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**CONDOLEEZZA RICE TO KEYNOTE 2010 WPMA CONVENTION!**

2010-2011 WPMA President Burton Black has chosen Condoleezza Rice, former U.S. Secretary of State and National Security Advisor under President George W. Bush, to give the Keynote address at the 2010 WPMA Convention in Las Vegas, Nevada. In 2004 and 2005, Ms. Rice was ranked as the most powerful woman in the world by Forbes magazine. Since her retirement from Bush's Administration, Ms. Rice has returned to Stanford University as a political science professor and serves as the Thomas and Barbara Stephenson Senior Fellow on Public Policy at the Hoover Institution. She also serves on the Board of Trustees of the John F. Kennedy Center for the Performing Arts, and is a fellow of the American Academy of Arts and Sciences. We look forward to hearing her informed view of world affairs and the current political atmosphere. Come and join us in Las Vegas to hear this amazing Keynote address!

**PMAA FIGHTS WETLINES MANDATE IN HOUSE SUBCOMMITTEE**

PMAA is fighting a proposed "empty wetlines" mandate in the Hazardous Materials Reauthorization bill currently under consideration in the House Transportation and Infrastructure Committee. The committee held a hearing on the bill May 14 during our Day on the Hill.

In coordination with our state associations, we are targeting certain members of the Railroads, Pipelines and Hazardous Materials subcommittee that will take up the Hazard Materials Reauthorization bill soon. PMAA members with Congressmen on the subcommittee are sending letters and making calls expressing concerns that several safety and implementation issues have not been addressed. PMAA is especially concerned that mandating a new untested gasoline transportation practice could make highway accidents involving cargo transport trucks more dangerous.

**ALTERNATIVE TO INTERSTATE COMMERCIALIZATION INTRODUCED**

PMAA and NATSO staffs have begun a dialogue with Senator Ron Wyden's (D-OR) office regarding Wyden's "EnergySmart Transport Corridors Act of 2009." S. 1098 will help reduce the amount of gasoline and diesel fuel used on highways by having the DOT work with states and the fuel and transportation industries to designate "EnergySmart Corridors." These corridors within the Interstate System will contain the infrastructure to reduce fossil fuel use and the emission of greenhouse gases and other environmental pollutants. Within the Corridor, alternative, low-carbon fuels will be readily available along the highways so that companies can use trucks that can use these low-carbon fuels. For example, if Interstate 5 became an EnergySmart Corridor, truckers in low-emission rigs could travel between Vancouver and San Diego knowing that they can buy fuel along the way.

EnergySmart Corridors will make available anti-idling equipment for trucks to dramatically reduce the amount of fuel used and the level of emissions released by trucks idling in rest stops. Rather than consume as much as one gallon of fuel per hour of idling, truck stops along the corridor may have electrical hookups to allow truckers to turn off their engines while still having power for refrigeration units, heaters and other uses. The Corridors will also allow for vehicle weight limits coordinated between states. This will allow trucking companies to add pollution reduction and fuel efficiency equipment to their trucks without having to be concerned about reducing cargo loads to offset the additional weight of the equipment. This legislation will direct the DOT to plan for America's future highway needs. By starting with EnergySmart Corridors, trucks and passenger vehicles will have the assurance that alternative, low-carbon fuels will be available along our nation's highways. Furthermore, this bill may offer a reasonable alternative to proposed interstate rest area commercialization.

In an attempt to raise revenue, many state governments have supported the idea of commercializing rest areas, contracting fueling and other services to private vendors. While advocates for commercialization claim that such services will benefit the public, the reality is that rest area commercialization would close as many as half of the nearby interchange-based businesses. PMAA is concerned that interstate-based gasoline retailers will be unable to compete with commercialized rest areas, which are conveniently located on the highway right-of-way, and would create a de facto monopoly in favor of businesses operated out of rest areas. Interstate rest area commercialization would destroy the property tax base of local governments and put many retailers out of business. Rest area commercialization results in an unfair competitive environment for privately-operated retailers, and will ultimately destroy a successful economic business model that has proven beneficial for both consumers and retailers.

### **HOUSE BILL INTRODUCED TO TACKLE CREDIT CARD INTERCHANGE FEES**

Recently, Representatives Peter Welch (D-VT) and Bill Shuster (R-PA) introduced legislation that would eliminate the anti-competitive rules Visa and MasterCard have imposed on retailers who accept their cards. H.R. 2382, the "Credit Card Interchange Fees Act of 2009," would bring greater transparency and fairness in the credit and debit card market.

Last month, Welch, Shuster and Congressman Kathy Dahlkemper (D-PA) attempted to attach the language as an amendment to the "Credit Cardholders' Bill of Rights Act of 2009" (H.R. 627), but their efforts fell short. The amendment was ruled non-germane by the House Rules Committee so it was not offered on the House Floor when the consumer credit card bill was considered. Recently, President Obama signed the consumer credit card bill into law.

H.R. 2382 would require that interchange rates, terms, and conditions be made available to all businesses participating in the electronic payment network, would prohibit additional fees to subsidize rewards programs, would prohibit unfair terms and conditions that increase costs for small businesses, and would require the disclosure of interchange rates to consumers.

Many of you raised this issue during the recent PMAA "Day on the Hill." For those who did not, we urge you to reach out to your Member of Congress and ask them to cosponsor H.R. 2382. Please visit PMAA's Legislative Action Center at <http://capwiz.com/pmaa/home/> to send an email or fax.

PMAA will continue to urge members of Congress to pass interchange fee legislation.

### **TOBACCO TRAFFICKING BILL INTRODUCED IN SENATE**

Senator Herb Kohl (D-WI) recently introduced the "Prevent All Cigarette Trafficking (PACT) Act of 2009" (S. 1147), the companion bill to the House version, which passed by an overwhelming majority vote last week. S. 1147 was referred to the Senate Judiciary Committee. No hearings have been scheduled on the bill yet.

S. 1147 would curb the illegal sales of tobacco products via Internet, mail delivery and over the phone. The bill would require tobacco sellers to verify the age of buyers who purchase products over the Internet and the phone, and require Internet tobacco sellers and other entities to keep delivery sales records. The bill would also treat tobacco products as non-mailable and prohibit them from being deposited in or carried through the United States Postal Service and would ensure that Internet, mail delivery and phone tobacco sellers pay federal excise taxes. Most importantly, the "PACT Act" will level the playing field between small business retailers who legally sell tobacco products to adults, and those who use other sales methods to avoid paying taxes.

Sellers of tobacco via the Internet, postal service and phone can easily avoid paying excise taxes on tobacco which put retailers at a competitive disadvantage. Additionally, state governments lose revenue each year and minors are able to illegally purchase tobacco products from the marketing of tobacco via the Internet. Given the recent 62-cent cigarette tax increase, PMAA is concerned that sellers of tobacco via Internet, mail delivery and phone will increase as consumers look for ways to avoid paying state excise taxes on tobacco products.

PMAA fully supports passage of the "PACT Act" and will work with members of the Senate to pursue the bill's passage.

### **GENSLER SWORN IN AS CFTC CHAIR**

Tuesday evening, Gary Gensler was sworn in as the Chairman of the Commodity Futures Trading Commission (CFTC). Gensler was introduced by former Senator Paul Sarbanes, Treasury Secretary Timothy Geithner, and SEC Chair Mary Shapiro. Gensler said that he "intends to make the CFTC an unrelenting advocate for the American public." Further, "As Chairman of the CFTC, I will work vigorously to use every tool and authority available to us to protect the American people from fraud, manipulation and excessive speculation." Gensler said specifically that he will "pay particular attention to using current authorities and obtaining much needed new ones, including aggregate position limit authority to protect farmers, merchants, consumers and small businesses from the burdens of excessive speculation." Aggregate position limits are critical to any thorough reform and have been strongly advocated by PMAA.

PMAA's Sherri Cabrera and Rob Underwood, and NEFI's Jim Collura were invited to attend the ceremony and had an opportunity talk with Gensler about his agenda going forward. The new CFTC chair plans to aggressively pursue reform of the energy futures commodities market and expects both PMAA and NEFI to continue an open dialogue with him to help advance those reforms.

### **2010 WESTERN PETROLEUM MARKETERS CONVENTION & CONVENIENCE STORE EXPO LAS VEGAS, NEVADA**

Start planning now to attend the 2010 WPMA Convention and Convenience Store Expo. It will be held at the Mirage in Las Vegas, Nevada. Mark your calendars for February 16-18, 2010.

## **REGISTER NOW FOR THESE UPCOMING EVENTS IN 2009**

June 9-11, 2009 – MPMCSA Convention, Trade Show & Golf – Hilton Garden Inn, Missoula, MT

June 18, 2009 – UPMRA Golf Classic – Wasatch Mountain State Park, Midway, UT

June 23-25, 2009 – WOMA Convention and Golf Tournament – Suncadia Resort, Cle Elum, WA

July 29-30, 2009 – IPM&CSA Convention and Golf Tournament – Sun Valley Resort, Sun Valley, ID

August 30-31, 2009 – NMPMA Convention and Golf Tournament – Embassy Suites, Albuquerque, NM

September 20-22, 2009 – UPMRA Convention and Golf Tournament – Courtyard Marriott, St. George, UT

**Petro Pete: “Always remember you’re unique, just like everyone else.”**

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If you do not wish to receive information via fax or e-mail, please contact WPMA at: (801) 263-9762, Fax: (801) 262-9413, or e-mail: [janr@wpma.com](mailto:janr@wpma.com). Thanks.

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### **BOBTAIL FOR SALE**

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- 2500 gallon aluminum tank with 4 compartments of 800, 700, 500 and 500 gallons that is designed for top loading.
- Blackmer pump and 150 feet of hose.
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Contact JW Sellers at 505-660-3791 or Don McTeigue at 505-603-7611.