

December 4, 2020

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NEVADA MARKETER - SERVICE ABOVE SELF



This month marks the 12 year of service as a member and eventually chairman of the Nevada State Board of Agriculture for Paul Anderson, Pilot Thomas Logistics, Sparks, Nevada. The Board of Agriculture sets policy for various agricultural industries, petroleum products as well as weights and measures. Paul was nominated to serve on the board by the Nevada Petroleum Marketers and Convenience Store Association in 2008. Paul was appointed to the Board by Governor Jim Gibbons. He was then reappointed on two occasions by Governor Brian Sandoval. Paul has been serving as chairman for the past four years and will leave the board this month.

Paul Anderson grew up in Carson City. In 1984, after marrying his sweetheart Donna Lori, they moved to Sparks. There they raised two children, Casey and Jesse.

In 1997 Paul went to work for Berry-Hinckley Industries as a fuel and lubricant account manager. After three years, Paul left to start a new terminal for Sierra Energy. His roles ranged from Sales to Terminal Manager and eventually Regional Manager. Sierra Energy sold their terminals, with Haycock Petroleum purchasing the Sparks location. Several years later, Thomas Petroleum bought the company and then merged with Pilot Logistics. After the merger, Paul went to work at the Pilot Thomas Logistics corporate office in Fort Worth, TX, as the National Director of Cardlock Sales. During the economic downturn, Paul opted to move back to Sparks and take on the role of Sales Executive.

On December 10, 2018, Mayor Ron Smith appointed Paul to fill the Sparks City Council – Ward 3 seat vacated by the newly elected mayor. Last month voters showed their overwhelming support by retaining Paul as their Councilman for the next four (4) years.

Thank you, Paul and Lori, for your service to the people of Nevada and especially the Nevada Petroleum Marketers and Convenience Store Association.

Peter Krueger, Executive Director, NPM&CSA

SIGNIFICANT CHALLENGES REMAIN FOR THE 116TH CONGRESS – GOVERNMENT FUNDING AND COVID RELIEF

At the top of Congress' must-do list is reaching an agreement on government funding and preventing a government shutdown when federal funding lapses on December 11. While few anticipate a repeat of the 35-day impasse that shuttered government from December 22, 2018 until January 25, 2019, pressure continues to build on Congress – in the midst of the COVID-19 pandemic – to address federal funding and provide additional COVID relief. Congressional leaders are considering combining the two, possibly attaching short-term COVID relief to an end of year Omnibus funding package.

The House and Senate Appropriations Committees reached agreement on 12 common subcommittee allocations on November 24, just two days before Thanksgiving. In addition to resolving major differences over funding, appropriators also face challenges this year coming to agreement over public policy concerns including the pandemic, social justice priorities, gun rights, abortion, and other pivotal issues. While Congress remains committed to completing all 12 funding measures, a Continuing Resolution (CR) may be necessary to extend funding into the new calendar year for one or more of the annual bills where an impasse over policy or funding proves too challenging to reach consensus. Late Thursday, House Majority Leader Steny Hoyer (D-MD) set a midnight Saturday deadline for negotiators to reach a funding agreement and avoid a partial government shutdown next week.

Meanwhile, this Tuesday a group of bipartisan Senators and House members injected new life into coronavirus relief legislation discussions. Championed by Sens. Joe Manchin (D-WV), Susan Collins (R-ME) and others in both chambers, the bipartisan group released a \$908 billion proposal, which would create short-term aid through the winter months with an expectation that President-elect Biden will pursue a larger package early in 2021. The bipartisan working group is aiming to attach this proposal to an end of year government funding package before December 11.

House Speaker Nancy Pelosi (D-CA); Senate Minority Leader Chuck Schumer (D-NY); President-elect Biden; and Senator John Thune (R-SD), the number two Republican in Senate leadership, expressed support for the proposal. Retreating from the \$2.4 trillion pandemic relief package they had been pushing before the election, Pelosi and Schumer

said, “we and others will offer improvements, but the need to act is immediate and we believe that with good-faith negotiations we could come to an agreement.” The emergence of the bipartisan proposal places pressure on Senate Majority Leader Mitch McConnell (R-KY) who previously circulated a \$500 billion proposal, which was immediately rejected by Senate Democrats.

The new coronavirus relief proposal includes \$160 billion for state and local governments and would create a \$300-per-week unemployment benefit for 18 weeks, as well as \$31 billion for vaccine distribution and \$28 billion to reestablish the paycheck protection program (PPP). The framework also provides “short term Federal protection from Coronavirus related lawsuits with the purpose of giving states time to develop their own response.” EMA signed a letter this week urging Congress to approve adequate liability protection. Please click [here](#) to read the letter. However, the proposal does not include another round of \$1,200 stimulus checks – a widely popular program created in previous COVID-19 stimulus legislation. Further, Senator Portman’s (R-OH) “Healthy Workplace Tax Credit” is not in the \$900 billion bipartisan proposal, however, EMA continues to push for its inclusion in a [letter](#) recently sent to Congress.

Within funding to continue the PPP, the bipartisan framework allows for **PPP “deductibility.”** While specifics are not yet available, the proposal could take the form of *The Small Business Expense Protection Act*, which would create a tax deduction for small businesses who used a forgiven PPP loan for eligible expenses. Hundreds of trade associations are urging Congress to pass legislation before the end of the year that would make the Paycheck Protection Program loans tax-free. The IRS interpretation that businesses cannot deduct expenses paid for with the forgivable loans would result in “a surprise tax increase of up to 37 percent on small businesses when they file their taxes for 2020,” over 100 industry groups, **including Energy Marketers of America**, argued in a [letter](#) Wednesday. The regional and national associations urged Congressional leaders and President-elect Biden to support the inclusion of a healthy workplace tax credit in the next coronavirus relief package. The organizations outlined their recommendations and emphasized how a tax credit would ensure that businesses and nonprofits, who are struggling financially, can meet unexpected expenses related to COVID-19. As the year ends, PPP deductibility is quickly moving to the forefront of discussions, however, Senate Republicans’ targeted proposal released December 1 does not specifically address PPP deductibility.

Importantly, still largely unknown, is whether President Trump, as he faces the end of his presidency, will sign an Omnibus funding package in excess of \$1 trillion, a defense authorization bill, and/or coronavirus relief legislation in excess of the Senate Republican proposal. This lack of certainty creates additional challenges for congressional leaders as they work around the clock to finalize critical end of year legislation and fiscal year 2021 spending decisions.

URGE CONGRESS TO INCLUDE REASONABLE LIABILITY PROTECTIONS IN NEXT COVID-19 RELIEF PACKAGE

The Energy Marketers of America (EMA) urges you to reach out to Congress in support of important legislation to expand liability protections for businesses amid the COVID-19 pandemic known as the “Safe to Work Act” (S. 4317). The bill is retroactive to December 2019 and provides reasonable liability protection against COVID-19 lawsuits through October 2024 for businesses who have made good faith efforts to comply with government guidance. The legislation does not protect bad actors in cases where there is willful misconduct or gross negligence to the safety of an individual. The legislation provides preemption from state laws unless state laws provide greater liability protection.

It is important for everyone to reach out to their lawmakers in support of the bill. Click [here](#) to do so.

EPA MISSES STATUTORY DEADLINE TO SET RFS BLENDING MANDATES FOR 2021

This week, the EPA missed the statutory deadline by which the 2021 renewable volume obligations (RVOs) under the Renewable Fuel Standard (RFS) must be set. The EPA is required by statute to finalize annual RFS blending requirements for each upcoming compliance year by November 30 of the preceding year. To meet that deadline, a proposed rule is typically released in the spring or early summer with a public comment period that closes several months before the statutory deadline. The missed deadline means it remains unclear how much ethanol and other biofuels oil refiners must blend into their fuels next year. Until the Trump Administration came to power, it was typical for the EPA to overshoot the deadline by months, creating uncertainty that affected fuel prices and speculation that drove up the cost of RINS obligated parties need to meet annual blending mandates. However, over the past four years the EPA has met the deadline each time.

The delay means that the incoming Biden Administration, widely considered a friend of the ethanol industry, will determine blending volumes for 2021. It is unlikely the new administration would impose a radical increase in blending volumes, at least for 2021. Blending volumes beyond 2021 are likely to see an increase due to Biden’s commitment to aggressively address climate change.

CAN EMPLOYERS REQUIRE COVID-19 VACCINES?

With vaccine approval nearing, businesses ask if they can require their workers to get the shot. Click [here](#) (<https://www.washingtonpost.com/road-to-recovery/2020/12/02/workplace-mandated-coronavirus-vaccine/>) to read the Washington Post article.

FORD URGES OTHER MAJOR AUTOMAKERS TO BACK CA EMISSIONS FRAMEWORK COMPROMISE

This week, Ford Motor Company urged major automakers to back a deal struck last year with California to meet a 50 mpg fleetwide standard by 2026 for all vehicles sold nationwide. Ford's lobbying push comes as General Motors recently abandoned a legal battle between the Trump Administration and California over the state's right to set its own standards for greenhouse gas emissions and fuel economy rules. The move signals a recognition by GM that its electrification and zero emissions strategy is more closely aligned with the priorities of the incoming Biden Administration.

Last year, GM, Fiat Chrysler, Toyota and 10 other automakers sided with the Trump Administration in a lawsuit filed by environmental groups challenging the Administration's plans to roll back emissions and gas mileage standards and strip California's authority to set its own emission standards. Ford, Honda, BMW and Volkswagen sided with California and cut a separate deal with the state to meet a 50-mpg fleetwide standard by 2026 for all vehicles sold nationwide. In recent years, more than a dozen other states have signed on to California's emissions standards for vehicles.

During the campaign, candidate Biden pledged to make major investments in electric vehicles and EV fueling infrastructure through federal financial support to automakers and expanded tax credits for consumers. Now that Biden is president-elect, GM realized that continuing support for the Trump rollback is no longer a viable way forward.

LEGISLATION INTRODUCED TO IDENTIFY EV CHARGING LOCATIONS

Recently, Reps. Tom O'Halleran (D-AZ) and Michael Burgess (R-TX) introduced a bill to provide a \$10 million grant to identify the most sensible locations for electric vehicle charging stations. The grant funds would be available to local governments, electric utility companies, universities and unspecified others. The legislation is not expected to move in the House this year but is likely to be reintroduced next year. Click [here](#) to read the article.

WPMA COVID-19 - CRITICAL REFERENCES FOR MEMBERS

Please visit our web site for up-to-date information related to your business and the COVID-19 pandemic. You will find the link on our home page at www.wpma.com.

MEMBERS AND ASSOCIATES - YOU CAN CONTRIBUTE!

WPMA welcomes industry-related articles for publication in the WPMA News magazine. All members and associate members of WPMA are eligible to submit items for publication. Articles will be included as space allows, and no self-promoting articles or editorials will be accepted. WPMA reserves the right to edit and make adaption of such contributions to accommodate the magazine's space and style. Please submit articles or content to Jan Roothoff, WPMA Administration/IT Director at janr@wpma.com, or mail to Jan Roothoff, Western Petroleum Marketers Association, PO Box 571500, Murray, UT 84157-1500. Submissions for the Winter edition of WPMA News magazine are due before November 1st. Later submissions will be considered for the Spring issue.

WPMA EXPO

February 16-18, 2021. The Mirage Las Vegas, Nevada.

THANK YOU *WPMA EXPO* 2021 TOP SPONSORS

as of December 4, 2020

Presidential



Premier



MARK YOUR CALENDARS FOR UPCOMING EVENTS

February 16-18, 2021 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, NV

March 15, 2021 – Hawaii (HPMA) Golf Tournament – Oahu Country Club – Honolulu, HI

May 6-7, 2021 - Nevada (NPM&CSA) Big Dogs - Red Rock Hotel & Casino - Las Vegas, NV

June 1-2, 2021 - Montana (MPMCSA) Convention -Fairmont Hot Springs Resort - Fairmont, MT

June 21-24, 2021 - Washington (WOMA) Convention - Suncadia Resort - Cle Elum, WA

June 24, 2021 - Utah (UPMRA) Summer Golf Classic - Bountiful Ridge GC - Bountiful, UT

July 17-19, 2021 - Oregon (OFA) Annual Conference - Sunriver Resort - Sunriver, OR

August 4-6, 2021 - Idaho (IPM&CSA) Convention - Sun Valley Resort - Sun Valley, ID

August 23-25, 2021 - New Mexico (NMPMA) Convention - Sandia Resort & Casino - Albuquerque, NM

September 15-17, 2021 - Utah (UPMRA) Convention - Sheraton Park City Hotel - Park City, UT

Be sure to subscribe to all of our social channels for great tips, industry trends, and insider information about association activities and upcoming events!



Petro Pete: “When tempted to fight fire with fire, always remember... The fire department usually uses water.”

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