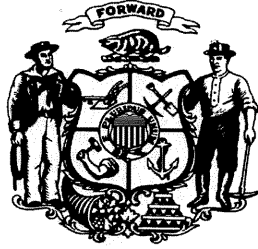


State of Wisconsin



GARY R. GEORGE
SENATOR

TO: Members, Senate Committee on Judiciary and Consumer Affairs and
Campaign Finance Reform

FROM: Dan Rossmiller, Clerk
Senate Committee on Judiciary and Consumer Affairs and Campaign
Finance Reform

RE: Copies of Letters and Testimony Relating to Bills Scheduled for
Tomorrow's Hearing and Exec. Session

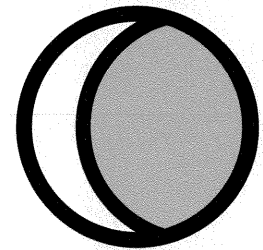
DATE: February 12, 2002

Attached please find copies of letters and other testimony related to bills scheduled to be heard during tomorrow's hearing and executive session in Madison.

Please feel free to contact our office if you have any questions.



PMAW



WACS

MEMO

DATE: FEBRUARY 7, 2002

TO: SENATOR GARY GEORGE AND MEMBERS OF THE
JUDICIARY, CONSUMER AFFAIRS AND CAMPAIGN FINANCE
REFORM COMMITTEE

FROM: SARAH DECORAH, Director of Government Affairs

RE: SUPPORT AB 522 (AS AMENDED) – INCREASED PENALTIES FOR
GASOLINE THEFT

Assembly Bill 522, relating to increased penalties associated with the failure to pay for gasoline (gas theft) will be before the Committee on Wednesday, February 13th. I wanted make you aware of the Petroleum Marketers Association of Wisconsin/Wisconsin Association of Convenience Stores' strong support of this legislation.

Gas station owners in Wisconsin lose thousands of dollars every year due to customers stealing gasoline. The current penalty for stealing gas in our state is a fine, so there is no real effective deterrent to prevent people from driving off without paying for their gasoline. The current volatile market only exacerbates the situation.

- **The National Association of Convenience Stores (NACS) 2000-01 State of the Industry Report shows that gas thefts cost the industry \$270 million in 1999 and more than \$2250 per store in 2000.**
- In February, 2001, the Petroleum Marketers Association of Wisconsin/Wisconsin Association of Convenience Stores (PMAW/WACS, Inc.) conducted a survey on gas thefts. Out of approximately 350 members, 78 responded, and the results are worth noting:
 - The statewide average retail price of gasoline was \$1.53 in 2000 (AAA Wisconsin). Members responding to the survey estimate the dollars lost in 2000 due to gas thefts was **\$368,666**; approximately **240,958 gallons**



PETROLEUM MARKETERS
ASSOCIATION OF WISCONSIN

WISCONSIN ASSOCIATION
OF CONVENIENCE STORES

Representing Independent Business

- **Fourteen states have passed tougher laws punishing offenders, with repeat convictions leading to possible license suspensions. Many more states have bills pending in their state legislatures. In Florida, where the law has been on the books for several years, retailers have seen their gas thefts cut in half as a result of their state's legislation.**

There is an amendment that was adopted in the Assembly that will allow for a license suspension **only if the person "commits a repeat offense."** This will address those first time offenders who unintentionally forget to pay for their gas.

Should you have any questions relating to Assembly Bill 522, please don't hesitate to contact me at (608) 256-7555 or by email: **sdecorah@pmawwacs.org**.

LARRY'S SUPER STOP SHELL

February 12, 2002

Senate Judiciary Committee on Consumer Affairs and Campaign Finance Reform
Honorable Gary George
Chairman

Dear Honorable Gentlemen and Gentlewomen:

I apologize for not being able to attend such an important committee issue personally, and I ask that this committee accept my testimony for the record via this letter.

Bill AB522 seems such a minor consideration in the face of the current economic crisis faced by the State Assembly, yet it is my belief that if the full impact of "DRIVE OFFS" is considered by this esteemed body we will all agree that we have a growing threat to the values of this great State as a whole.

Just 10 short years ago I moved to this state to court a lovely lady and hopefully make her my wife, knowing once that was accomplished I would move back to the south where it was warm and the people were friendly, yet in the first year I was here I came to the realization that Wisconsin had more to offer a family than any State in America.

Opportunities to realize a business dream, strong values, leaders in attacking issues that other states ignored or were forced to accept, such as welfare, education, feeding the homeless and plain old honesty in the people are the reasons this is now my home, and till the day I die shall remain my home. When I began working at this station in 1993 we averaged 2 drive offs a month, at most. We accepted local checks for payment on goods or services, and in many cases let the folks just charge it if they were running short.

Just imagine a town of 30,000 plus people and you could trust them, wow sounds like a fairy tale, but I discovered this neighborly behavior in Madison, Milwaukee, Green Bay, Appleton, La Crosse and many other fine communities in this great STATE.

Alas, times are a changing. Since Jan 2001 we are averaging 20 gallons of fuel drive offs per week. That means I have to pump 399.6 gallons of fuel to cover the loss (that's profit lost) or based on the current trend 20,782 gallons of fuel this year.

How did I choose to combat that? Oh I just told my employees there would be no 401k monies this year and bought a new \$15,000.00 surveillance system, to better provide proof to the police to stop this rash of theft, for their budget did not allow them to use any videos from my old state of the art system and the crimes went unpunished.

Yes I could force the "pay first" rule on my neighbors, just because a small few choose not to pay for the fuel, but why should the good be punished for the deeds of others? Simply allowing for a stiff penalty, uniformly throughout the state, punishes the guilty and allows the good people to continue filling their gas tanks the way they have for generations. Allowing honest people a sense of respect and comfort is not a bad thing. It is after all part of Wisconsin's way of life, to show and receive respect.

- 2 -

February 12, 2002

Further impact of the actions taken to reduce drive offs at the local level, at least in Manitowoc, are stations closing earlier, or closing down all together. Loss of jobs in the work place is not a thing we need more of in Wisconsin.

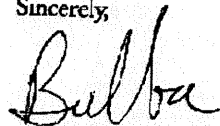
If I can reduce the drive offs by 85% the money gained would allow me to provide health care to all my employees, as well as a retirement health plan. It is a goal of this company to take care of all the employees; right now it just can't be done.

The monies lost to drive offs are not only taking away benefits from my employees; it reduces our local giving by 16%. Please don't misunderstand me, I will still do what ever I can for my employees, but I want to do more and more for the community as well, drive offs are just eating too many of the profit dollars to do all they deserve.

Now multiply this figure by the estimated 1400 fueling stations in Wisconsin and the problem is \$34,884,665.20 of lost profits dollars, benefits, and services to our respective communities. How many stations would still be opened or opened longer? How many tax dollars would be saved, earned or created just because we as a whole were pro-active. Who wants to create more jobs? Who wants additional tax revenue?

The means to achieve these rhetorical questions face this esteemed body today, and I respectfully ask that you pass AB522 for the benefit of all, to preserve our values and way of life, to discipline the guilty not punish the good, to keep the dream and means to achieve that dream alive.

Sincerely,



Richard "Bubba" McDonald
COO, Co-Owner