BottomLine

THE VOICE OF MIDWEST INDEPENDENT RETAILERS // VOL. 29, NO. 12 // DECEMBER 2018



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Holiday Wish List



















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features



HEALTHY FOOD SEMINAR

Auday Arabo, Midwest Independent Retailers
Association (MIRA) president and CEO, moderated a
panel discussion at the Healthy Food Seminar. Hosted
by the Michigan Good Food Fund, the panel, called
Insights from Grocers and Distributors, featured Matt
Jonna from Plum Market, Lee Michaels from Cherry
Capital Foods, Ken Bair from Bridge Street Market,
Don Symonds from Lipari Foods LLC., and Bobby
Hesano from D&B Grocers Wholesale.



WILL LIGHTNING STRIKE TWICE?

With no winner in sight, the Mega Millions jackpot kept creeping up, eventually surpassing the billion-dollar mark. It was not until late October when the jackpot had reached a near historic \$1.5 billion. While someone in South Carolina won the jackpot, a group of nurses and doctors in the Mount Pleasant area were also cashing in.



MICHIGAN APPROVES RECREATIONAL MARIJUANA: WHAT YOU NEED TO KNOW

Michigan has become the first state in the Midwest to approve recreational use of marijuana, capping a yearslong debate here over legalization.



chairman's message

PHIL KASSA // MIRA CHAIRMAN

An Honor Serving as your Chairman

s my term comes to an end as Chairman of this great organization, I want to thank you for allowing me to serve you, our members. We have seen many changes in our business, just in the last two years. We've seen a lot of consolidation, and we've seen a lot of organizations similar to ours, either merge with others or go out of business. At MIRA (formerly AFPD), we have done just the opposite. Because of the leadership of our President, Auday Arabo and his staff, our organization has remained on top and has grown. With our Endorsed Programs, our legislative influence and our training programs, we have been able to grow and remain first in class as trade organizations go.

Because things are changing so fast, MIRA, as an organization, has made a major change beginning in 2019. We have eliminated the Executive Board of Directors and created a more active Board of Directors who will meet more often. We will meet on a monthly basis to react quicker to changes in the market place, and to react or direct Auday and his staff to legislative matters going on in our regions. This being all volunteer board, we are trying to get people who are willing to give up some of their time for this organization. We know in today's environment, time is a precious commodity.

We understand not everyone has the time to volunteer, but we need the support of all of members to get things accomplished. As I've mentioned before, in order for us to be successful, we need to change with the times, and invest in our organization. We all invest, or need to invest in our businesses to be successful, and this is no different. If we want certain legislative accomplishments, we need to invest in order to get things done. We will only be successful, if we step up to the plate like the bigger chain retailers do. They invest in legislative matters that will help them. We need to speak up with our pocket books as they do, with one big voice, and together we can deliver one big check, individually we have no chance.

In closing, I want to reiterate that it was an honor serving you at this great organization and I want to thank the Board and the Executive Board for electing me two years ago to this position. We all need to recognize all the tireless work that our President and his staff do on a daily basis to keep this organization successful. I plan to continue to serve this great organization, but my term as your Chairman is over. God bless!

BOARD OF DIRECTORS

| Phil Kassa | Chairman, Heartland Marketplace/ Saturn Food Center |
|---------------------|--|
| Rishi Makkar | Vice Chair, Rishi International |
| Al Chittaro | Supplier Vice Chair, Faygo Beverages, Inc. |
| Saad Abbo | U.S. Ice |
| Joe Abro | Abro & Co. CPA, P.C. |
| Najib Atisha | Indian Village Market |
| Frank Ayar | Walter's Shopping Place |
| Jerry Crete | Ideal Party Stores |
| Clifton Denha | Secretary, Wine Palace |
| Paul Elhindi | Treasurer, Corner Market |
| Tony Franchi | Lipari Foods |
| Jacob Garmo | Village Food Market/ Fresh Food Depot |
| Jim Garmo | Kuzana Enterprises |
| Ken Hebert | Great Lakes Coca-Cola |
| Bobby Hesano | D&B Grocers Wholesale |
| Eric Medwed | Heaven Hill Brands |
| Brad Miller | SUPERVALU Midwest Region |
| Michael Mitchell | Markham Oil |
| Dave Orlando | Prairie Farms Dairy Co. |
| Tiffany Otis-Albert | Blue Care Network |
| Brian Pizzuti | RNDC of Michigan |
| | |

EMERITUS DIRECTOR

John Denha 8 Mile Foodland/Huron Foods

STAFF & CONSULTANTS

| Auday P. Arabo, Esq. | President & CEO |
|---|---|
| Ed Weglarz | Director, Petroleum |
| Jim Green | Vice President, Program Development |
| Ken Schulte | Director, Business Development & Vendor Liaison |
| Ila Konja | Bookkeeper/Office Manager/ Event Planner |
| Mary Ann Yono | Business Development |
| Mahasen Salman | Business Development |
| Andrea Valente | Illinois Business Development |
| Rita Denha | Publication Sales/Business Development |
| Raneen Samona | Front Desk Administrator |
| Mary Jaddou | Event Assistant |
| Terry Fleming | Ohio Lobbyist, TC Fleming & Associates |
| Capitol Strategies Group | Michigan Lobbyist |
| Capitol Advocacy Services Group, LLC | Michigan Lobbyist |
| Morrill & Fiedler, LLC | Illinois Lobbyist |
| Tamar Lutz | Graphic Designer, Tamar Designs, LLC |
| Vanessa Denha | Magazine Writer, Denha Media Group |
| UHY-MI | Certified Public Accountant |
| Karla Atchoo | Accounting Consultant, Karla Atchoo & Associates, Inc. |



mira corner



EVENT RECAP //

Annual High Five Turkey Drive

The Midwest Independent Retailer's Association (MIRA) hosted their Annual High Five Turkey Drive on November 16. Hosted at Motown Snacks in Detroit again this year, MIRA was able to donate more than 5,000 turkeys to families and organizations throughout Detroit. Over 100 groups were serviced this year.

MIRA was fortunate enough to have a large group of volunteers this year helping to hand out turkeys. The volunteer force was made up of MIRA's staff and individuals from a number of organizations. Among the volunteers were Faygo Beverages Inc., DTE Energy, Blue Cross Blue Shield of Michigan, Motown Snack Foods Inc, Altria Group and Prairie Farms Dairy employees.



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Audrey Putman
Baxters Little Grocery
Benito's Five Star Market
Beverage 1

Beverly Stevenson

Blue Diamond Market Boku Hendrickson Brenda Monroe Bridge Lake Market **Broken Shed Distilleries** Bruce Britten Busatti's Liquor Store **Business Machines Company** (BMC) CALC / UCFS Carla Luberto Celia Van De Moortel Charles Whitcomb Charlotte Lennartz Christine Cobb Cindy MacKenzie

Claudia Papanikolas Cloverleaf Sunoco Commerce Convenience Corner Market Corner Shop Mobil Craig Coolidge D.A.B.O. Dan Sullivan Debie Lecato Deborah Pavlak Dennis Whiteherse Diageo Diamond Market Dirk Young Dixmoor Market Dobry's

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Family Foods Market
Firestone Mini Mart
Fisher Printing
Food Max Supermarket
Fred Barton
Fresh Choice Marketplace
Gary Whelan
George Enterprises, LLC

Doris Foley

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Mercantile Bank of Michigan

Nadine Risner Walters Shopping Place Wayne County Executive Outreach Nancy Eaves

New Greater Baptist Church Wayne Elementary Whitehall Custom Car Wash Orange Products LLC Palace Supermarket Whitehall Shell Park Lane Cork & Bottle Williams Lake Market Park Place Liquor Wine Depot Party Shop Parkway Foods Wine Palace, Inc. PA's Sure Stop Wonderful Giving Patrice DeVinney Wyoming & Six Food Market

Paula Mckay Wyoming Mini Mart

Pearl & Denison Shell Zachary Dyme

WHY DO YOU PARTICIPATE IN MIRA'S ANNUAL HIGH FIVE TURKEY DRIVE?



"It's important because there are so many people in Detroit and we're blessed because we have to give and giving up your time is the best thing you could ever do. I love it because people are going to have a wonderful Thanksgiving and that's really what Thanksgiving is about." - LOIS DENT // BCBSM



"I enjoy this; it's an event I look forward to each and every year. I'm so blessed and this is an opportunity to serve others in the community." - PAT SLACK // BCBSM



"We've been participating for the last five years and it's a great cause and we are happy to be here. We are finally able to participate by handing out turkeys to people who need them."

- LINDA LAURIANTI // ALTRIA GROUP



"Prairie Farms believes in giving back to the community and that's what we're built on. We're a co-op farm run by family. We believe in giving back to the community. This is the number one event we like to participate in." - DAVE ORLANDO // PRAIRIE FARMS



"We always give back to the community in any way we can. We just want to help and we have been part of history of AFPD (MIRA); they know what they're doing." - AL CHITTARO // FAYGO



"It's important that we take time out to give back to the community. I think that the AFPD (MIRA) has been doing this for a lot of years and I think it's important they give back to the community and we're happy to be a part of it." - ORLANDO WOODS // FAYGO



"Our company, DTE Energy, does a big volunteer program called Care Core and we want to be able to support the communities in which we serve. I think this is one of the best events we have where we actually provide food to distributors within churches and food pantries and help those less fortunate. I think it's a great thing. I think I have been doing this for five or six years and continue to do so." - KEVIN PFAU // DTE



"We try to give back to the less fortunate. The self-satisfaction of giving back. To participate in giving back and do something important during the holiday season." - JIM O'SHEA // MOTOWN SNACKS



petroleum news & views

EDWARD WEGLARZ // MIRA DIRECTOR, PETROLEUM

Look to Expand Community Involvement

n order to survive in today's marketplace you need to differentiate your business from the competition. Distinguishing your products and services will gain you share of market. But there is another way to gain customers that the competition is probably not exploiting: Community Involvement!

Many customers think "gas is gas" and C-Stores are C-Stores, but there is one way you can "lock-in" some customers who will be loyal to you because you are "one of them". That approach is "community involvement".

No matter where you are located, nor what services and products you market, the opportunities to participate are plentiful.

"Most of the local service organizations are comprised of influential people in the neighborhood, and those relationships can become very beneficial to you as you work with these folks on community service projects. They get to know and respect you on a different level when work together away from your professional vocations."

Service clubs in the area of your store are always seeking membership involvement. And you are usually welcomed to attend a meeting or two to get acquainted with the members and analyze their mission statement and objectives. Joining one of these service organizations exposes another dimension of your business to influential people in the area. This approach beats traditional advertising strategies in results. You and your business get exposure and you get

known on a different level than any of the run-of-the-mill competition in your area. If you join specifically to obtain business, you will probably fail. But if you join to help promote the charitable efforts of service organization you will, by default, gain business from members of the club. People like to do business with people they know. You will also have the opportunity to participate in public service projects conducted by the club gaining even more exposure to potential customers who will recognize your contribution to the community and will tend do business with you.

Most of the local service organizations are comprised of influential people in the neighborhood, and those relationships can become very beneficial to you as you work with these folks on community service projects. They get to know and respect you on a different level when work together away from your professional vocations. You'd be surprised how people from varying careers get to appreciate each other's business challenges, when they participate in an opportunity to work together away from their usual place of business.

New members are usually encouraged to give a presentation to the group outlining their business, career, hobbies, and family interests, which provides another opportunity to promote your business.

Always acquainting with people who are the same business or same profession as yours tends to limit your opportunities. You can learn what your competition is doing and even gain knowledge of some "short-cuts" you can implement to save money on some expenses. But by associating with people from various walks of life you will gain better insight into the wants and needs of your potential customers.

And, finally, by joining one of these organizations you can contribute your talent to make things better for those less fortunate than you. You'll feel a sense of accomplishment that can only be achieved by giving time and talent of yourself. You'll feel good. Just a couple weeks ago the AFPD/MIRA turkey drive provided an opportunity for staff and members to help distribute turkeys and the "fixins" to folks less fortunate than us; and we all walked away feeling good about what we had done that day. Try it.

Happy Holidays and enjoy the season. ■



MIRA members enjoy a 10% discount*

- Liquor Liability
- General Liability
- Commercial Property
- Worker's Compensation (Michigan only)

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- Michigan based carrier
- Competitive rates
- Experienced underwriting and claims handling

Proud to serve all MIRA members:

Independent grocery stores, convenience stores, gas and auto service stations, restaurants, bars and taverns in Michigan, Ohio and surrounding states!

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ohio lobbyist report

TERRY FLEMING // TC FLEMING & ASSOCIATES

Ohio Election Report

he Ohio General Assembly finally returned after a five-month absence due to statewide elections. Except for Franklin County (Columbus) it was a very good year for Republicans as they swept the five statewide offices: Governor/Lt. Governor Mike DeWine and Jon Husted, Attorney General David Yost, Auditor of State Keith Faber, Secretary of State Frank LaRose and State Treasurer Robert Sprague, all Republicans. Ohio's Congressional Delegation did not change as all incumbents won. It remains 12 Republicans and 4 Democrats. Democrat Sherrod Brown, as expected, won reelection to the U.S. Senate from Ohio and two Democrats won Ohio Supreme Court Races, which are non-partisan, without party affiliation listed on the ballot, so it becomes a name game. Republicans still control the Court 5-2. In Ohio State Senate races Republicans picked up two seats which makes it 28-5 Republican, but one seat is in danger of being lost in Franklin County when provisional ballots and absentee ballots are counted. Sadly, its long time MIRA supporter Representative Anne Gonzales who's in danger of losing the Senate race; however, even if she lost it would still be 27-6 Republican and that's an embarrassment to Democratic party. In the Ohio House, Republicans lost 4 seats going from 66-33 to 62-37, but like the Senate there is one race in Cincinnati that may be lost after provisional and absentee ballots are cast. Of the four seats lost three were in Franklin County, only two Republicans won in all the races in Franklin County and one, Anne Gonzales, is in danger of losing after all votes are counted. The next big battle will come in the next three weeks as the Ohio House

once again will have a battle to determine who will be the Speaker of the House for next two years, beginning in January of next year. The battle is between current Speaker Ryan Smith and former Speaker Larry Householder. The Senate easily elected current President Larry Obhoff to serve another term.

The legislature is trying to wrap up all business in next three to four weeks. With a Republican Governor being sworn in next January, there's no need to address a lot of bills. Had Democrat Richard Cordray won, they would have died. The House wasted no time in passing two very controversial bills, HB 228, the so called "stand your ground" bill that says if you're defending yourself and shoot someone it's not a crime. Also passed was HB 258 that would ban abortions if there is a heartbeat. Neither bill is expected to pass the Senate and even if they did Governor Kasich would veto both and they don't have adequate votes to override. Speaking of Governor Kasich, he vetoed SB 221, which would prohibit State Agencies from adopting informal policy making without going through the Joint Committee on Agency Rule Review (JCARR) and the Common-Sense Initiative (CSI). The General Assembly this week over-rode the Governor's veto which is a big win for business. Both Houses passed SB 223 which would make selling bad used tires a minor misdemeanor and a \$1000.00 dollar fine. They did delay the implementation of this law until all tire sellers are notified of the new program. Another bill, HB 307, sponsored by MIRA, which would make September "We Card" Month is expected to pass prior to end of year adjournment. The bill had been included in another bill that would rename Columbus Airport "John Glenn International" along with other highway and building names but it also included bills already passed so the Senate sent the bill back to the House to remove those bills and then both Houses would concur, it was a long convoluted process but it

OHIO LOBBYIST continued on next page.

michigan lobbyist report

MATT MINER // CAPITOL STRATEGIES GROUP



Michigan's 2018 Election Recap

"Blue Wave" surged through Michigan on Election Day bringing with it sweeping changes to all the statewide elected offices and carrying with it nearly all non-partisan races and several ballot initiatives. Democrat Gretchen Whitmer soundly defeated Republican Bill Schuette in the Governor's race 53%-44%. Democrat Dana Nessel defeated Republican Tom Leonard in a closer race for the Attorney General's office 49%-46%, while Democrat Jocelyn Benson defeated Republican Mary Treder Lang 53%-44% in the contest for Secretary of State. Democrats also swept all of the university boards and state Board of Education seats. On the state legislative races, it was a somewhat different story.

Spared in the wake of the storm was control of the Michigan House and Senate for Republicans. The House Republicans held 58 seats when the dust settled,

with Democrats taking 52. This is down from the 64-46 currently. Representative Lee Chatfield was nominated by the Republicans to serve as the next Speaker of the House and Representative Christine Greig was nominated by the Democrats to serve as the House Minority Leader. The Senate saw similar changes in party makeup of the chamber with Republicans holding 22 seats and Democrats taking 16 seats. This is down from the 27-11 spread in the current legislature, making things much tighter in the upper chamber. The Republicans nominated Senator Mike Shirkey to be the Senate Majority Leader and the Democrats retained Senator Jim Ananich as the Senate Minority Leader.

Michigan also widely approved three ballot initiatives to amend our state constitution. Here's a brief description of each:

- **Proposal 1** An initiative to legalize the recreational use of marijuana passed 55%-45%.
- **Proposal 2** An initiative to change the way legislative districts are drawn passed 61%-39%.
- **Proposal 3** An initiative to allow for no reason absentee voting, same day registration for voting and automatic voter registration passed 67%-33%. ■

OHIO LOBBYIST continued from previous page.

appears as if it will finally become law. MIRA was the only retail association to testify and was responsible for bill introduction. There were two significant regulatory decisions made in the past several months that were done informally by the State Lottery Commission and Ohio Department of Health, once Senate Bill 221 becomes effective these practices will cease. The Lottery Commission started a pilot project that would allow purchase and payment via internet of lottery tickets to help with long lines for mega drawings. Only a few lottery agencies (i.e. Kroger and others) would

participate in the program, but if it's successful then all lottery agencies could participate. You can contact Ed Weglarz, Director, Petroleum at MIRA 800-666-6233, for more details. The Ohio Health Department has begun a new training program for all food managers, including convenience stores. Some of you may have already had health inspectors at your locations, again Ed Weglarz is handling this for MIRA and can provide details.

Lastly as we enter the Holiday Season MIRA wishes all its Ohio members a very Happy Thanksgiving and a Very Merry Christmas and a Happy and Profitable New Year. Thank you for your continuous support of MIRA and we look forward to a great 2019.

government relations report

2018 Michigan General Election Results

MICHIGAN U.S. SENATE

Debbie Stabenow (D)

MICHIGAN U.S. HOUSE OF **REPRESENTATIVES**

District 1: Jack Bergman (R)

District 2: Bill Huizenga (R)

District 3: Justin Amash (R)

District 4: John Moolenaar (R)

District 5: Dan Kildee (D)

District 6: Fred Upton (R)

District 7: Tim Walberg (R)

District 8: Elissa Slotkin (D)

District 9: Andy Levin (D)

District 10: Paul Mitchell (R)

District 11: Haley Stevens (D)

District 12: Debbie Dingell (D)

District 13: Rashida Tlaib (D)

District 14: Brenda Lawrence (D)

MICHIGAN GUBERNATORIAL

Gretchen Whitmer (D)

Lt. Gov: Garlin Gilchrist II (D)

MICHIGAN ATTORNEY GENERAL

Dana Nessel (D)

MICHIGAN SECRETARY OF STATE

Jocelyn Benson (D)

MICHIGAN SUPREME COURT

Megan Cavanagh (D)

Elizabeth Clement (R) (Incumbent)

MICHIGAN STATE SENATE

District 1: Stephanie Chang (D)

District 2: Adam Hollier (D)

District 3: Sylvia Santana (D)

District 4: Marshall Bullock (D)

District 5: Betty Jean Alexander (D)

District 6: Erika Geiss (D)

District 7: Dayna Polehanki (D)

District 8: Peter Lucido (R)

District 9: Paul Wojno (D)

District 10: Michael MacDonald (R)

District 11: Jeremy Moss (D)

District 12: VACANT

District 13: Mallory McMorrow (D)

District 14: Ruth Johnson (R)

District 15: Jim Runestad (R)

District 16: Mike Shirkey (R)

District 17: Dale Zorn (R)

District 18: leff Irwin (D)

District 19: John Bizon (R)

District 20: Sean McCann (D)

District 21: Kim LaSata (R)

District 22: Lana Theis (R)

District 23: Curtis Hertel (D)

District 24: Tom Barrett (R)

District 25: Dan Lauwers (R)

District 26: Aric Nesbitt (R)

District 27: Jim Ananich (D)

District 28: Peter MacGregor (R) District 29: Winnie Brinks (D)

District 30: Roger Victory (R)

District 31: Kevin Daley (R)

District 32: Ken Horn (R)

District 33: Rick Outman (R)

District 34: Jon Bumstead (R)

District 35: Curt VanderWall (R)

District 36: Jim Stamas (R)

District 37: Wayne Schmidt (R)

District 38: Ed McBroom (R)

MICHIGAN HOUSE OF REPRESENTATIVES

District 1: Tenisha Yancey (D)

District 2: Joseph Tate (D)

District 3: Wendell Byrd (D)

District 4: Isaac Robinson (D)

District 5: Cynthia A. Johnson (D)

District 6: Tyrone Carter (D)

District 7: LaTanya Garrett (D)

District 8: Sherry Gay-Dagnogo (D)

District 9: Karen Whitsett (D)

District 10: Leslie Love (D)

District 11: Jewell Jones (D)

District 12: Alex Garza (D)

District 13: Frank Liberati (D)

District 14: Cara Clemente (D)

District 15: Abdullah Hammoud (D)

District 16: Kevin Coleman (D)

District 17: Joseph Bellino (R)

District 18: Kevin Hertel (D)

District 19: VACANT

District 20: Matt Koleszar (D)

District 21: Kristy Pagan (D)

District 22: John Chirkun (D)

District 23: Darrin Camilleri (D)

District 2:4 Steve Marino (R) District 25: Nate Shannon (D)

District 26: Iim Ellison (D)

District 27: Robert Wittenberg (D)

District 28: Lori Stone (D)

District 29: Brenda Carter (D)

District 30: Diana Farrington (R)

District 31: William Sowerby (D)

District 32: Pamela Hornberger (R)

District 33: Jeff Yaroch (R)

District 34: Sheldon Neeley (D)

District 35: Kyra Harris Bolden (D)

District 36: Douglas Wozniak (R)

District 37: Christine Greig (D)

District 38: Kathy Crawford (R)

District 39: Ryan Berman (R)

District 40: Mari Manoogian (D) District 41: Padma Kuppa (D)

District 42: Ann Bollin (R)

District 43: Andrea Schroeder (R)

District 44: Matt Maddock (R)

District 45: Michael Webber (R)

District 46: John Reilly (R)

District 47: Henry Vaupel (R)

District 48: Sheryl Kennedy (D)

District 49: John Cherry (D)

District 50: Tim Sneller (D) District 51: Mike Mueller (R)

District 52: Donna Lasinski (D)

District 53: Yousef Rabhi (D)

District 54: Ronnie Peterson (D)

District 55: Rebekah Warren (D)

District 56: Jason Sheppard (R)

District 57: Bronna Kahle (R) District 58: Eric Leutheuser (R)

District 59: Aaron Miller (R)

District 60: Jon Hoadley (D)

District 61: Brandt Iden (R)

District 62: Jim Haadsma (D)

District 63: Matt Hall (R)

District 64: Julie Alexander (R)

District 65: Sarah Lightner (R)

District 66: Beth Griffin (R)

District 67: Kara Hope Leon Clark (D)

District 68: Sarah Anthony (D)

District 69: Julie Brixie (D)

District 70: James Lower (R)

District 71: Angela Witwer (D)

District 72: Steven Johnson (R)

District 73: Lynn Afendoulis (R)

District 74: Mark Huizenga (R)

District 75: David LaGrand (D)

District 76: Rachel Hood (D)

District 77: Tommy Brann (R)

District 78: Brad Paquette (R)

District 79: Pauline Wendzel (R)

District 80: Mary Whiteford (R)

District 81: Gary Eisen (R)

District 82: Gary Howell (R)

District 83: Shane Hernandez (R)

District 84: Phil Green (R)

District 85: Ben Frederick (R)

District 86: Thomas Albert (R)

District 87: Julie Calley (R)

District 88: Luke Meerman (R)

District 89: Jim Lilly (R)

District 90: Bradley Slagh (R)

District 91: Greg VanWoerkom (R)

District 92: Terry Sabo (D)

District 93: Graham Filler (R)

District 94: Rodney Wakeman (R)

District 95: Vanessa Guerra (D)

District 96: Brian Elder (D)

District 97: Jason Wentworth (R)

District 98: Annette Glenn (R)

District 99: Roger Hauck (R)

District 100: Scott VanSingel (R)

District 101: Jack O'Malley (R)

District 102: Michele Hoitenga (R)

District 103: Daire Rendon (R)

District 104: VACANT

District 105: Triston Cole (R)

District 106: Sue Allor (R)

District 107: Lee Chatfield (R)

District 108: Beau LaFave (R)

District 109: Sara Cambensy (D)

District 110: Gregory Markkanen (R)

MICHIGAN PROPOSAL 1

The Marijuana Legalization Initiative, was on the ballot in Michigan as an indirect initiated state statute on November 6, 2018. The measure was approved.

| RESULT | VOTES | PERCENTAGE |
|--|-----------|------------|
| YES A "yes" vote <u>supported</u> legalizing the recreational use and possession of marijuana for persons 21 years of age or older and enacting a tax on marijuana sales. | 2,346,713 | 55.90% |
| NO A "no" vote <u>opposed</u> legalizing the recreational use and possession of marijuana for persons 21 years of age or older and enacting a tax on marijuana sales. | 1,851,679 | 44.10% |

MICHIGAN PROPOSAL 2

The Independent Redistricting Commission Initiative, was on the ballot in Michigan as an initiated constitutional amendment on November 6, 2018. The measure was approved.

| RESULT | VOTES | PERCENTAGE |
|--|-----------|------------|
| YES A "yes" vote <u>supported</u> transferring the power to draw the state's congressional and legislative districts from the state legislature to an independent redistricting commission. | 2,511,648 | 61.27% |
| NO A "no" vote <u>opposed</u> transferring the power to draw the state's congressional and legislative districts from the state legislature to an independent redistricting commission. | 1,587,439 | 38.73% |

MICHIGAN PROPOSAL 3

The Voting Policies in State Constitution Initiative, was on the ballot in Michigan as an initiated constitutional amendment on November 6, 2018. The measure was approved.

| RESULT | VOTES | PERCENTAGE |
|---|-----------|------------|
| YES A "yes" vote <u>supported</u> adding eight voting policies to the Michigan Constitution, including straight-ticket voting, automatic voter registration, same-day voter registration, and no-excuse absentee voting. | 2,766,489 | 66.91% |
| NO A "no" vote <u>opposed</u> adding eight voting policies to the state constitution, maintaining that straight-ticket voting, automatic voter registration, same-day voter registration, and no-excuse absentee voting are not used in Michigan. | 1,368,032 | 33.09% |



michigan lottery report

BRIAN O. NEILL // MICHIGAN LOTTERY COMMISSIONER

Preliminary Results Show Record 2018 Fiscal Year for Michigan Lottery; Retailers Receive Record Commissions

he preliminary results for the Lottery's 2018 fiscal year bring very good news for retailers, the Lottery, and most importantly, public education in Michigan.

Preliminary numbers show that Lottery sales broke the \$3 billion mark for the third straight year. This impressive record is the result of teamwork between the Lottery and its 11,000 retailers across the state. The 2018 figures show a record \$3.6 billion in Lottery sales, topping the previous record set in 2017 by about \$300 million. Retailers also enjoyed a record year in 2018, with commissions hitting a record \$264.9 million, up about 7% from the previous record of \$248.4 million set last year.

INSTANT TICKETS // PULL TAB TICKETS

NEW PULL TAB TICKETS: On sale December 4th:

- MI 540 Blazin' Bucks 50¢
- MI 528 Cash Plow \$1
- MI 530 Sin City Slots \$2

PULL TABS SET TO EXPIRE: Expiring December 11th:

- MI 589 Catch Cash 50¢
- MI 591 Lucky 7's \$1

Expiring January 8, 2019:

- MI 592 Wild Time Doubler \$1
- MI 593 Hit \$50 50¢

NEW INSTANT TICKETS: *On sale December 4th:*

- IG 283 Cash Flurries \$5
- IG 284 Triple Bonus Cashword \$10
- IG 285 100X The Cash \$20

INSTANT GAMES SET TO EXPIRE: *Expiring December 3rd:*

- IG 744 Superstar Cash \$10
- IG 780 Tetris \$2

TICKET ACTIVATION: Retailers are reminded to activate all game tickets before putting them on sale to ensure winning tickets may be redeemed by players.

The Lottery's instant game portfolio once again was a major part of this success. Instant games remain a favorite for the most loyal Lottery players, as well as casual players, and make up nearly 42% of overall sales. The Lottery's team puts a great deal of focus and effort into developing instant games that will attract players to retailers and boost sales. The Lottery's marketing team developed a number of advertising campaigns to support new instant games, helping to raise awareness of our games and boost sales for retailers. That work paid off in a big way in 2018, with total sales of instant games surpassing \$1 billion for the fourth straight year. Instant game sales increased an impressive 15% from 2017 to \$1.5 billion.

The hard work of retailers and the Lottery also led to a record contribution to the state's School Aid Fund. Preliminary figures indicate the Lottery's contribution to the School Aid Fund will total about \$938 million, the fourth consecutive record annual contribution. Since it began in 1972, the Lottery has provided more than \$22 billion to support public education in our state.

The record results in 2018 wouldn't have happened without each retailer's hard work and commitment to serving customers and the Lottery's mission. We're excited about the opportunities that 2019 presents and look forward to working with retailers to break even more records!



About 97 cents of every dollar spent on Lottery tickets is returned to the state in the form of contributions to the state School Aid Fund, prizes to players and commissions to vendors and retailers. In the 2017 fiscal year, the Lottery's contribution to Michigan's public schools was a record \$924.1 million. Since it began in 1972, the Lottery has contributed more than \$21 billion to support public education in Michigan. For additional information, follow the Michigan Lottery on Facebook, Instagram, Twitter and online at www.michiganlottery.com..



THIS GIFT OF FUN GIVES TO EVERYONE

Fun to give and great to get, it's easy to see why customers make Michigan Lottery holiday instants their go-to gift. Everyone likes the chance to win up to \$500,000, with more than \$62.3 million in total cash prizes.

There's plenty for you, too, with more than \$6.4 million in retailer commissions. So, stock up on the holiday gift that offers big winnings, big sales and is everyone's go-to: holiday instant tickets.





Healthy Food Seminar

Industry leaders provide valuable insight and advice

■ BY ASHOURINA SLEWO // DENHA MEDIA GROUP

uday Arabo, Midwest Independent Retailers Association (MIRA) president and CEO, moderated a panel discussion at the Healthy Food Seminar. Hosted by the Michigan Good Food Fund, the panel, called Insights from Grocers and Distributors, featured Matt Jonna from Plum Market, Lee Michaels from Cherry Capital Foods, Ken Bair from Bridge Street Market, Don Symonds from Lipari Foods LLC., and Bobby Hesano from D&B Grocers Wholesale.

According to the website, the Michigan Good Food Fund is a "\$30 million public-private partnership loan fund that provides financing to good food enterprises working to increase access to affordable, healthy food in low-income and underserved communities in Michigan." See page 20 for more details.

Fifty-two entrepreneurs representing 38 healthy food businesses from around the state of Michigan attended the Healthy Food Seminar. According to the Michigan Good Food Fund's website, these entrepreneurs gathered to "hear from industry experts on topics ranging from branding, supply chain, getting products in stores, scaling a business with financing and more."

Arabo started off by talking about the industry as a whole, stating that there has never been a more exciting time to be a part of the grocery industry. "Some seismic things have happened in the industry the last three years," he said. "Part of that is with everybody actually here in this room because for the first time ever, social media and consumers are really driving the markets."

Asking Jonna, Arabo wanted to know what products he looks for when somebody approaches him. "We're always looking for new items; it's really critical in our business to be ahead of the curve," he explained. "We generally give everyone a shot and what I always say and what I've trained our buyers and directors to say is, 'what's your demo plan?"



Retailers, Jonna said, must showcase their products and provide information beyond the labels. "Demo is key when it's a new item," he said. "My best advice to a new supplier or new product producer is to walk into that meeting with a whole demo strategy."

Agreeing with Jonna, Bair as a retailer is always looking for unique products. "In our store, we're really going after a value play with a very local presence."

Following the discussion of the importance of demos, Arabo asked the panel what of the biggest "no, no's" someone presenting to a buyer could do.

"Telling us they won't do demos," said Jonna is a big "no, no." Demos are an opportunity to showcase one's

product. To forego this opportunity hurts the presenter, making the buyer less likely to purchase the product.

Turning to the wholesalers on the panel, Arabo asked how retailers can get in front of them or get them to consider a product.

"It's really about packaging in the retail sector for us," explained Michaels. "If it tastes great and has clean ingredients, but it doesn't present well, it's not going to work. Number one for us is packaging."

Coming to the topic of natural and organic food products, Jonna suggested that the best path is that of natural products. He stated that while a product does not have to be one hundred percent organic, it should at least be natural to appease current customer wants and desires.

"Also, I think nowadays if I was creating a food product, I would not even think about not having clean ingredients. I mean, I don't have to be organic, but you need to be natural," Jonna explained. "It's a pretty important thing for products to be natural nowadays."

Turning to the topic of margins, terms and insurance, Hesano first stressed the importance of being insured, something everyone on the panel could agree with. "As far as the margins are concerned, it depends on the brand, it depends on the category for us," he explained.

"...there's a certain margin range we have. They can range as low as 10 percent and they can go as high as 20 to 30 percent..."

Agreeing with Hesano, Symonds touched on the importance of remaining competitive. "If you work on tight margins and in high volume, you got to have a little more margin items," he explained. "There are a lot of items we break cases on now that you don't have to buy a dozen if you're a small store. You can buy six and there's charges for all those types of things."





Branding your Business



The creation of a strong brand is critical to the success of any new business launch or expansion. That was a message from the Healthy Food Business Seminar hosted by Michigan Good Food Fund at the end of October.

Your brand reveals the heart of the company and helps 'set the table' for the relationship you want to have with your consumers and customers. Strong brand positioning creates company value, provides competitive insulation and drives messaging across all points of communication including packaging and digital platforms. As a brand management leader with a proven track record of creating and launching new brands, driving innovation and developing business-building programs, Lucinda Wright guides people through the essential tools needed to create an effective brand - the Brand Brief.

Lucinda Wright is a

marketing and Innovative Senior Executive with comprehensive experience in global Consumer Packaged Goods.

"What is your brand story?" asked Wright at the Seminar to the audience of grocers and food companies as she took people through a worksheet. "What motivated you to start this business? You will get that question from investors, agencies and consumers. It is a great starting place to write your brand story."

She also suggested that business owners create a board of images that defines their brand. She suggested creating a vision board that helps owners see who they want to be and what they want your brand to be. It's a great starting point. "Your story needs to inspire others," she explained. "You are articulating your business idea. You are validating your business idea."

You need to understand your target. Who is that person? Is it the person who buys or consume your product? Your target is the consumer. There are executives who mistake this target. They focus on the shopper instead of the consumers. "There are two totally different strategies," said Wright. "Stay focused on the consumer."

She used the Dove product as an example of targeting the consumer as she showed images of the marketing materials used by the company. "You need to know the visual images used to reach your target audience," she said. "You have to know how you are different. How are you differentiating yourself from others?"

Wright is now working with Benchmark, MIRA's for Profit company, as she markets her own company Cask & Kettle Irish Coffee and Spiked Dry Cider are the first-to-market, complete, well-crafted hot cocktails for home brewing systems (i.e. Keurig, etc.). It is designed to simply pop one of the single serve cups into your brewing system and a smooth, aromatic hot complete cocktail is ready in seconds.

Also speaking on branding at the seminar was Nailah Ellis-Brown, founder of Ellis Infinity LLC, maker of Ellis Island Tea. She is among the growing group of Entrepreneurs in Detroit, a 30-year-old born, raised and educated in the Motor City.

Her business was inspired by a family business recipe for Jamaican Sweet Tea that has been passed down from her migrant great-grandfather who came to America through Ellis Island and was a master chef for Marcus Garvey's Black Start Line. Ellis-Brown began her business selling bottles of tea from a cooler in the trunk of her car back in 2008. By 2014, she had opened her first beverage production and copackaging facility in Detroit and numerous commercial accounts. Today, Ellis Island Tea is sold around the country in more than 1,500 stores and at niche markets and online.

She talked about making mistakes along the way and how changing the label catapulted her company and branded her product.



michigan good food fund

Funding Opportunities to Help You Invest in Your Business



It's not news to the food retailer that the market is competitive. Consumers have more choices and experts are encouraging grocery retail outlets to invest in their stores, in order to stay relevant and competitive.

Michigan Good Food Fund supports grocery retail projects that are expanding fresh food offerings in lowincome and underserved communities. Groceries can include: single or multisite grocery stores, cooperative grocers, corner stores and mobile markets.

Whether you are considering renovations to modernize your store, an expansion of your fresh food department, POS system upgrades, or need capital for inventory or staff expansion, the Michigan Good Food Fund provides financing to support your store.

Financing through the fund is flexible and vast ranging from \$2,500 to \$6 million. Loan rates start as low as 5% and New Markets Tax Credit are available for qualified projects.

The Michigan Good Food Fund bolsters lending with business assistance aimed at helping get enterprises on a path to financing. "We also host periodic workshops including a Bodega Boot Camp, which help aspiring grocers understand how to put healthy food at the center of their stores," said Mary Donnell, Program Manager of the Michigan Good Food Fund.

One of the businesses that benefited from the funding was Ken's Fruit

Market, a multi-site family-owned grocery store in Grand Rapids, Michigan. "These stores are anchors of healthy food access in their communities," said Donnell. "They are not only increasing healthy food access, they are also creating jobs and supporting Michigan farmers."

Founded by Ken and Gina Courts in 2010, Ken's two stores feature highquality food at low prices. Each store features 3,500 square feet of fresh fruits and vegetables. This includes a variety of Michigan grown produce and other products sourced from area farmers, processors, and distributors, furthering the store's positive economic development across the state. Each store also tailors its offerings to meet the cultural tastes of its customers. The Michigan Good Food Fund provided a \$445,000 loan in 2017 to improve operational efficiencies. In addition to financing, the fund also provided oneon-one business assistance pre- and post-financing to support corporate restructuring and grocery operations.

"Ken and I are so excited about our alliance with the Michigan Good Food Fund. We can't thank them enough for helping us become more financially strong. This partnership makes our commitment to providing healthy food at a low cost to everyone better than ever," said Gina Courts, co-owner of Ken's Fruit Market.

Midtown Fresh in Kalamazoo is another family-owned grocery business which received financing.

The Shina family owns ten grocery stores in Michigan including Park Street Market in Kalamazoo. For their next venture they wanted to revitalize another previously shuttered grocery store in Kalamazoo as part of a \$9.4 million redevelopment project, which would include multiple retailers plus a grocery store to serve this primarily low-income neighborhood.

"Michigan Good Food Fund provided \$6 million in financing as part of an \$8 million New Markets Tax Credit transaction to bring this project to life," said Donnell. "Now open, the grocery store brought more than 60 jobs to the community."

Diamond Place also benefited from Michigan Good Food Fund financing. "We invested in the Diamond Place multi-use development project in Grand Rapids, because it was bringing a new grocery store to the community," said Donnell.

The \$42 million Diamond Place project in Grand Rapids, brought together more than 100 units of affordable housing plus 22,000 square feet of retail space plus by a community grocery store. Located in a USDA designated food desert, this project increased healthy food access for area residents, who also experience high poverty rates. Michigan Good Food Fund provided a \$3,645,600 loan in 2017 to support this project. Other project funding partners include JPMorgan Chase Bank, Cinnaire, Mercantile Bank, Michigan Economic Development Corp., Michigan State Housing Development Authority, Opportunity Resource Fund, and the City of Grand Rapids. Diamond Place created both construction jobs and more than 100 permanent positions from the various retail tenants.

Grocers interested in financing can go to www.migoodfund.org/submit or email info@migoodfoodfund.org.

The Michigan Good Food Fund was created in partnership by Capital Impact Partners, Fair Food Network, Michigan State University Center for Regional Food Systems, and the W.K. Kellogg Foundation. Since its launch in June 2015, it has invested more than \$11.4 million in 90+ food businesses across the state.





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retailer spotlight

Will Lightning Strike Twice?

Jackpot superstitions ensue at Ric's Food Center after recent Mega Million win

■ BY ASHOURINA SLEWO // DENHA MEDIA GROUP

ith no winner in sight, the Mega Millions jackpot kept creeping up, eventually surpassing the billion-dollar mark. It was not until late October when the jackpot had reached a near historic \$1.5 billion. While someone in South Carolina won the jackpot, a group of nurses and doctors in the Mount Pleasant area were also cashing in.

A group of coworkers from the McLaren Central Michigan Hospital in Mount Pleasant had pooled their money and purchased 50 lottery tickets from MIRA member Ric's Food Center. The group of 10 each contributed \$10 to the office pool.

Tom Baumann, the vice president of operations at Ric's Food Center realized he had sold a milliondollar winner the following day. "It was reported on the local radio station before 7 a.m. the following day," he explained.

The group who had purchased the ticket, which was comprised of nurses, one doctor and a secretary, were unaware that they had the winning ticket. Coincidentally, as reporters were interviewing Baumann in regards to his sale of the winning tickets, one of the nurses and her husband were validating their ticket.

"I was at the service desk when the customer asked what it meant if the screen said to contact the Michigan Lottery office," said Baumann. "The TV5 reporter was asking me for an interview and I suggested she get the cameras rolling because the lottery winner is validating their ticket now!"

This is not the first winning ticket to have been sold at Ric's Food Center, says Baumann. In the store's 42-year history, there have been other winners. None of this caliber, though.

"...This is the first time [selling a] million-dollar ticket," he said. "I believe the largest winner before now was \$10,000."

No group of people is more deserving of this win, Baumann told TV5 of the nurses. "Good day overall.



I'm really happy for the community and I'm just happy for these nurses and doctors at the hospital," he told TV5. "It probably made their day."

According to Baumann, several, if not each member of the group, is a regular Ric's Food Center customer. "Many of the nurses shop our store weekly," he said. "Of the 10 winners in the lottery group, most of them are regular customers."

Baumann says the nurses are now like local celebrities.

Since their win, Baumann has noticed more people coming to Ric's Food Center to purchase lottery tickets. Superstitious customers believe that lightning will strike twice at the local grocery store and have been buying lottery tickets in hopes of becoming the next million-

"Superstitious customers have been buying tickets like crazy thinking maybe it's true," Baumann said. "There are many customers that are superstitious and Ric's is now their lottery purchasing center."

This has been interesting for Baumann to watch. While he may not be superstitious, he finds his fun in encouraging the enthusiasm surround the late October win. "I am not superstitious at all, but it is fun to joke with customers. 'Don't forget to buy your lottery ticket, you know lightning strikes twice!'."

In comparison to the recent \$1.537 billion winner, the highest lottery jackpot was the Powerball's \$1.586 billion jackpot. This jackpot was won in January of 2016 by multiple tickets. ■



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CareWorksComp Newsletter



TRAINING FROM YORK + **CAREWORKSCOMP**

Because of the great response we had to our live OSHA Record Keeping Webinar, we have made available a recording. The recorded webinar fulfills the 2-hour safety training requirement for Group and Group Retrospective rated employers for this current program year (July 1, 2018 - June 30, 2019). Register at yorkrsg.com/osharecord-keeping-webinar.

UNEMPLOYMENT TAX SEASON

Winning unemployment claims will help you lower your tax rate, but there's even more you can do to control your costs. Did you know that by making a one-time payment at the end of the year, you may be able to lower your tax rate even further? Last year, just this one component of our Claims and Tax Management Service reduced one of our customer's unemployment costs by \$10,750 - the result of a one-time, \$25 voluntary payment.

If you have multiple account numbers owned by the same business entities, you also may be able to combine their tax rates together into a common group rating. One of our clients was able to save nearly \$4,000 on his taxes for 2018 by placing two of his companies in a common group.

THE IMPORTANCE OF HAVING A TRANSITIONAL WORK PROGRAM

Also known as "light duty," Transitional Work for your injured workers plays a key role in reducing workers' comp premiums. If you don't have a light duty or formal transitional work program, consider Modified Duty Off Site (MDOS). MDOS is a program in which the injured worker is released to do meaningful work at a local non-profit by their doctor. During this time, the employer pays their wages and the injured worker transitions back to full duty. The MDOS program can be arranged by VocWorks. For additional information, visit vocworks.com.

HAS YOUR ORGANIZATION BEEN **CITED BY OSHA?**

As RiskControl360° enters its thirteenth year in business, we are celebrating the almost \$300,000 they have saved clients in OSHA penalties over the years. This team of professionals has represented employers at OSHA informal conferences across the state to reduce penalty amounts and citations. If your organization is ever involved in an OSHA inspection or receive a citation, call RiskControl360° to help you navigate the process and achieve the most favorable outcome.

WHAT ARE HANDICAP **REIMBURSEMENTS?**

Handicap Reimbursement is a BWC program that encourages employers to hire and retain workers with preexisting medical conditions. Handicap Reimbursement allows an employer to apply for reimbursement of claim costs if a handicapped employee suffers an allowed work-related lost-time injury, disease or death claim. Under the program, an employer must prove that

the handicap condition pre-existed the claim and that the condition caused the claim or caused a delay in recovery resulting in increased claim costs. The Ohio Revised Code recognizes the impairment must be due to one of 25 eligible conditions or diseases. Most notably, these conditions include cardiac disease, arthritis, diabetes, epilepsy and Parkinson's Disease.

Handicap Reimbursement applications must be filed while the claim is in the employer's experience period. BWC processes the application and conducts a conference and, if granted, determines the percentage of the claim's cost they will charge to the statutory surplus fund instead of the employer's experience. If BWC grants the application, claim costs are reduced from the employer's experience and BWC adjusts the employer's claim experience resulting in lower premium payments.

BWC WEBSITE: ACCOUNTS RECEIVABLE TRANSACTIONS

Also known as "AR Transaction History" screen on bwc.ohio.gov, this screen can help you understand the premium amount you have paid to BWC and details any refunds you have received from BWC. BWC has recently distributed Group Retrospective Rebates from the 2014, 2015 and 2016 program years as well as refunded the "Billion Back" from the 2016 rate year.

If your organization receives an unexpected refund check from BWC, take these steps to investigate:

- Log in to your account on bwc.ohio.gov.
- Navigate to the "View My Policy" page.
- Click "Premium installment Schedule".
- Click "AR Transaction History" at the bottom of the page.

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Michigan Approves Recreational Marijuana: What You Need to Know

■ BY CHASTITY PRATT DAWSEY, ALEXANDRA SCHMIDT // BRIDGE MAGAZINE

Michigan has become the first state in the Midwest to approve recreational use of marijuana, capping a years-long debate here over legalization.

Ballot Proposal 1, which legalizes the use and sale for adults 21 and older, was headed for victory, along with measures to appoint a nonpartisan commission to draw political districts and implement same-day voter registration.

Michigan joins nine other states and Washington, D.C. in permitting some form of recreational cannabis. Medical marijuana is legal in 31 states, including Missouri, whose voters approved an initiative for its use Tuesday night.

The ballot measure comes 10 years after Michigan voters approved the use of medical marijuana.

Here's 11 questions and answers explaining what you need to know about the new law:

When does the law take effect? About a month.

Michigan's Constitution states that approved initiatives "take effect 10 days after the date of the official declaration of the vote." That doesn't happen until the election is certified by the Board of State Canvassers, a process that usually takes about three weeks, said Fred Woodhams, spokesman for Michigan's Department of State.

Who can use marijuana? You must be at least 21 years old to get or ingest cannabis in any form. Those under the age of 21 are not permitted to possess, consume, or sell marijuana products.

Once it takes effect, what can I do?

The law allows users to carry 2.5 ounces in public and at home have up to 10 ounces and 12 plants, as long as they are not grown in a location visible from outside.

What can't I do? Smoke in public. Or drive under the influence. That's still illegal.

"The law is very clear on that," said state Sen. Rick Jones, who sponsored a bill to pilot a new roadside saliva test for marijuana detection.

"It's what they call zero tolerance. You may not have marijuana in your system driving."

Possession is also illegal at K-12 schools or lands owned by the federal government, such as national forests or parks. And while individual users can grow plants, they can't sell them. Sales of any cannabis product requires state licensing and testing before it hits the market.

Will police stop enforcing pot possession laws before it takes effect?

Marijuana is still illegal until the law goes into effect, so there's a one-month window when users can still get arrested for pot in a state that voted to legalize it. Police likely will use discretion,

experts say.

"I think it will depend on the seriousness - does a person have baggie in the trunk or a baggie in their pocket and appear to be driving impaired," said Eric Lupher, president of the Citizens Research Council, a nonprofit public affairs research organization.

Can I run to the store to buy a joint and smoke it next month?

Not quite.

Personal possession and growth is legal as soon as the law takes effect, so sparking up isn't an issue, said Josh Hovey, a spokesman for the Coalition to Regulate Marijuana Like Alcohol, which led the initiative.

The trick could be buying marijuana legally in the first place.

Michigan's state and local governments must establish regulations before products hit the shelves. That will take about two years, as the initiative gives the state's Department of Licensing and Regulatory Affairs 24 months to create and start distributing licenses. LARA spokesman David Harns told Bridge "we anticipate waiting until the election results are certified [by the Board of State Canvassers] to discuss the particulars."

"LARA is going to have its hands full," predicted Randy Richardville, the spokesman for Healthy and Productive Michigan, the major group that opposed Proposal 1.

That's one government hurdle. Another is cities.

The ballot measure was unpopular among elected officials, and municipalities can opt out of allowing commercial sales if they do not want marijuana markets coming to town.

"To ban businesses entirely, communities will need to adopt a local ordinance or pass a referendum." Hovey told Bridge. "But communities also have their local zoning and business laws to restrict or regulate marijuana businesses."

Local governments can also place a limit on the number of businesses they allow instead of banning it outright.

Officials of Michigan's big cities may not move quickly to get business rolling. Grand Rapids' City Commission approved medical marijuana businesses this year, but has yet to begin accepting license applications. Suzanne Schulz of Grand Rapids' City Planning Commission says the commissioners have not had any discussions about recreational marijuana.

City officials in Lansing and Detroit either didn't respond or didn't speculate on timelines when contacted by Bridge. In the meantime, as governments create regulations, medical pot dispensaries still will only be able to be frequented by those with medical marijuana cards.

Wait. Isn't marijuana still illegal under federal law?

Yes it is, so you keep your bud out of national parks and off of federal land. And many legal experts say landlords still can ban tenants from using marijuana even in states that legalized it.

U.S. Attorney General Jeff
Sessions has taken a hardline
stance against legalization and
called on "all U.S. attorneys
to enforce the laws enacted by
Congress." But that's largely gone
unenforced, and The Wall Street
Journal reported "Mr. Sessions'
own prosecutors have yet to
bring federal charges against pot
businesses that are abiding by state
law."

The issue is far more complicated for business owners. In many states, because of bank regulations, marijuana remains a largely cash-only business, while there are serious tax implications because of the federal prohibition.

Are prior marijuana convictions impacted by the new legal status of the drug?

No, the law only impacts use going forward. The new legislation does not expunge prior convictions for marijuana crimes or commute sentences.

State Rep. Sheldon Neeley, D-Flint, in June proposed legislation in June to allow Michigan residents to apply for expungement of cannabis misdemeanors. The bill hasn't gained traction.

Can I still get fired for using marijuana?

You bet.

Some industries, such as federal contractors or transportation workers, will still be required by the federal government to test for marijuana and fire users. Otherwise, drug tests are up to individual companies. State business leaders

have indicated they will continue to penalize workers for negative drug tests to ensure workplace safety.

How likely is a lawsuit to block implementation?

Very, if the experience from other states is replicated in Michigan.

States that have adopted recreational marijuana have had numerous lawsuits over everything from local ordinances to the smell from marijuana production.

"I don't know who would be involved, but is this going to cause a lot of litigation? Yes," said Richardville, the Healthy and Productive Michigan spokesman.

He said his group so far has no plans to file suits.

11 Would the state be able to delay implementation?

Not really. Unlike the state's 2008 medical marijuana law, which encountered numerous delays, the new recreational marijuana law sets a timeline for licensing commercial enterprises.

State regulators, however, must address some lingering issues. For instance, the state is required to set rules for edible products' maximum levels of THC, the main psychoactive component in marijuana.

"I think some of us would be very adamant that LARA needs to take a real hard look at the 6,000 words (in the law) and see what they can regulate," said Richardville.

The Legislature could theoretically pass a law to impact the measure, but doing so would require approval from a three-fourths of the Legislature, which is a tall task.



NACS Comments on FDA's E-Cigarettes, Menthol Regulations

■ BY NACS ONLINE

On November 15th, the U.S. Food and Drug Administration announced its proposed regulations on the retail sale of flavored electronic cigarette products and a proposed ban on menthol cigarettes.

Early reports suggested the FDA would prohibit convenience stores from selling flavored vaping e-cigarette products. Initial reading of the proposal suggests the agency is calling for vaping flavors (melon, cucumber, etc.) to be only sold in age-restricted stores, stores where there is an age restricted area, or in retail stores without age restricted access but out of sight from customers (i.e. under the counter). It also appears that the agency will not impose new restrictions on unflavored or menthol vaping products.

"Where the establishment itself is otherwise open to all members of the public, in this instance, flavored ENDS products should not be visible or accessible to persons under the age of 18 at any time."

> Later, more information became available from the FDA:

The compliance policy revision would not apply to these ENDS products sold in age-restricted locations - for instance, a standalone tobacco retailer (such as a vape shop) that adequately





prevents persons under the age of 18 from entering the store at any time; or, a section of an establishment that adequately prevents entry of persons under the age of 18. Where the establishment itself is otherwise open to all members of the public, in this instance, flavored ENDS products should not be visible or accessible to persons under the age of 18 at any time.

In the final version released by the FDA shortly after, the highlighted language was REMOVED, once again bringing into question whether convenience stores would be prohibited from selling these products at all if they did not have an adult only section.

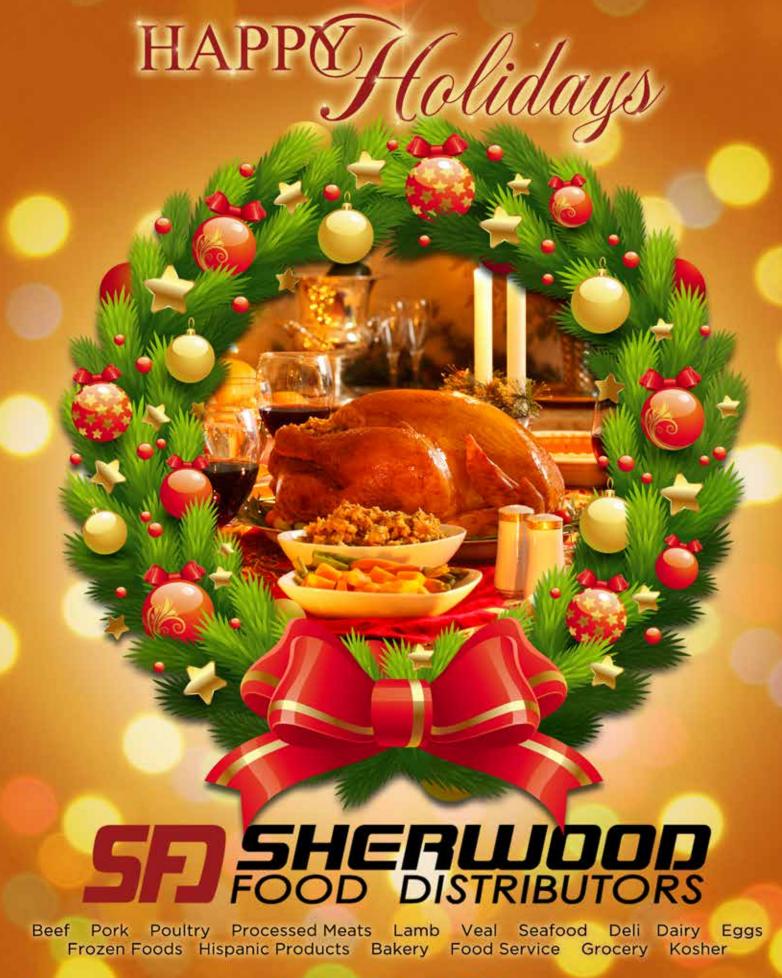
We are currently reviewing FDA's amended proposal and will advise NACS members as soon as more information is available. Our previous statements remain applicable:

"Sound regulation should ensure that e-cigarettes are sold responsibly and that the market is a level playing field," said Lyle Beckwith, NACS senior

vice president of government relations. "If enforcement shows that businesses are not following the law, then appropriate penalties should be imposed. We are reviewing the FDA's proposal carefully and want to ensure that any final policy reflects these important principles. We urge the FDA to share any information they have demonstrating that its proposal will improve age verification on e-cigarette sales."

Regarding FDA's proposed ban of menthol cigarettes, Beckwith added:

"There is an existing market for menthol cigarettes today and banning them will only shift those sales to the black market. Black-market sellers of tobacco products do not check the ages of their purchasers, do not pay taxes on their sales, and sell more than just menthol cigarettes. NACS urges FDA to implement a plan to stop the current black market and prevent a new one before prohibiting a product that we know will result in large numbers of new blackmarket sales," he said.



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Juul Labs Issues Action Plan for E-Cigarette Product Sales

Company will stop flavored Juul pod sales to all 90,000+ retail stores



BY NACS ONLINE

As of November 13th, Juul Labs has stopped accepting retail orders for its Mango, Fruit, Creme, and Cucumber JUUL pods to the more than 90,000 retail stores that sell its products, including traditional tobacco retailers (e.g., convenience stores) and specialty vape shops.

"We will now make Mango, Fruit, Creme, and Cucumber available only on Juul.com, where we are adding additional ageverification measures to an already industry-leading online sales system that is restricted to people 21 years old and utilizes third party verification," says CEO Kevin Burns in an official plan of action posted on the company's website.

The action plan comes as the U.S. Food and Drug Administration prepares to announce this week a sweeping ban on the sales of certain e-cigarette products at convenience stores—an effort to crack down on the underage usage of vapor products that specifically targets the c-store industry.

The company states that only Juul pods that mirror what is currently available for combustible cigarettes-tobacco and mentholbased products (Menthol and Mint pods) —will be sold to retail stores, including convenience stores and specialty vape shops.

"To secure sales of these products, we are immediately increasing our secret shopper program, from 500 visits per month to roughly 2,000 per month, to verify that our standards are being followed by retailers. We will also impose financial consequences against retailers caught by FDA

selling to minors or allowing bulk sales of our products. We will permanently cut off all sales to retail stores with multiple violations," says Burns.

In addition to monitoring retail locations, Burns notes that the company will continue enforcement efforts against online marketplaces that sell Juul products in violation of their terms-of-service. "This year alone, Juul Labs has worked with online marketplaces, such as eBay, Alibaba, Amazon and DHgate, to remove more than 23,000 thirdparty listings of Juul products and/ or counterfeits," he says.

In late October Altria announced its plans to remove from the market MarkTen Elite and Apex by MarkTen pod-based products "until we receive a market order from FDA or the youth issue is otherwise addressed."

Stay tuned to NACS Daily for updates this week on the FDA's forthcoming decisions.

For decades the convenience industry has been leaders in age verification and responsible retailing. NACS is in touch with both the FDA and Congress on this critical issue. NACS urges its members to contact their members of Congress and the FDA to explain the vital role of the convenience store industry as responsible retailers of legal products.

To contact your member of Congress, please visit www.votervoice.net.

To contact the Food & Drug Administration, please call (301) 827-3101. ■



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Chicago Files Suit Against Online E-Cig Companies

Lawsuits says that the companies are selling product to underage Chicagoans

■ BY NACS ONLINE

The Windy City filed suit against eight online sellers of electronic cigarettes yesterday, fulfilling a campaign promise made by Chicago Mayor Rahm Emanuel, Chicago Tribune reports. The re-elected mayor said the online retailers are selling the products to customers under the age of 21.

Emanuel has supported higher

tobacco taxes and increasing the legal tobacco buying age in the city to 21. This spring, retailers selling tobacco, including electronic cigarettes, had to post signs listing the hazards of smoking and phone numbers of cessation hotlines.

The mayor's office has also requested information about e-cig marketing practices and youth prevention efforts from 33 vaping manufacturers. City aldermen

haven't always been supportive of the mayor's efforts, citing an increase in counterfeit and illegal sales of cigarettes.

At a Monday news conference ahead of the lawsuit filing, Emanuel targeted tobacco and electronic cigarette companies for what he says are "deceptive marketing practices aimed at kids, and he dismissed the notion of e-cigarettes as a cessation product to help smokers quit.

Minneapolis Could Revamp Healthy Food Ordinance

City requirements on healthy food may change, taking cultural preferences into account

■ BY NACS ONLINE

In 2014, a Minneapolis ordinance required grocery stores, corner shops and c-stores to stock a variety of healthy foods from 10 categories. The goal of this "staple foods" ordinance? Help consumers who don't have easy access to a grocery store find nutritious products.

This year, 38% of the 250 stores were fully compliant with the ordinance. But a study by the University of Minnesota found that among small stores, like c-stores, only 10% were compliant. Store owners have been complaining about the requirement. Kristen Klingler, a

public health specialist with the Minneapolis Health Department told the Star Tribune that "they were being forced to stock items that consumers don't eat."

The Star Tribune remarked on The Fremont Market in north Minneapolis, a corner store that ends up throwing away more fruits and vegetables than he sells. "If I could sell the oranges and the apples like the chips, I will take off the chips and sell the oranges," owner Khaled "Mike" Azem told the newspaper. "But now we are not making money. Most of the oranges now go to the trash."

As a result, the city is looking to reduce required quantities and combine food categories to expand other varieties that take

cultural preferences into account. Minneapolis city data found that due to cultural preferences, 50% of Asian and 26% of East African stores had trouble complying with the cheese requirements, while 50% of Asian and 36% of Latino stores had trouble with the whole-grain cereal category.

On Nov. 26, the City Council will hold a public hearing and if the changes pass, ethnic food stores will not be required to stock items that their customers avoid. And as long as these stores substitute the items they don't want to stock with other nutritional products that their customers traditionally eat, they won't face penalties, said Daniel Huff, the city's environmental health director.

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Three Takeaways on Checkout-Free Retail

Frank Beard shares insights from a recent visit to a concept store by Standard Cognition

■ BY FRANK BEARD* // NACS ONLINE

There's a lot of retail innovation taking place in San Francisco, and I don't just mean Amazon Go. Located in the heart of the city is Standard Store—a concept store created by Standard Cognition to showcase and refine their checkout-free technology.

I recently stopped by to experience it for myself. Like Amazon Go, it's a true checkout-free experience that uses cameras to track everything customers take. The sign outside the store describes the experience quite well: "Walk in. Take things. Walk out." Unlike Amazon, however, Standard Store relies on far fewer cameras and does not employ pressure-sensitive shelving.

Rather than operating their own stores, Standard Cognition's goal is to work with existing retailers. They're also gaining valuable experience by deploying the system in Japan's retail market. Standard Cognition is working with Japanese wholesale and logistics company Paltac since there's currently a labor shortage, reports Nikkei Asian Review. They've also set an ambitious goal of equipping more than 3,000 Japanese stores with the system by the summer of 2020.

A few weeks prior to my visit, I had a chat with Michael Suswal-co-founder and chief operating officer. Here are three takeaways:

CASH AND CREDIT ARE STILL WELCOME

Standard Cognition offers two ways to pay for your products. First, tech-savvy customers can download the app and "check in" when they arrive. When they're finished shopping, they walk out and the receipt is sent to their phone.

Second, those who don't want to use the app can walk in the store and shop like normal. When they're ready to leave, they'll approach a kiosk that populates the screen with everything they took.

Instead of wasting time scanning items, they just swipe a card or insert cash. It's quick and simple.

"We've found zero retailers who said they won't take cash or credit cards anymore," says Suswal. "Amazon can do that because they have their own stores. But if we deploy our system to other retailers, then we have to accept other forms of payment."

For those who wish to see the kiosk system in action, it will be installed in Standard Store in the upcoming weeks.

DEPLOYING FLEXIBLE SOLUTIONS

Amazon Go famously uses pressuresensitive shelving, but Standard Cognition takes a different approach.

"How do you want to deploy to the world?" asks Suswal. "Amazon answers that question by saying 'we have the tech, so let's build stores around it.' Our view is that there are millions of stores in the world. How can we simply retrofit them? When you approach the problem from that perspective, you get a number of differences."

Suswal says the system must be flexible. Pressure-sensitive shelving would conflict with retailers' merchandising and branding strategies by creating an experience that resembles every other store utilizing the technology. "You can't be flexible with shelf sensors," he says. "With our system, it's a very different implementation. Just cameras on the ceiling. That's it."

Standard Cognition also aims to be economical regarding hardware requirements. Many retailers—both large and small—may lack the space for extensive computer equipment.

Suswal explains that some of the stores they work with in Japan only require

four desktop towers. "As we get more optimized and more efficient with our code," he says, "we can shrink the compute size even further."

REHUMANIZING RETAIL

It's a common misconception that checkout-free retail is the same as employee-free retail, but that's false. Every time I've visited Amazon Go, for example, there are many employees. They're free to do everything they wouldn't have time to do if they were stuck behind a counter scanning items.

Suswal says one of Standard Cognition's goals is to "re-humanize" retail. By removing the machines that exist between people, we can interact in a more human way—much like we did hundreds of years ago in open-air markets.

"Retailers all around the world reach out, and the thing they talk about most is customer experience. How can we create experiences that get people to come into the store? How can we make our stores better or more unique?"

But that's difficult to do when employees waste time on tasks that can be automated—like inventory management. Suswal describes a grocer who, despite having hundreds of stores, still sends staff armed with clipboards to count the items on shelves.

Checkout-free retail makes it possible to fully track and monitor inventory. In fact, one of Standard Cognition's products is an analytics platform aptly titled Standard Analytics. As Suswal explained, many of the company's founders previously worked for the SEC building platforms to identify fraud in the stock market. Only now they're turning that passion into insights for store operators.

* Frank Beard is a speaker, writer, and convenience retailing analyst and advocate.

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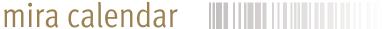
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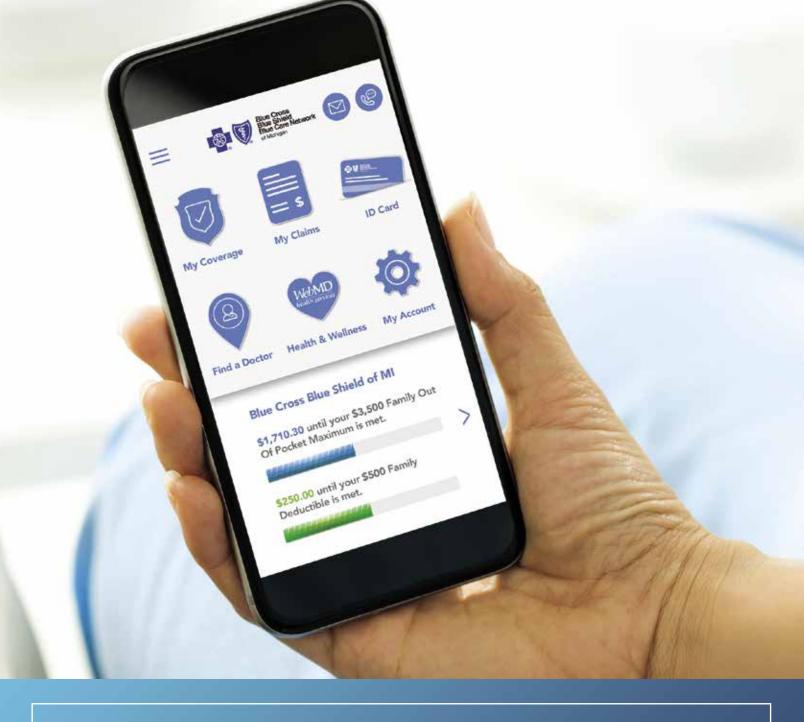


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