

Summer 2018

"Growing  
Business  
in Nevada"

# THE BUSINESS ADVOCATE

A publication of the Nevada Department of Business & Industry



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Nevada Department of  
Business and Industry



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## Department of Business and Industry Celebrates 55th Anniversary

Fifty-five years ago, the Nevada Department of Commerce (DOC) was created on July 1, 1963, when legislation forming the new department went into effect. The department included four divisions: Banking, Real Estate, Insurance, and Savings and Loan. The Department of Insurance and the Nevada Real Estate Commission predated the DOC but were transferred to the DOC at its creation. Over time, the number of agencies within DOC (including boards and commissions) would fluctuate from an initial four to a peak of 29.

In 1963, the DOC's first director, Walter C. Wilson, was appointed by Governor Grant Sawyer and paid a maximum annual salary of "no more than \$13,200." The director was prohibited from engaging in any other gainful employment or occupation, a prohibition that still remains. The qualifications for the position are essentially the same today as they were in 1963. However, the language of the statute (NRS 232.515) has been updated to be gender inclusive, replacing reference from "his" to "his or her," an apt change given that in the last 25 years, the number of women appointed to the position strongly outnumber their male counterparts by a ratio of 2:1.

It would be 10 years before two new divisions were added; the State Fire Marshall Division, which was later transferred to the Department of Motor Vehicles and Public Safety, and the Consumer Affairs Division. The 1970's also saw the addition of the Credit Union, Housing and Manufactured Housing divisions.



L to R: Terry Johnson, Larry Struve and  
Governor Richard Bryan

Terry Johnson served as an Assistant Small Business Advocate, Labor Commissioner and Department of Business and Industry Director. Larry Struve served as the last Department of Commerce Director and the Chief of the Office of Business Finance and Planning. Governor Richard Bryan appointed Struve to his post as DOC Director.

The Consumer Affairs Division was created in 1973 to regulate deceptive trade practices through investigations and enforcement, as well as voluntary alternative dispute resolution to mediate conflicts between business and consumers. The division was eliminated due to funding cuts in 2009, transferring certain duties to other agencies, halting the state's ability to investigate consumer's individual complaints. A consumer affairs unit was temporarily established in 2015 within the Director's office, utilizing funds from a mortgage settlement agreement facilitated by the Nevada Attorney General's office. The unit was reauthorized in the 2017 biennium. Last year, the small unit comprised of six staff recovered nearly \$250,000 on behalf of Nevada consumers.

The Department of Commerce played an important role in the 1980's. The national economic recession had reached Nevada. Gaming revenues were flat, Atlantic City casinos were coming online, gas prices were soaring and unemployment had reached 9.9 percent. Larry Struve, DOC Director from 1983 to 1993, recalls missing Governor Richard Bryan's inauguration ceremony after being summoned to Las Vegas to deal with a bank that had been defrauded in a check kiting scheme. Ultimately, the Nevada Superintendent of Banking took control of the bank and the bank was forced to close after failing to

(Continued)



**P3 / Ask an Expert:**  
Reaching customers on  
Facebook



**P4 / Resource Spotlight:**  
Accion



**P6 / Entrepreneurship +  
Innovation:** Co-Working



**P7 / Get in the Zone:**  
Opportunity Zones

# Business and Industry Celebrates 55th Anniversary

raise enough capital to stay afloat. According to Struve, that was “just the beginning of a long string of catastrophes” that befell the financial industry. During that time period, the Banking, Savings and Loan, and Credit Union divisions were merged into one Financial Institutions Division as it exists today.

Another important function of the DOC during that time was the issuance of industrial revenue bonds. Revenue bonds were one of the few tools the state had to promote economic development and diversification and the department played a critical role in recruiting small manufacturing firms to Nevada. One such example was Porsche Cars N.A. The company wanted to locate a finishing plant in Reno; however, the transportation cost to ship parts from a port in Southern California to Nevada put Nevada at a disadvantage. Through the issuance of a revenue bond, the company was able to obtain a savings that was roughly equivalent to the cost of the added cost of transportation, putting Nevada on a level playing field with Southern California to attract the business. Today, revenue bonds are still an important function of the department, which recently issued a bond to bring the Sierra BioFuels project in Storey County online.

The 1990's saw big changes to the department. A reorganization of state government in 1993 reduced the number of executive branch departments from 21 to 13. The DOC was consolidated with several other departments to effectively become the Department of Business and Industry (B&I). A total of 29 agencies, boards and commissions were consolidated under B&I's umbrella, making it the most diverse department in Nevada state government, a distinction that stands today.

Departments like Agriculture; Industrial Relations; Insurance; and Minerals went from cabinet-level agencies reporting directly to the governor, to division-level agencies now reporting to the director of B&I. Several independent agencies like the Labor Commissioner, Rural Housing Authority, Athletic Commission, Taxicab Authority, and multiple other boards and commissions, were transferred to B&I.

The transition, like most reorganizations, was a challenge both operationally and culturally, and B&I's first director, Rose McKinney-James, would have her work cut out for her. According to McKinney-James, those challenges included the sheer size and magnitude of the new department, resistance to change in oversight and reporting structure, and the fact that she was based in Las Vegas while DOC directors were historically based in Carson City.

In 1995, the department proposed legislation that would clarify the authority and role of the director in providing administrative oversight. Resistance to be included in the department continued by several entities, with one commission going as far as hiring its own lobbyist to oppose being subject to the department's oversight!

The legislation also authorized the director to utilize alternative dispute resolution to assist agencies with a significant volume of backlogged cases. Terry Johnson, who served as B&I's small business advocate from 1996 to 1999 before being appointed as Labor Commissioner (and would later become B&I director), recalls implementing ADR was probably the single biggest factor in the [agency's] turnaround.” The agency had a three-year backlog of wage claims, but after only a few years of having this new tool, two of every three wage

claims were resolved in 60 days or less. For its accomplishment, the Labor Commissioner's office received the Nevada Taxpayers Association's Good Government Award.

That legislation also created the Office of Business Finance and Planning and a Center for Business Advocacy and Services to administer programs related to business financing, to provide a service for the public concerning regulatory and assistance programs, and to create an information and referral service to be responsive to business inquires. The department was primarily funded by fees assessed on its regulated industries.





# More resources added to business startup guide

*The Guide to Starting a Business in Nevada* is expanding – beginning with its title! This month, the latest version of the Guide – now known as *The Guide to Starting and Growing a Business in Nevada* – went live on the Business and Industry website.

The July 2018 edition of this handy interactive tool includes new links to information and resources on (1) finding and procuring contracts, (2) understanding your markets and customers, (3) pursuing export/import, and (4) rethinking marketing in today's world. There are links to data training and resources from the U.S. Census, as well as links to state, local and federal resources to help with international markets.

With 15 core topics, the Guide covers the things people need to know to start and help grow their business in Nevada. You can use the Guide to find resources quickly, decide for yourself what needs to be done, and take action – all from a mobile phone or desktop.

If you want to get started in business – or are looking for help in growing the business you already have – download the Guide today. If you downloaded a previous version, remember to download the July 2018 Edition to ensure you have access to the latest expanded content and most current links.

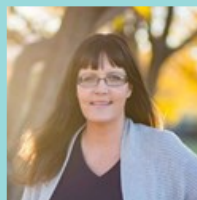
And for even more help, consider attending the 2018 Governor's Conference on Business on October 18, 2018, at the Rio All-Suite Hotel and Casino in Las Vegas. As part of the morning breakout sessions, the conference will host a special track dedicated to the Guide. In addition to a general overview of the Guide and its contents, the special track will have individual sessions on topics such as Getting Started, Licensing and Certifications, and Funding. The individual sessions will consist of small discussion panels comprised of key resource partners with expertise in the topic of interest, who will discuss the subject and be available for audience Q&A.

But the Guide track is not only for people interested in starting or growing their business in Nevada. If you're a person who works for an organization that serves businesses, or who needs to better understand the many available resources and requirements of Nevada's business support ecosystem, the Guide track is also for you.

So mark your calendar and plan to attend the upcoming Governor's Conference on Business – we'd love to see you there!

*The Guide* is available for download at <http://business.nv.gov/ResourceCenter/NevadaBusinessStartUpGuide/>.

You can attend the Guide track at the 2018 Governor's Conference on Business. Register today at <http://business.nv.gov/GCB/Home>.



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**Q:** How can my business reach more customers on Facebook?

**A:** More than 70 million U.S. businesses have an active, business page on Facebook. If used correctly, Facebook ads can drive a great deal of highly qualified leads to your website or store front.

Some key items to consider before creating your first social ad campaign:

**1)** Make sure to devote the time to learn the rules and policies that apply to all businesses using this social network. You can take free courses online at <https://www.facebookblueprint.com>

I highly recommend paying special attention to the rules and policy sections of this course. Many businesses have been banned from running Facebook ads for making simple mistakes with their ads.

**2)** Run your ads during the most active time for your community.

The most popular times to run a Facebook ad is from 6 am to 10 am. Why? Most members of this wildly popular social network grab their phone as soon as they wake up in the morning, to check out what's going on with their connections.

**3)** Only use the Boost Post feature to get engagement with your post.

Engagement includes people who like, comment and share your post. Having even a small amount of engagement on a post will help save you money down the road when you choose to promote the post. The higher your engagement on an ad, usually the less it will cost to run on the Facebook.com network.

**4)** Create a strong offer within the ad. Instead of using old marketing strategies like "Click here for a free consultation," use headlines like "Comment Below or Tag a friend who needs to see this."

Most small businesses who run ads on Facebook make the mistake of using the same old marketing copy that they use on billboards, radio and tv. Social networks require community involvement to reap the highest returns.

Ads that have the most comments, likes and shares usually pay the least per click for their ads.

Leverage your social network profile on Facebook to build a community around your brand and business. The rewards you gain from your efforts will help grow your business for years to come.

Follow Sandy on Facebook: [www.facebook.com/WebsiteDesignReno](http://www.facebook.com/WebsiteDesignReno) and join her monthly at Swill Coffee & Wine for a free marketing workshop to learn more about social media marketing, SEO, PPC, email marketing and web design tips. <https://goo.gl/mjRqwr>

**Have a question for one of our guest experts?**  
Email [cfoley@business.nv.gov](mailto:cfoley@business.nv.gov).



## Resource Organization Spotlight: **ACCION**

In 2009, Martin Davidson was working as a scuba instructor at a store in Arizona. Seeing Martin's passion, his boss suggested he consider opening his own scuba business.

So he started dreaming, crunching numbers and drafting a business plan. Life intervened, and Martin put his plan on hold for a corporate job in Las Vegas, but in 2015, he decided it was time to dig out his old scuba shop business plan. Since then, he has been working toward his dream of launching his own store, and earlier this year, he and his partner Carolyn opened the doors to their Las Vegas-based business, Simply Scuba.

From the beginning, Martin knew he had a long road ahead of him, but as a Marine Corps veteran, he wasn't daunted by the challenge. "My military background taught me how to plan things out in greater detail than many other traditional jobs would have. It also gave me the will to keep going when obstacles presented themselves," he says. "I love walking in every day and looking at the build-out of the store — the flooring, the displays and inventory mix — I am really proud of how it came together," says Martin.

The journey from idea to reality has been lengthy. Martin first submitted his business plan to two banks, but neither were able to approve his loan. Fortunately, one of the lenders believed in his idea and knew who could help him: Accion. After connecting with an Accion loan officer, Martin was able to access the capital he needed to purchase his initial inventory and an industrial air compressor for scuba tanks, a truly vital

piece of equipment. Otherwise, he says, "you're not considered a dive store."

As an active member of the business community, Martin regularly shares startup advice with other Las Vegas entrepreneurs and shows his support by attending local grand openings. Today, Martin is looking forward to his first scuba season as a business owner and is excited to prove that a scuba store can thrive in the desert.

At Accion, we pride ourselves on deploying capital to underserved entrepreneurs just like Martin. In late 2014, Accion extended our services to entrepreneurs throughout Nevada. Since then, the organization has provided over 526 loans totaling more than \$6 million to some 429 small businesses in 15 communities across the state. Accion's work is creating tangible economic impact in Nevada, with an estimated 1,073 jobs created or sustained by the organization's client businesses.

If you or someone you know is looking for business credit, please have them reach out to our local team or learn more online: [us.accion.org](http://us.accion.org).



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## Shining Star Award Presented to OSHA's Tristan Dressler

Deputy Director Marcel Schaerer presented Tristan Dressler, Occupational Safety and Health Administration Safety Supervisor with the second quarter Shining Star Award. The award recognizes a Department of Business and Industry employee each quarter who exemplifies Service, Teamwork, Achievement, and Reliability and Dependability.

"The outstanding work that state employees do every day on behalf of our constituents and fellow employees too often goes unrecognized and unacknowledged," said Department of Business and Industry Director C.J. Manthe. The award program was created to recognize the outstanding performance and contributions of Department employees and salute their efforts to serve the people of Nevada.

Tristan was the driving force behind the relocation of the Division of Industrial Relations office from Henderson to the campus of the Nevada State Business Center. His efforts enabled a highly complex operation to be completed on time and with few operational set-backs. He accomplished that through an innate ability to organize and mobilize staff, schedule and coordinate several functional units and execute the plan needed to accomplish the move with minimal supervision. In one phase, more than 120 employees were relocated and Division offices were reopened in only a few days.

Chief Administrative Officer Jess Lankford said, "The traits displayed by Tristan in the successful execution of this plan are a great example of the professionalism and leadership he displays on a consistent basis. Tristan brings credit upon himself and the Division of Industrial Relations."





# GOVERNOR'S CONFERENCE ON BUSINESS 2018



**THURSDAY, OCTOBER 18, 2018**  
**RIO HOTEL & CASINO, PAVILION BALLROOM**

## AGENDA:

**7:30 a.m.**

Registration, Networking and Light Breakfast

**8:00 a.m. - Noon**

Business Resource Expo, Breakout Sessions

**Noon - 1:30 p.m.**

Conference Luncheon with Governor Sandoval

## BREAKOUT SESSIONS:

**Track I, 8:00 a.m.**

Road Map to Start or Grow Your Business

Road Map: Getting Help

**Track I, 9:00 a.m.**

Road Map: Licensing and Certification

**Track I, 10:00 a.m.**

Road Map: Funding for Your Business

**Track II, 9:00 a.m.**

Startup Insights From Past Pitch Competition Participants

**Track II, 10:00 a.m.**

Urban Mobility and Smart Technology: On the Forefront

## CONFERENCE AND LUNCHEON:

**\$50 IN ADVANCE, \$60 AT THE DOOR**

For more information or to register,  
visit [business.nv.gov/GCB/Home](http://business.nv.gov/GCB/Home)

Questions? Call (702) 486-2750

**Don't miss Nevada's premier resource  
and networking conference for business!**

♦ **Business Resource Expo-** Featuring 100+ service providers, lenders, business development agencies, B2B companies and government entities

♦ **Breakout Sessions-** Five informative breakout sessions scheduled including a series on the Road Map to start and grow a business in Nevada

♦ **Conference Luncheon-** With special guest speaker and a keynote address by Governor Brian Sandoval

Business Resource Expo  
exhibitor spaces are now available on a  
first-come, first-served basis.

NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY



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# Entrepreneurship + Innovation: A Minute with Marcel

By Marcel F. Schaerer, Deputy Director, Department of Business and Industry

In the midst of the current news about the thriving Nevada economy, supported by nearly every economic indicator out there, small businesses not only remain the engine of our cities, they are the main contributors to the so-called Experience Economy with their innovative and disruptive mentality, software automation, and the triggering of a talent potential of micro-entrepreneurship as perhaps never before seen.

One essential feature of these micro-businesses is their presence in collaboration spaces such as shared, co-working and incubator spaces in local communities. Today, I want to examine answers to two questions: 1) Which type of space is right for your business/ team, and 2) Where can you find these working spaces?

## 1. WHICH SPACE IS RIGHT FOR YOUR BUSINESS/ TEAM?

Hector Kolonas, founder of included.co, is passionate about connecting entrepreneurial communities. He offered a very informative blog post examining the basic differences between these spaces (<https://included.co/basic-differences-between-shared-coworking-and-incubator-spaces/>). Here is what he wrote:

- **"Shared Spaces"** are *usually* opened when one company has extra desk space in their office. These spaces are usually provided as is, with any serendipity and networking left totally up to the members. Most times, companies or consultants in complementary field find these spaces beneficial as they can team up for collaborations.
- **Coworking Spaces** are *usually* launched by an organization or team that is dedicated to the running and coordinating of the space and assisting their internal community. Emphasis in these spaces are on the internal community, and normally a range of events are planned to boost networking, learning and collaboration between different teams.
- **Incubator Spaces** are *usually* where the community managers take another step in coordinating an array of mentorship events for their members. These are usually ad-hoc sessions, not setup in the format of a follow-able and repeatable program.
- **Accelerator Spaces** are *usually* open to portfolio companies of specific investors/funds or accelerator programmes. These spaces are typically designed to facilitate a calendar of programmes and events for their cohorts. These spaces are normally time-restricted, so companies are focused on getting as much work done as possible during the limited time they're able to be there."

## 2. WHERE CAN YOU FIND THESE WORKING SPACES?

You can find a comprehensive list of unique work environments and community spaces in Nevada under the Coworking, Incubator, Accelerator Spaces topic within the Department of Business and Industry's Business Resource Center: [http://business.nv.gov/Resource\\_Center/Resource\\_Directory/](http://business.nv.gov/Resource_Center/Resource_Directory/). As you explore these all-in-one-spaces, keep in mind their taglines. In seeking to showcase their business services and networking opportunities, they are telling us that they are much more than just a physical location. Here are a few:

"The place where starts take off."

"Coworking spaces for Doers."

"The community and space to make your business a success."

"Connect. Engage. Rearrange."

"Collaborate. Innovate. Succeed."

"Coworking. Community. Collaboration."

These spaces provide a community of professionals that care, and add value to micro-entrepreneurs and small businesses as well. They are affordable, inspire creativity, provide flexibility to scale up or down quickly, and can have transformative effects on local communities.



Co-working spaces at Carson City's Adams Hub for innovation

# Get in the Zone: Opportunity Zones

On June 14, 61 of Nevada's low-income census tracts received official designation as Qualified Opportunity Zones (QOZ) by the U.S. Department of Treasury and the IRS; but what does this mean for the state? The Opportunity Zone Program was created by the Tax Cuts and Jobs Act signed by the president at the end of 2017. This new incentive encourages long-term private investment of capital gains into projects, businesses and property development in low-income areas that continue to be left behind even in our strong economy.

While Nevada and the country as a whole are experiencing one of the lowest unemployment rates of all time, nearly 35 million Americans live in distressed QOZ communities. According to the 2011-2015 American Community Survey, almost one third of the population in the Opportunity Zone tracts live in poverty. These tracts have an unemployment rate 1.6 times higher, and an average income of 37 percent lower, than the typical U.S. census tract.

The goal of the Opportunity Zone program is to change the course of these low-income tracts through new private investment. It is estimated that over three trillion dollars of unrealized capital gains are pent up in investment in order to postpone tax burden. The program will provide significant tax incentives for capital gains that are quickly reinvested into these designated census tracts. Tax incentive include:

- (1) The deferral of the payment of taxes on capital gains until the sooner of December 31, 2026 or the date the investment is removed from the Opportunity Zone;
- (2) A reduction in the total taxes paid on the capital gains through an increase in basis of 10 percent for investments lasting five years, and 15 percent (an additional five percent) for investments of seven years or longer;
- (3) The exclusion of capital gains tax on appreciation of the investment as long as it remains in the designated low-income zones for 10 years.

Because all 50 states, the District of Columbia, and five territories have tracts, there are many zones for investors to choose from. The race is on across the country to draw millions, if not billions, of dollars of investment into local zones. States, municipalities, and local economic development organizations alike are striving to devise the most attractive complementary programs to couple with Opportunity Zone investments and bring the funds to their states and cities. Given this is a very new program, these same organizations are tasked with getting the word out and appealing to investors.

With this in mind, the Nevada Housing Division may be among the first in the country to launch a new twist to their current low-income housing program to help attract Opportunity Zone investment into the state. Specifically, the division administers the federal allocation of the Low Income Housing Tax Credit (LIHTC) program for Nevada. LIHTC incentivizes development of



affordable housing for low-income individuals.

In Nevada's distressed neighborhoods, housing is possibly one of the most critical resources needed to turn these communities around. To address this head on, the Housing Division is launching an extra round of LIHTC allocation that encourages developers to utilize Opportunity Zone investment. In this additional round, launching mid-July with applications due on October 1, developers who propose housing projects that meet all traditionally required criteria and have secured O-Zone financing will be rated higher and are more likely to receive the LIHTC incentive. The one-page addendum to the LIHTC application is expected to be posted by July 15.

Over the past six months, tax, legal and investment consultants have been touting that those who are nimble and quick to launch will be the biggest winners. The coupling of housing and O-Zone incentives is a great first step for Nevada to lead the race.

To find out more on these programs go to:

Federal Opportunity Zone Resources [www.cdfifund.gov/Pages/Opportunity-Zones.aspx](http://www.cdfifund.gov/Pages/Opportunity-Zones.aspx)

State of Nevada Opportunity Zones [www.diversifynevada.com/programs-resources/opportunity-zones](http://www.diversifynevada.com/programs-resources/opportunity-zones)

State of Nevada Housing Division Low Income Housing, LIHTC: [https://housing.nv.gov/programs/LIH/Qualified\\_Allocation\\_Plans/](https://housing.nv.gov/programs/LIH/Qualified_Allocation_Plans/)

"The creation of Opportunity Zones is one of the most significant provisions of the Tax Cut and Jobs Act. Incentivizing private investment into these low-income communities can be transformational, stimulating economic growth and job creation across the country. This Administration will work diligently with states and the private sector to encourage investment and development in Opportunity Zones and other distressed communities so that they may enjoy the benefits of robust economic growth."

-Steven T. Mnuchin, U.S. Treasury Secretary

# Business and Industry Celebrates 55th Anniversary

According to McKinney-James, "I thought we owed it to those that the department was funded by to identify opportunities to help make their lives easier so they didn't have to make 15 calls to get an answer to a single question." And the idea of a one-stop shop for businesses was born.

In the mid-nineties, even more entities were moved to B&I including the Nevada Attorney for Injured Workers, State Predatory Animal and Rodent Committee (!), and the Transportation Services Authority (today known as the Nevada Transportation Authority).

Over time, many of the agencies transferred to B&I were transferred out or, like Agriculture, reestablished as independent departments. Today, B&I encompasses 12 agencies; 25 board, commissions, and advisory committees; and the Director's Office, which includes the Consumer Affairs Unit, Office of Business Finance and Planning, the Ombudsman of Consumer Affairs for Minorities, and staff support for the Commission on Minority Affairs.

In its more recent history, B&I has renewed its focus on providing initiatives and programs in an effort to help business grow and succeed in Nevada. In 2012, under Director Terry Johnson's leadership, the department hosted the inaugural Governor's Conference on Business. In October 2018, the department will host its seventh annual conference. The department has also undertaken additional efforts to improve operational efficiencies and centralize services. In 2011, the fiscal and budgeting functions of the divisions were centralized in the Director's Office. And in 2018, the Division of Industrial Relations relocated to the Nevada State Business Center campus, joining nine other divisions that had already moved to the new campus under a plan developed by then-director Bruce Breslow.

As we reflect back on 55 years of history, we honor the past, serve our mission in the present, and look forward to the future and what the next 55 years will bring!

## Nevada Workers' Compensation Educational Conference

August 23-24, 2018 ♦ Tuscany Suites Hotel, Las Vegas

The Nevada Department of Business and Industry's Division of Industrial Relations and the International Workers' Compensation Foundation are jointly sponsoring an Educational Conference unique in Nevada. The goal of this conference is to educate those who participate in the Nevada workers' compensation system regarding current rules, procedures, policies and forms and to provide an opportunity for dialogue among the participants.

### Who should attend?

All employers, employees, and workers' compensation industry or other business representatives that interact with the industry are encouraged to attend. In fact, anyone interested in the workers' compensation system in Nevada will receive valuable information at the conference.

### What is the conference format?

This two-day conference includes exhibits open throughout the conference and a full schedule of general and breakout sessions covering a wide variety of topics including: Benefit Penalties, Superbugs: The Roadmap to Employee Safety, Large Deductible Policies, Legal Overview, Worker Misclassification, The Aftermath of October 1 and more.

### Registration, Cost

\$400 per person, which includes special functions, continental breakfast, luncheon and evening reception. For registration and information, visit International Workers' Compensation Foundation's website at: [www.iwcf.us/iwcfevents.html](http://www.iwcf.us/iwcfevents.html).



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