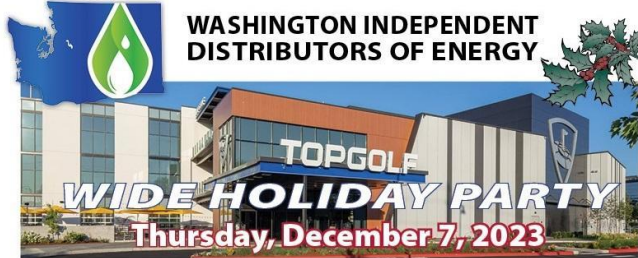


September 22, 2023

Visit us online at wpma.com

WP-09-22-23



WA HOLIDAY PARTY

Join WIDE on December 7th at the Topgolf in Renton for an evening with the perfect blend of golfing excitement, delicious cuisine, and refreshing beverages.

*Golf Bays open at 5 pm

*Golf & Dinner 5-8 pm

*Golf Bay Sponsorships Available

MAUI RELIEF RESOURCES



[CLICK HERE FOR THE HEMA -MAUI FIRE RELIEF-RESOURCES](#)

STOP BY THE WPMA BOOTH AT NACS

If you are attending the NACS trade show October 4-6, take a moment to visit with the WPMA staff in booth #4869. Gene, Jamie, & Kim would love to see you while you are there!

The following information provided by:
EMA-Energy Marketers of America



CONTINUE TO URGE CONGRESS TO SUPPORT THE CREDIT CARD COMPETITION ACT!

This week, over 100 members of the Merchants Payments Coalition (MPC), including several EMA State Association Executives and marketers, flooded Capitol Hill to demand a vote on the Credit Card Competition Act as an amendment to the Senate's \$280 billion spending minibus which would ensure retailer choice in payment routing by requiring at least two unaffiliated processors on credit cards-- the same process that is currently used for debit card transactions. The industry overall sent more than 5,000 email messages to congressional offices along with hundreds of CEO calls this week. The big banks responded by flooding the Hill as well. It's safe to say that this bill is the most heavily lobbied bill in recent history.

Unfortunately, due to Congress's inability to fund the federal government (see next article below), the bill did not receive a vote on the Senate floor this week. The good news is that the bill's Senate champions, Senators Roger Marshall (R-KY) and Dick Durbin (D-IL), remain committed to receiving an up and down vote before the end of the year. Additionally, Senate Banking Committee Chairman Sherrod Brown (D-OH) indicated he's open to legislative action on the bill, and possibly holding a hearing.

EMA continues to urge all jobbers and retailers to reach out to their Senators and ask them to VOTE YES on the Credit Card Competition Act. This bill would reduce swipe fees and allow retailers a choice of network to handle the transaction through competition which would save Americans and businesses around \$15 billion in swipe fees per year. Our industry's share of that comes to around \$9,000 per store per year.

[CLICK HERE TO URGE SENATORS TO SUPPORT THE CREDIT CARD COMPETITION ACT](#)

CONGRESS IN DISARRAY

This week, Washington has been focused on one thing—whether or not the government will shut down in 8 days. In a normal year, Congressional appropriators aim to provide discretionary funds for all programs and departments of the Federal

government through 12 annual spending measures that run from October 1 through September 30 of the following calendar year. Members use this process to modify the previous year's funding levels and the specific terms controlling how those funds are spent, and they also use these bills to collectively provide billions of dollars of Congressionally Directed Spending, or earmarks.

This year, the appropriations process has been mired in a political and policy logjam, largely as a result of intraparty disagreement between House Republicans. To date, none of the 12 bills has been enacted, leaving Congress just over a week from a whole-of-government shutdown without a clear path forward, and barring a compromise that has eluded lawmakers to date, the government will begin to shut down on October 1.

While Speaker Kevin McCarthy (R-NY) and Senate Majority Leader Chuck Schumer (D-NY) both agree that a government shutdown would be bad for the country, the House and Senate are lightyears apart in terms of funding levels, policy provisions, and even an interest in reaching compromise. To the Senate's credit, this is the first year in many where appropriators have moved their bills in regular order in a bipartisan manner, and in all likelihood, they will have all 12 of their annual funding bills passed by next week. But it takes two to tango, and the House is not even close to this stage. At this time, the House has passed only one bill – military construction and veterans affairs – and Speaker McCarthy is having trouble getting even the Defense spending bill to the floor, which would typically be a layup (though they're trying again today).

Given the distance between the House and Senate, a Continuing Resolution (CR) is the obvious solution, however, a significant number the House Freedom Caucus are refusing to either (a) vote on any CR or (b) vote on any CR that does not impose a series of cuts that would make it dead-on-arrival in the Senate. As sure as a Freedom Caucus package would fail in the Senate, so would any Senate package fail in the House—unless Speaker McCarthy is willing to make a deal with House Democrats to pass it. This might work, but it would incite the ire of the Freedom Caucus, several of whom have threatened to exercise their right to vacate the chair, which would require Speaker McCarthy to rally a majority of the House to remain Speaker. Democrats can provide the Speaker with sufficient votes to allow him to act in that manner, but again, they may not. And if they don't, any activity to find a new speaker would, at the very least, be time consuming, which only furthers the possibility of a prolonged shutdown. While it is unclear if a shutdown will happen or how long it would last if it does, one thing is certain—those causing the shutdown tend to receive the political fallout. And with Speaker McCarthy currently in a tough spot, Democrats may not be interested in tossing him a lifeline—and he may not be seeking one, instead giving into the Freedom Caucus' demands, even if they have no path forward in the Senate.

Whether a shutdown lasts a few hours or a few weeks, it will surely wreak widespread impact, as agencies will be limited to only their essential staff, and any non-essential functions, projects, or initiatives will be held until the government reopens. In addition to appropriations, the current FAA reauthorization and the Farm Bill will lapse on September 30 as well, which means that aviation and agricultural programs will also begin to wind down.

The timing of this shutdown is a perfect storm of sorts, and while nobody knows for sure what the outcome will be, one thing is certain—the next few weeks will be a sort of organized chaos, and we will be fighting to ensure EMA's interests are continually protected from any legislative whipsaws out there.

TOBACCO TAX BILL INTRODUCED

Care for Moms Act: U.S. Senate Majority Whip Dick Durbin (D-IL) and U.S. Representative Robin Kelly (D-IL) introduced the Care of Moms Act which aims to promote access to prenatal and postpartum care and provides resources to mothers. Included in the bill are provisions that would substantially increase the tax on tobacco products:

- Increase the tax on cigarettes from \$1.01 to \$2.02 per pack.
- Implement a new e-cigarette tax that would equalize to the tax on cigarettes (methodology and rate to be determined by Secretary of Treasury).
- Increase the tax on moist snuff from 11-cents per 1.2 oz. tin to \$2.02 per can.
- Double the tax on small cigars (from \$50.33 to \$100.66).
- Implement a new weight-based tax methodology on large cigars resulting in large tax increase.
- Double the tax on RYO (from \$24.78/lb to \$49.56/lb).
- Equalize the tax on chewing tobacco and pipe tobacco to tax these products like cigarettes.

Similar tax legislation has failed in past Congressional sessions.

REGULATORY REMINDER: IRS DIESEL FUEL AND KEROSENE DISPENSER LABEL REQUIREMENTS

The IRS requires all untaxed diesel fuel or untaxed kerosene dispensers to display specific labels describing the product and their taxable status and use. The IRS requires these labels to contain specific language that may not be altered or shortened in any way. EPA dispenser labels for low sulfur products are not a substitute for the IRS labels. The fine for failure to display the proper IRS label is \$10 per gallon for every gallon contained in the storage tank at the time of violation. IRS enforcement of the dispenser label requirement is aggressive and ongoing. [CLICK HERE](#) to read the Regulatory report.

EMA MEMBERS CODE FOR NACS SHOW 2023 REGISTRATION-FINAL REMINDER

Please register for the 2023 NACS Show in Atlanta, Georgia from October 3 – 6 and use the EMA NACS Show Registration Code below.

EMA Registration Code

EMANS2023

[CLICK HERE TO REGISTER FOR THE NACS SHOW!](#)

Questions registering? Contact NACS Show registration customer service at nacs@maritz.com or 469-513-9489, Monday-Friday, 9:00 a.m. – 5:00 p.m. EST, for assistance.

WEEKEND READS

[California's Zero-Emissions Rule Triggers a Run on Diesel Rigs](#)

[GOP senator: UAW should force Biden to stop subsidizing EV industry](#)

[Coalition of governors announces goal of 20 million heat pump installations](#)

[Exxon working on direct air capture of CO2, stays out of EV charging stations | Reuters](#)

[McCarthy hits Biden on energy policies: 'We're buying it from our enemies' | The Hill](#)

[California escalates war on fossil fuels as it pursues renewable energy | Washington Examiner](#)

To read this and any future articles from Washington Examiner, please register [here](#).

[White House directs agencies to consider climate costs in purchases, budgets](#)

[Georgia Suspends Diesel, Gas Taxes | Transport Topics](#)

FEDERATED INSURANCE

EMPLOYMENT PRACTICES-HR QUESTION OF THE MONTH

Federated Insurance's HR Question of the Month focuses on employment-related practices liability issues. This month's question is: Job Descriptions. We are looking for some guidance on job descriptions. What is their benefit? Do we have to list every single duty that an employee might be expected to perform in the job description? What if we forget to include something?

Please click [here](#) to read the response.

For additional information or to discuss this in further detail, please contact your **Federated** regional representative or EMA's National Account Executive **Jon Medo** at 800.533.0472 for any additional information or risk management questions.



The **WPMA NEWS** currently serves EIGHT independent petroleum and convenience store associations.

**CLICK HERE FOR THE CURRENT
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MAGAZINE**

Interested in a previous *WPMA News* issue? Click [HERE](#).



EMA JOURNAL - The Official Publication of the Energy Marketers of America

Check out the EMA Journal anytime online by clicking [here](#).

The EMA Journal summer issue is now available.

PLEASE NOTE UPCOMING DATES FOR WPMA EVENTS

October 25-27, 2023 - UPMRA Utah Convention - Hilton Garden Inn - St. George, UT

December 7, 2023 - WA Holiday Party - Topgolf - Renton, WA

February 20-22, 2024 - WPMAEXPO - Mirage/Hard Rock Resort - Las Vegas, NV

April 25-26, 2024 - Nevada (NPM&CSA) Big Dogs - Red Rock & Siena Golf Course - Las Vegas, NV

June 4-5, 2024 - Montana (MPMCSA) Convention - Fairmont Hot Springs Resort - Fairmont, MT

June 17-19, 2024 - Washington Energy Convention - Suncadia Lodge - Cle Elum, WA

August 7-9, 2024 - Idaho (IPM&CSA) Convention - Coeur d'Alene Resort, Coeur d'Alene, ID

REGISTRATION IS OPEN FOR THE FOLLOWING EVENTS



UTAH CONVENTION

Click [here](#) to see Schedule of Events for the UPMRA Convention held October 25-27 at the Hilton Garden Inn, St. George, UT.

Choose your attendee type to register: [Attendee](#) or [Exhibitor](#)



WA HOLIDAY PARTY

Click [here](#) to register for the WA Holiday Party at Topgolf in Renton, WA



Petro Pete: The world champion tongue twister got arrested. I hear they're going to give him a tough sentence.

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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: kimw@wpma.com Thanks.
