organizations that feed needy families from lawsuits erupting from food borne illness. The law goes into effect July 1, 2009.

For more information about AB 332, [click here](#). If you are interested in engaging in community based food donation programs send an [e-mail](#).

Nevada Clean Indoor Air Act

The next hearing revising the [Nevada Clean Indoor Air Act \(SB 372\)](#) will be held by the Assembly Judiciary on May. 13, 2009. The NvRA has met with the Tavern Owners Association and lobbyists to formulate a game plan to introduce bill text addressing restaurant specific language and exemptions.

SB 278: Health Department Update

[SB 278](#), the bill seeking to open health departments in less populated counties in Nevada was heard by the Assembly Committee on Health and Human Services. The Committee took no action at the May 6 hearing; however, due to a possible fiscal impact in terms of taxes and county resource allocation, and the effect the bill could have on restaurateurs in these counties, the NvRA will keep you posted.

Interchange Fees

The Merchant Payments Coalition, pushed to include legislation regarding interchange fees in consumer credit card legislation moving through Congress this last week. Representatives Peter Welch (D-Vt.), Bill Shuster (R-Penn.) and Kathy Dahlkemper (D-Penn.) offered the Interchange Fair Fee amendment to the Credit Cardholder's Bill of Rights Act (H.R. 627), but was ruled non-germane by the Rules Committee. It is anticipated that interchange will continue to be debated and reintroductions of the Credit Card Fair Fee Act and the Credit Card Interchange Fees Act are expected in the near future.

Help the Industry Generate Support for LEAN as Activity Increases on Nutrition and Health Care!

Activity is beginning to increase in the area of nutrition and health care, and we believe this is a key time to generate support for the LEAN Act. Opponents to the LEAN Act, primarily the Center for Science in the Public Interest (CSPI), have increased their activity in recent weeks. This is the same group that previously sued restaurants for obesity. It is more important than ever that your voice be heard.

The Labeling Education and Nutrition Act (LEAN) (H.R. 1398/ S. 558) was recently reintroduced in the U.S. House of Representatives and the U.S. Senate. The National Restaurant Association supports passage of the LEAN Act by Congress to provide simpler, more uniform nutrition information to consumers in chain restaurants nationwide. Contact your members of Congress today! Ask them to cosponsor the Labeling Education and Nutrition (LEAN) Act, sponsored by Senators Tom Carper (D-Del.) and Lisa Murkowski (R-Alaska), and Representatives Jim Matheson (D-Utah) and Fred Upton (R-Michigan).

California, New York City, Philadelphia and other jurisdictions have now passed laws requiring public posting of certain nutrition information in restaurants, and more are on the way. Each of these local and state laws has different requirements, which is forcing restaurants to customize their menu information by area. Not only will this cause confusion and frustration for restaurants, but for consumers as well. Studies show restaurants want to provide detailed nutrition information, in a format that will be most useful (convenient, clear, and consistent) to diners when deciding on their meal. Instead of a patchwork of state or local legislation, consumers want nutritional information that is consistent across the country. As an industry of hospitality, we want to respond to our consumers, while also protecting our businesses.

HOW YOU CAN HELP!

1. Email or Fax Your Members of Congress: Visit www.RestaurantActionNetwork.org to send an email to your personal elected officials.

2. Call Your Members of Congress: Call the Congressional switchboard at 202-224-3121 and urge your members of Congress to cosponsor the LEAN Act.

As always, let us know what actions you have taken and we can thank you for your efforts!

Use the points below when you call your members of Congress:

1. Customers should have consistent information. Some of the state and local menu-labeling laws for chain restaurants focus solely on caloric information. Others include different nutrition data points. Shoppers for packaged foods see the same nutrition data no matter where the store is located; these shoppers should see the same information no matter where they dine at a chain foodservice establishment.

2. Restaurants should have flexibility and freedom from frivolous lawsuits. Foodservice establishments vary greatly --- from carry-out to delivery, buffets to quickservice to table service, convenience stores to grocery stores. Restaurateurs should have the flexibility to present nutrition information in the ways their guests want. Restaurateurs also should be able to use simple, less burdensome means to determine nutrition data, without fear of a lawsuit because of human factors common in the restaurant food preparation process. Some restaurants may choose to put all the information directly on the menu. Others may choose alternative methods such as electronic kiosks, supplemental menus or wall posters.

3. A single, consistent national nutrition labeling standard is the answer. Cities, counties and states do not require different labels for packaged foods, and those jurisdictions should not be able to set different requirements for foodservice establishments. As with packaged goods, nutrition information requirements should be set at the national level.