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(FORM UPDATED: 08/11/2010)

# WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

## 2005-06

(session year)

## Senate

(Assembly, Senate or Joint)

## Committee on Judiciary, Corrections and Privacy...

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                      (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (July 2012)



WISCONSIN LEGISLATIVE COUNCIL  
AMENDMENT MEMO

2005 Senate Bill 215

Senate Substitute  
Amendment 2

*Memo published:* December 16, 2005

*Contact:* Ronald Sklansky, Senior Staff Attorney (266-1946)

**Current Law**

Section 100.30 (3), Stats., prohibits the sale of any item of merchandise either by a retailer, wholesaler, wholesaler of motor vehicle fuel or refiner at less than cost. Generally, the term "cost" (for merchandise other than tobacco, alcohol, or motor vehicle fuel) is based on the invoice cost of the merchandise to the retailer or wholesaler. [See s. 100.30 (2) (am) 2. and (c) 2., Stats.]

There are special provisions for the determination of cost to those enterprises selling motor vehicle fuel. These provisions vary depending on who makes the sale and where the sale is made, but, very generally, s. 100.30, Stats., provides that:

1. A wholesaler of motor vehicle fuel (or a refiner selling at retail from a place other than a retail station) must sell motor vehicle fuel at a minimum of 3% above the cost of the motor vehicle fuel to the wholesaler (or to the refiner).
2. A retailer of motor vehicle fuel must sell motor vehicle fuel at a minimum of 6% above the cost of the motor vehicle fuel to the retailer or 9.18% above the average posted terminal price, whichever is greater.
3. When a wholesaler or a refiner of motor vehicle fuel makes a retail sale at its own retail station, the motor vehicle fuel must be sold at a minimum of 9.18% above the cost of the motor vehicle fuel or 9.18% above the average posted terminal price, whichever is greater.

[At the federal level, 15 U.S.C. 13 (a) prohibits various forms of predatory or discriminatory pricing.]

The term "average posted terminal price" generally means the average posted rack price at which motor vehicle fuel is offered for sale at the close of business on the determination date. In turn, the term "determination date" is defined generally to mean the day preceding the day of the sale at retail of motor vehicle fuel. However, if a retailer sells the fuel on a day other than the day on which the retailer last purchased fuel and the sale of the fuel by the retailer occurs no later than 10 days after its last purchase by the retailer, the term means either:

1. The day preceding the day of the sale of motor vehicle fuel by the retailer.
2. The day on which motor vehicle fuel was last purchased by the retailer. [See ss. 100.30 (2) (a) and (cg), Stats.]

**Senate Substitute Amendment 2**

The substitute amendment accomplishes the following:

1. The general requirement that the wholesale price of motor vehicle fuel be increased by a minimum of 3% over cost to the wholesaler is eliminated.
2. The general requirement that the retail price of motor vehicle fuel be increased by a minimum of 6% over the cost of the fuel to the retailer is reduced to a minimum markup of 4%.
3. In addition to the 4% retail minimum markup, the retailer must add at least three cents per gallon in a sale to a consumer.
4. When a retailer sells motor vehicle fuel at a price below the defined cost to the retailer in order to meet a competitor's price, the "determination date" lookback period is reduced from 10 days to seven days.
5. A retailer, wholesaler, or a refiner may not sell motor vehicle fuel at a price equal to or less than cost to one of those providers.

**Legislative History**

On December 2, 2005, the Senate Committee on Judiciary, Corrections and Privacy introduced and adopted Senate Substitute Amendment 2 on a vote of Ayes, 5; Noes, 0. On the same date, the committee recommended the bill, as amended, for passage on a vote of Ayes, 3; Noes, 2.

RS:jal





State of Wisconsin  
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection  
Rod Nilsestuen, Secretary

May 3, 2006

Senator Dave Zien  
PO Box 7882  
State Capitol  
Madison, WI 53707-7882

**Re: Your Letter of May 2, 2006**

Dear Senator Zien:

Thank you for your letter and subsequent attachments sent via email on May 2, 2006. As I read your letter and review the attachments, they raise three essential questions:

1. How/why are retailers charging less than the amount permitted under the minimum markup law?
2. Are the numbers submitted by the WPMCA accurate in showing that gas retailers are not making any/much profit on retail gasoline sales?
3. How can retailers not be making any profit when, for example, they could purchase gasoline at \$1.48 per gallon for a period of six months given the current retail price of gas which includes a 9.18% markup and applicable taxes?

### **Charging Less than the Minimum Markup**

Your letter states, "According to the calculations [by WPMCA], they are not making any money on \$2.93 per gallon, and in fact, under the minimum markup law, they should be charging \$3.07 per gallon." This sentence contains the foundational answer to the questions you raised, that is that retailers are not charging the minimum price under the minimum market law (average posted terminal price + taxes and fees x 9.18% minimum markup).

Retailers aren't now and for sometime haven't been charging the price under the calculation set forth in the minimum markup law. That is because the "meeting competition" exception does not require retailers to do so and most retailers are charging the amount their competitors are charging rather than the higher amount.

The "meeting competition" exception is a critical part of the minimum markup law and it is not at all unusual that this exception, rather than the strict application of the 9.18% markup, determines the prices retailers charge for gas. In fact, except for keeping the retail cost below actual cost, the strict application of the 9.18% markup becomes largely irrelevant to how gas is priced in Wisconsin.

*Agriculture generates \$51.5 billion for Wisconsin*

The "meeting competition" exception results in prices that are lower than the APTP plus taxes and the minimum markup for several reasons. One of the most significant reasons is the difference in gasoline taxes between Wisconsin and its border states. For example, Minnesota has a gas tax that is approximately 10 cents per gallon lower than the Wisconsin gas tax. Hence, retail gas prices in Minnesota are typically about 10 cents per gallon lower than in Wisconsin. A retail gas station in La Crosse or Hudson that is close to the border can charge the same price as the stations in Minnesota even though that price is not the average APTP plus taxes and the minimum markup because of the "meeting competition" exception. In our experience, in some areas of the state, this border price extends from the border to approximately 20 miles inside the border

Another reason why the "meeting competition" exception results in retail prices that are lower than the APTP plus taxes and minimum mark up is that the APTP is not the same for all retail sellers. For example:

- On Monday, gas station A buys gas when the APTP plus minimum markup results in a minimum legal selling price of \$2.90 per gallon. The Unfair Sales Act permits that gas station to remain at \$2.90 per gallon even if the APTP plus minimum markup goes to \$3.00 on Tuesday.
- On Tuesday, gas station B, a competitor of gas station A, buys gas when the APTP plus minimum markup calculation would result in a minimum legal price of \$3.00 per gallon. However, because of the "meeting competition" exception, gas station B can charge \$2.90 per gallon because it is meeting the price of its competitor, gas Station A.
- On Wednesday, gas station A has to buy more gas and the APTP plus minimum markup would result in a minimum legal price of \$3.10 per gallon. However, since gas station B, a competitor, is selling at \$2.90 per gallon, gas station A can also charge \$2.90 under the "meeting competition" exception.

As you can see from this example, once the "meeting competition" exception starts, it keeps on going and the application of the 9.18% markup becomes meaningless except for insuring that all prices are above cost to prevent predatory practices.

The evidence that this is, in fact, occurring is shown on the attached graph entitled "Madison Wisconsin Regular Unleaded Gasoline Avg. Wholesale and Retail Prices, January 1, 2005 – May 2, 2006. As you can see from this graph, the actual retail price of gas was less than the statutory minimum markup of APTP plus taxes plus 9.18%.

The second attachment entitled "Average Retail Prices of Gasoline as of May 3, 2006" illustrates the same point, but in a different way. As you can see from the chart, the fact that Wisconsin has a minimum markup law does not make the average retail price charged for gas in Wisconsin much different than the average retail price charged for gas in states

that don't have minimum markup laws. Again, the main reason for this is the "meeting competition" exception to our law which results in our retail prices being driven much more by competition than by the 9.18% markup.

### **Accuracy of WPMCA Numbers**

One of the attachments you provided me with was a sheet provided by WPMCA entitled "Show me the 15¢". This sheet purports to show the retailer's profit when the wholesale cost of gasoline is \$2.27 per gallon. The numbers on that chart are essentially correct. Some might quibble with whether the actual "Additional expenses at retail outlet" is \$.12 per gallon as set forth, but in our opinion, that number is certainly within the ballpark. It might be a cent or 2 off either way, but as an average, it's as accurate as any other number that is close.

### **The Effect of Supply Contracts on Gas Prices**

Your letter posits the question of "How can retailers not be making any profit when, for example, they could purchase gasoline at \$1.48 per gallon for a period of six months given the current retail price of gas which includes a 9.18% markup and applicable taxes?"

To the best of our knowledge there are very few, if any, wholesalers who enter into supply contracts for a given price for any even shorter periods of time than 6 months. Rather, to the best of our knowledge, supply contracts are more likely to be based on some reference point such as a rack or spot price. For example, a contract price might be stated as "lowest local rack price plus or minus "x" cents (or "x" percent) plus taxes plus freight costs". The formula might be in existence for 6 months, but the price changes whenever the reference price changes. Thus, while there might be a gas retailer that has a locked in actual price for 6 months, that situation would be very atypical of the industry as a whole.

I hope I have answered your questions. If not, or if you have further questions, please don't hesitate to contact me.

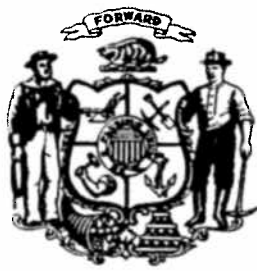
Respectfully,

/s/ Janet Jenkins

Janet Jenkins  
Administrator  
Division of Trade & Consumer Protection







## WISCONSIN STATE SENATE

P. O. Box 7882 Madison, WI 53707-7882

May 3, 2006

TO: Wisconsin Senators  
FR: Senator David Zien, Senator Tom Reynolds  
RE: Why you should support SB 215

You received a lot of conflicting information within the past 72 hours so I thought you would find the state and national news articles helpful as you better understand why Wisconsin's minimum markup law as it relates to gasoline is outdated and irrelevant and is actually price gouging Wisconsin consumers.

Our government mandates price gouging when state law requires retailers to sell gas at today's average posted terminal price (AFTP) when many of them have bought gas and are locked in at much cheaper rates. For example, KWIK Trip has the capacity to purchase and store 1-6 months worth of fuel. The fairest way for small ma and pa gas station owners to compete with huge systems like KWIK Trip is SB 215 in its original form. **Today the effect of the AFTP is that it requires gas to be sold way over invoice prices, and the minimum markup requires another 9.18% markup on top of that.**

This assumes that even though larger retailers like KWIK Trip can buy massive quantities, KWIK Trip still must sell above the AFTP like ma and pa shops. A minimum markup of 9.182 percent only ensures higher profits for huge stores like the KWIK Trips and drives out the ma and pa stores. **When you add 9.18 percent, the consumer pays more. Because of discounts in purchasing gas, some retailers are profiting 50 cents or more before they even calculate the 9.18 percent markup.**

Interestingly, according to the 2001 membership census of the Wisconsin Petroleum Marketers Association (WPMCA), the WPMCA estimated there were 3200 retail petroleum outlets. Today, the same Association reports a net gain of 500 stores. In five years, what happened? Other Associations like the Wisconsin After-Market Association (AMA) that represents the small petroleum retailers showed approximately 300 independents have gone out of business during this same time. Yet, Wisconsin has a net gain of 500 stores.

### MANITOWOC EXAMPLE

In 1992 Manitowoc County, had 50 gasoline retailers. Seven were controlled by corporations with 3 or more stores and 43 gasoline retailers were independent. Today, Manitowoc County has 41 stores remaining of which only nine are independent retailers. The reality is the smaller stores may still exist, but they are owned by larger corporations. All this has happened while minimum markup has been on the books. There was a net loss of 34 independent retailers. That tells us there is less competition and fewer independent retailers than there was 14 years ago.

### CHIPPEWA FALLS EXAMPLE

The minimum markup actually puts the little ma and pa operations at a competitive disadvantage because they don't purchase the large volumes of the larger stores like KWIK Trip. Look at December 7, 2005 the Chippewa Falls terminal. It sold UNL-87 gas to retailers for \$1.48 per gallon. A retailer signed a contract with a wholesaler on that day to purchase gasoline at that price for the next 6 months. That being true, the retailer would pay \$1.48/gallon for those 6 months but be required under state law to sell gasoline to consumers at today's rack price of \$2.2797 plus taxes and fees times 9.18% minimum markup. That means a retailer would make 80¢ per gallon even before the 53¢ taxes and fees are added on, and the 9.18% minimum markup is calculated, which is another 26¢ per gallon!

## Attachments

### USA Today newspaper May 3<sup>rd</sup>, 2006

- Front page story says, "Across USA, wave of anger building over gas prices..."
- Same article the headline says, "Irate drivers blame politicians..."
- Same article shows a large color map of gas prices by state (source: Oil Pricing Information Services OPIS). Wisconsin is among the highest states for gas prices in the country.

### Milwaukee Journal Sentinel May 3<sup>rd</sup>, 2006 front page business section

- Headline- "US Auto Sales Slide as Gas Prices Rise."
- University student is quoted as saying will have to buy fewer groceries.

### DATCP May 3, 2006 letter to Senator Zien

- DATCP memo says "Retailers aren't now and for sometime haven't been charging the price under the calculation set forth in the minimum markup."
- The "meet the competition" exception that the Wisconsin Petroleum Marketers say allows them to competitively market their gas prices means retailers can charge whatever they want in the market.
- *DATCP memo clarifies that "The 'meeting competition' exception is a critical part of the minimum markup law and it is not at all unusual that this exception, rather than the strict application of the 9.18 percent markup, determines the prices retailers charge for gas. In fact, except for keeping the retail cost below actual costs, the strict application of the 9.18 percent markup becomes largely irrelevant to how gas is priced in Wisconsin."*
- The DATCP memo proves that the minimum markup law currently on the books is meaningless because it is not strictly adhered to anyway. It allows retailers to markup their prices due to the government mandate, and it allows retailers to dip below the minimum markup to meet competition.

**Why is the Wisconsin Association of Petroleum Marketers fighting so vehemently to protect a law that even DATCP says isn't enforced?**

**ANSWER:** Because government mandated price gouging makes \$\$ millions at the expense of consumers' pocketbooks. The APTP requires gas prices to be set at a level determined by oil companies every day even though retailer invoice cost may be 50¢ less, plus it requires a 9.18% markup, ensuring higher prices at the pump

Let's vote to repeal the minimum markup on gasoline because it is a law we're not enforcing. The enforcement agency that oversees gas prices admits the market is really setting gas prices anyway. Let the market talk and let's have Wisconsin gas prices be more in line with the rest of the country.



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I hope I have answered your questions. If not, or if you have further questions, please don't hesitate to contact me.

Respectfully,

/s/ Janet Jenkins

Janet Jenkins  
Administrator  
Division of Trade & Consumer Protection

Senator Dave Zien;

Sir I want to dispute the misunderstandings of SB215 and why as a small gas station owner I support this bill.


There are so many loop holes in the current law that single station owners like myself are at the mercy of larger corporations with regard to pricing, they can make a profit below my cost, which by definition is predatory pricing.

Due to the fact that the competition is between retailers in Wisconsin and not between wholesalers or the Major Oil companies, we as consumers pay 10 to 14 cents more per gallon than our neighbors; SB215 plugs that hole and will reduce the rack price and bring relief to the entire state economy.

As I understand the intent of the Un-Fair Sales Act, the modifications made in 1998 have not helped small retailers but widen the gap between independents and corporations; we loose more mom and pop stations each year, but continue to grow in the total number of stations state wide. Sir this just fails the smell test, these mid to large corporations like Kwik Trip and Bulk Petroleum grow and we independents are gone.

If we were to get rid of the average daily rack price as the start point then we give this industry to the 4 largest retailers as they will and do have the ability to buy and store months worth of fuel and charging much cheaper, in the short run the consumers win, but within 12 months the entire state will loose as fewer and fewer stations will exist.

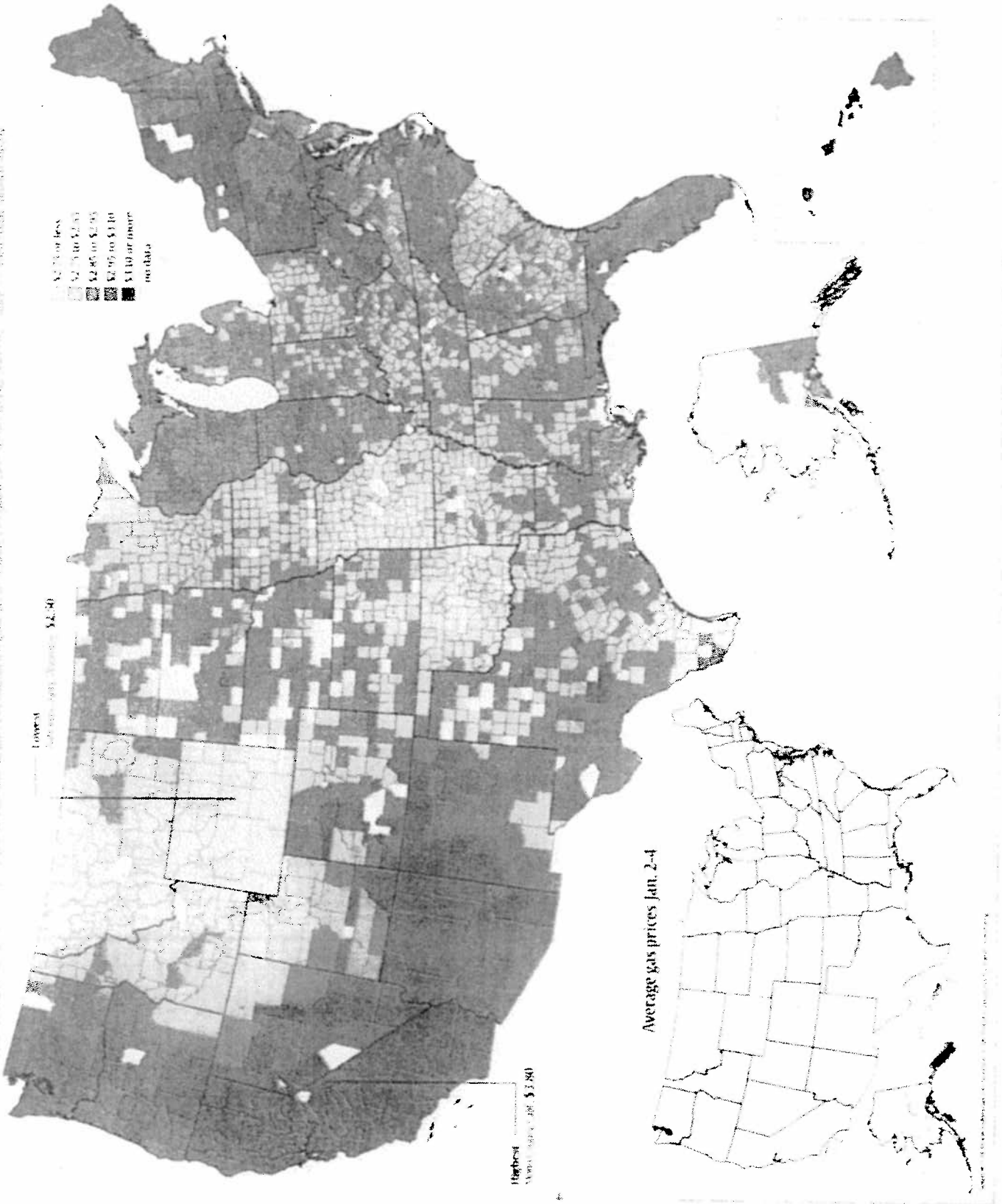
Thank you

A handwritten signature in cursive script, appearing to read "Bubba", written in black ink.

Richard "Bubba" McDonald  
Owner Bubba's Place

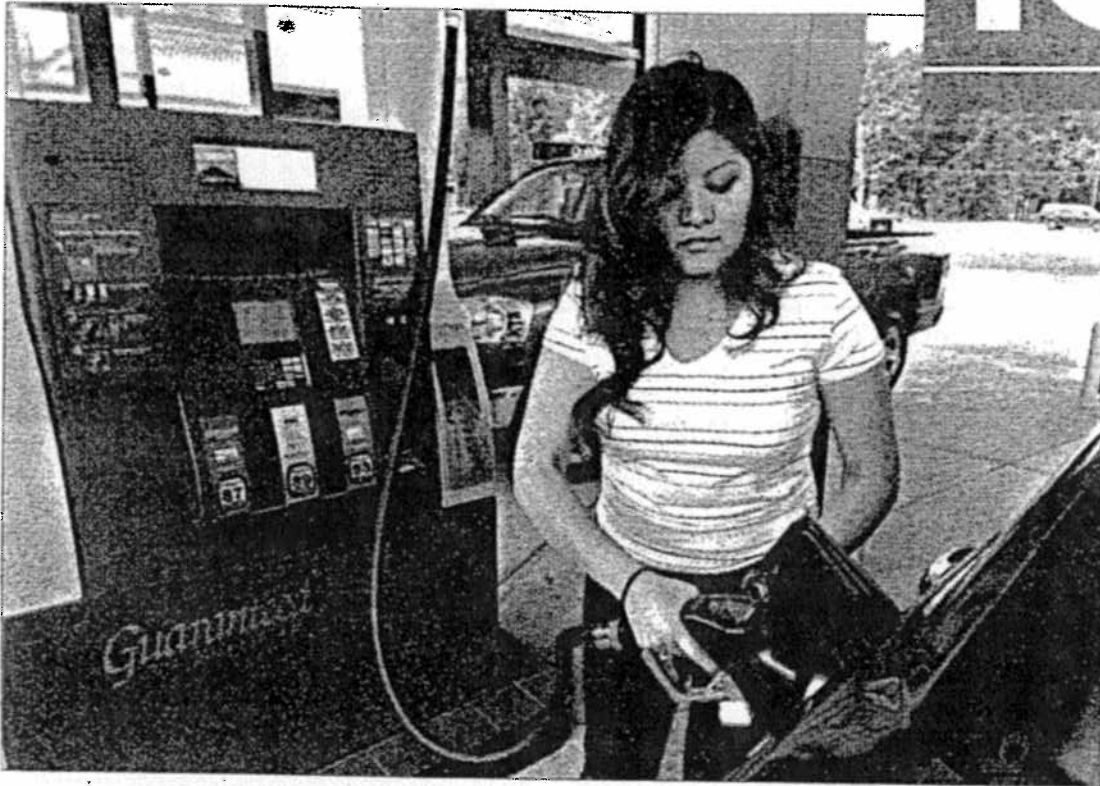
# An across-the-country look at gas prices by county

2000 miles per gallon. The average price for a gallon of regular unleaded gasoline in the United States is 105¢ per gallon, according to the U.S. Energy Information Administration.



## A day at the pumps

■ Map of county-by-county gasoline prices, 4A



By Michael A. Schwarz, USA TODAY

In Acworth, Ga.: Adriana Zavala pumps \$47.95 of gas at a QuikTrip convenience store. The price of gas is approaching \$3 a gallon, and more than half of Americans said in a poll that they expect the price to reach \$3.50.

# Across USA, wave of anger building over gas prices

### People do what they can to save

By the staff of USA TODAY

FRONT ROYAL, Va. — The sunrise turns the night sky pink Tuesday as four travelers meet at the Park 'N Ride lot off Interstate 66 on the eastern edge of the Blue Ridge Mountains.

A nightmare has brought them together: the price of gasoline, which lists at \$2.84 for regular, \$2.94 for medium and \$3.04 for supreme at the Shell and Exxon stations down the street. Their blue Kia van is bound for Washington, 60 miles away. Today, the one-way trip will cost \$10.

Jennifer Sperry, 32, works at the U.S. Office of Personnel Management. Her mother, Linda Burnett, 51, is bound for the same agency. Regina Sommers, 39, works at a law firm. And Pete Williams, 53, is building manager at the Reagan federal building.

Two weeks ago they faced the inevitable and formed this carpool, which saves them each more than \$300 a month and costs them autonomy, convenience and privacy. Sperry and her mother used to drive in together, just the two of them, free to dish and divulge as they pleased. They don't see each other on weekends; that was their time together.

So begins Tuesday, May 2, another day in the great gasoline price spike

### Expecting more pain

How much Americans expect gasoline prices to increase this year (per gallon):

None	4%
1-24.9 cents	18%
25-49.9 cents	20%
50-74.9 cents	19%
75 cents or more	34%

Source: USA TODAY/Catup Poll of 1,011 adults Friday-Sunday. Margin of error: ±3 percentage points.

By Keith Simmons, USA TODAY

## Cover story

- Bolivia's military seizes gas fields, 8A
- Gasoline prices slow pickup sales, 1B
- Global tensions push oil higher, 3B

See COVER STORY page 5A ▶



## April's U.S. auto sales slide as gas prices rise

American firms may struggle with SUV lines, experts say

By JEREMY W. PETERS  
New York Times

Detroit — Americans shied away from large sport utility vehicles and pickup trucks in April as gasoline prices approached \$3 a gallon. With a battery of new SUVs waiting in the wings, domestic automakers now are facing the very scenario they had hoped to avoid.

Despite gains at Toyota and Honda, declines at General Motors, Ford, DaimlerChrysler and

Nissan pushed vehicle sales in the United States down 0.1% in April, according to Ward's AutoInfoBank. GM saw the biggest drop, selling 7.3% fewer vehicles than it did last April.

For the first time, Toyota became the nation's No. 3 car seller for the month, passing DaimlerChrysler. That marks a symbolic victory for Toyota, which occasionally outsells the Chrysler division but had never outsold all of DaimlerChrysler in the United States.

Please see CAR SALES, 2D

■ **Incentives:** Ford, Chrysler and General Motors offer deals after vehicle sales slip in April 2D

## Big Three offer incentives

Ford, Chrysler, GM hope to boost May sales

Bloomberg News

Ford Motor Co. and DaimlerChrysler AG's Chrysler added no-interest loans on some vehicles and General Motors Corp. sweetened its incentives after the companies' U.S. sales fell in April.

Chrysler said it's reviving interest-free financing for as long as five years on several

Dodge and Jeep sport-utility vehicles and other light trucks. Ford is adding similar loans on the Explorer, most other SUVs, the Freestyle wagon and the Five Hundred and Montego sedans, spokesman Dan Bedore said Tuesday.

GM said it will forgive as many as three months of payments for lease customers and provide \$1,000 for down payments for those who buy a new vehicle. The company al-

so is continuing no-interest loans of up to five years on 2006 large SUVs such as the Chevrolet Tahoe.

The offers by the three largest U.S. automakers run until June 5.

"The market is tough, and all three manufacturers are going after market share," said Troy Ontko, president of Manchester, Mich.-based Autodollars.com, a Web site that tracks rebates for dealers and consumers.



Sales manager Mike Hatcomb checks inventory of Ford Fusions on Tuesday at Inskeeps Ford Mercury in Greentfield, Ind. General Motors Corp. and Ford Motor Co. said sales fell in April as their Japanese rivals gained.

## U.S. auto sales slip in April

CAR SALES, From 1D

The latest surge in gas prices poses a long-term problem for domestic auto companies, which had been hoping that gasoline prices would moderate and make SUV sales easier. Now, analysts warn it may be harder to get consumers to buy a gas-thirsty vehicle when the oil market remains so volatile.

"Last fall when we had this first spike, then people could write it off as a one-time deal," said Stephen J. Hoch, a professor of marketing at the Wharton School at the University of Pennsylvania. "The fact that it spikes twice means it can spike again. Now this time, people will say there's enough evidence that this is going to be a recurring, if not frequent, phenomenon."

Last month, big SUVs and pickup trucks were among the vehicles that saw the sharpest sales drops. The Ford Explorer was down 42% compared with April 2005. Sales of the Jeep Grand

shifting toward smaller vehicles, the heyday of the big truck is over.

"I think all truck-based SUVs are on a downward path," George Pipas, Ford's chief sales analyst, said Tuesday. Noting the unabated decline of Ford's large SUVs, he said, "It's pretty eye-popping."

Since 2004, when the number of light truck sales, which include pickup trucks and SUVs, peaked at 55.7% of vehicle sales in the U.S., the American love affair with large vehicles has cooled. Last year, light truck sales fell to 54.9% of the market, according to Autodata Corp.

For the first three months of this year, light truck sales were down even more, to 53.8% of the market.

That complicates the fortunes of GM and Ford. Both companies have begun sweeping restructuring plans, which will eliminate a combined 60,000 jobs and close all or part of more than two dozen factories in North America.

But shutting plants and get-

### TOP-SELLING MODELS

Here are the bestselling vehicles in the United States for April, according to Autodata Corp.

1. Ford F-series, 64,749
2. Chevrolet Silverado, 57,700
3. Toyota Camry, 40,203
4. Toyota Corolla, 38,155
5. Honda Accord, 31,638
6. Honda Civic, 31,259
7. Dodge Ram, 30,814
8. Chevrolet Impala, 25,879
9. Dodge Caravan, 22,567
10. Nissan Altima, 20,176

rolet Tahoe, Cadillac Escalade and GMC Yukon. Next month the Chevrolet Suburban goes on sale and will be followed by several new light pickup trucks later this year.

Despite fuel economy improvements in GM's new SUVs and pickups, experts warn the vehicles will be a hard sell.

"Frankly, the portfolios we have were designed for \$1.50-a-gallon gasoline," said Walt McManus, a scientist with Transportation Research Institute at the University of Michigan. "So they're going to have trouble. The longer prices stay high, the harder it will be for SUVs."

**"Frankly, the portfolios (General Motors has) were designed for \$1.50-a-gallon gasoline."**

Walter S. McManus, scientist with the Transportation Research Institute at the University of Michigan.

# Irate drivers blame politicians, oil companies for cost of filling it up

Continued from 1A

of 2006. Across the nation, it will be another day of debating, bemoaning, analyzing, comparing and predicting the cost of a liquid vital to the nation's economy, mobility and sanity. Another day when the price of gas will seem as fundamental as the weather.

Everyone will be affected by it, many will complain about it, and a few will do something about it. But almost no one will disagree that Tuesday was like almost every other day of late. Gas prices are driving us to distraction — minute by minute, mile by mile, cent by cent, from sunrise to sunset, E.D.I.

## Cover story

In Lake Tahoe, Nev., prices at some gas pumps are approaching \$3.50 for regular. Record highs are being posted statewide in California, according to a new American Automobile Association survey.

A motorist pulled into the Bradley's Food Mart in Aurora, Colo. Monday, and paid his bill with \$34 in change — quarters, nickels and dimes — which took the attendant five minutes to count out.

But at Grand Central Terminal in New York City, some early morning rail commuters quietly relish the prices they don't have to pay. Bobby Munton, a Bank of America employee, ditched her SUV 18 months ago when she moved from North Carolina. "I couldn't even tell you what prices are right now."

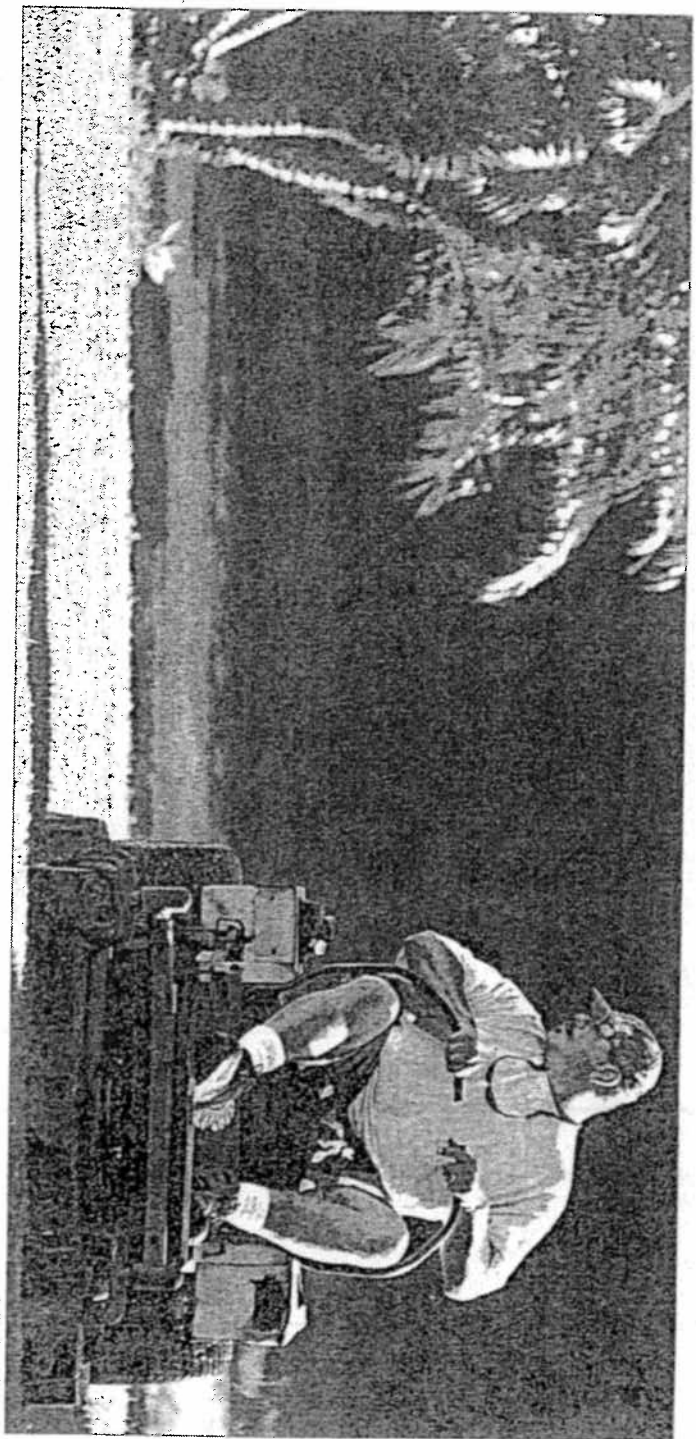
On New York's West Side, cabbie Alvin Adams doesn't feel like he's facing a crisis. His Toyota taxi consumes so much less gas than the standard 4-door, 8-cylinder Fords that he saves \$30 a shift. He expects the city's taxi commission to approve a dollar surcharge soon to compensate for the high prices, he says, noting people are ditching their cars and taking cabs.

7 a.m., Asworth, Ga., Regular, \$2.74

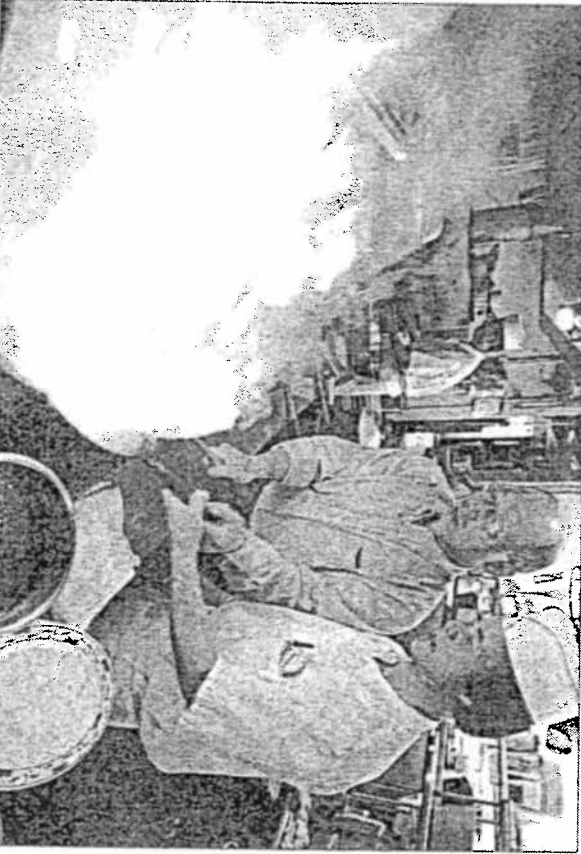
The QuikTrip convenience store on U.S. 41 is hooked in a price war with a Raceway station across the street. They had the third-lowest gas prices in the Atlanta area on Monday, according to the website gasbuddy.com.

Among those attracted by the warfare:

Bill Marcus, 46. He likes the habit. "These guys can afford to sell gas 15 cents lower than everybody else in town. How can they do it?"



Feeling the pain: Robert Turnbulo, foreman for M&M Lawn Maintenance, at work in the Mistry Creek subdivision in Melbourne, Fla. The company's gas costs have climbed to \$18,000-\$20,000 per month, compared with \$14,000-\$15,000 last year, but it is locked into maintenance contracts and can't change prices. Its burns more than 1,300 gallons of gasoline a month.



Fuel bill up to \$800-\$900 a month: Bob Choi, left, owner of Red Dragon Restaurant in Chicago, and Pat Pak, right, a cook, in the kitchen at the start of lunch hour. Gas jets in the kitchen "eat gas like it is water," he says.

miles away. Public transit consists of catching a ride with a neighbor, Calvin Thomas, 54, a farmer, isn't buying. Tuesday, he's driven in on his four-wheeled Yamaha Rhino buggy to pick up his mail. He's using the all-terrain vehicle, rather than his Chevy half-ton pickup, more these days to get around the farm.

"Everything we do here takes us 100 miles," he says. "It's a 65-mile round trip just to buy milk."

2 p.m. (1 p.m. CDT), Interstate 90 rest area, S.D.-Minn. border

Sitting in his truck with a good cigar and his dog, Hershey, Randy Kostiz appears unconcerned about the gas price crisis. Here's the key: "I'm old," says Kostiz, 61. "You've still got to live your life. There's no sense fighting windmills."

From home in Forest Ranch, Calif., he and his wife are driving with an RV trailer to visit friends in Hutchinson, Minn., a 2,000-mile trip. No problem, he says. "You've just got to do what you gotta do and not worry about everything else."

Three-quarters of people polled this week said they were angry about high gas prices. Those who expressed anger said they were angry with:

Gas, oil companies	50%
President Bush, Bush administration	26%
Government, politicians	21%
Anyone, everyone responsible	7%
Congress	4%
OPEC	4%
Oil refiners	2%
American public	2%
Environmentalists, liberals	1%
Vice President Cheney	0%
Other	5%
No one, no opinion	5%

If gas prices remain high, more than 70% of respondents said they would make adjustments in their daily life. What they

## USA TODAY's GUMMIPOLLS

By Tim Sheehy, New York Times

gas to clean the fuel injectors in his Honda today, he pants just \$7 worth of regular because that's all he has: 15 paydays.

Bella Lara, 54, who supports herself reselling odds and ends at a flea market, says she sometimes begs strangers for gas money so she can drive her 15-year-old son to therapy for a spinal injury. "I say please, please give me some money for gasoline. Sometimes, they give me \$5 or \$10." She orders her patrons something from her trunk, like a baseball cap, "but they say, 'no, no, it's okay.'"

8 a.m., Melbourne, Fla.  
Regular: \$2.89-\$2.95

In the Misty Creek subdivision outside Melbourne, Fla., three crewmembers from Misty Lawn Maintenance steer a fleet of roaring Kubota riding mowers around neat rows of palm trees. Three other workers swing gas-powered edge trimmers, scattering blades of rub-berry St. Augustine grass.

Misty co-owner Steve Rose oversees 18 such crews that burn through more than 1,200 gallons of gasoline a month. Rose's fuel bill is now \$18,000-\$20,000 per month, compared with \$14,000-\$15,000 late last year. But because of yearly contracts, lawn services like Misty can't easily pass their costs on to consumers. And the business is so competitive, services keep negotiating to win those contracts.

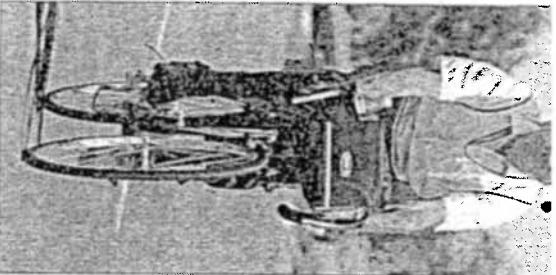
Rising gas prices have forced Rose to craft new plans to save gas and maintain profits. For example, he used to send one crew over a five-day period to mow a 500-home subdivision in Port Orange, an hour's drive north. He now sends up three crews to get the job done in one long, hard day. That saves his fleet 280 vehicle miles per week, he says.

Rose is eager to try gas alternatives such as biodiesel fuel. But he doesn't foresee changes coming soon. "The people who have the power to do something about it are the people who are making money from it today."

8:09 a.m., (709) a.m. CDT, Chicago  
Regular: \$2.99

This Franzyk, 39, arrives for work in downtown Chicago, having finished another 25-mile commute from the suburbs while watching his gas gauge sink and calculating how soon he'll have to pay another \$40 to fill his Saturn fan.

He's annoyed by the very thought of gas prices. "I really think about them you can't write down." He's stopping for a new car that gets better mileage — his car gets 23 miles a gallon — but he thinks hybrids are too expensive. And he knows whom to blame for



George Stock sits on his bicycle in La Quinta, Calif., as he commutes from work to his home in Bernhardt Dunes.

**Pedal power:** George Stock rides 10-speed Tuesday in La Quinta, Calif., as he commutes from work to his home in Bernhardt Dunes.

the prices. "Oil companies, billions of dollars in profits for Michel Oiz? Come on, it's them."

Across the prairie in Iowa, Raymond Hepp would be planting corn and soybeans on any other May morning. But recent rains have left his 3,300 acres too wet. That gives the 58-year-old farmer more time to plot ways to combat rising fuel prices, which makes everything more expensive, from fertilizing crops to hauling them to market.

This year, he and his cousin decided to cultivate fewer fields before planting, thus saving about a half gallon of diesel fuel per acre. Hepp bought a 7,500-gallon tank full of diesel in February, paying about \$2 a gallon. Now he'd pay \$2.80. So he's considering selling grain closer to home, even though the price he gets would be less.

"Does it keep me up at night? No," says Hepp, whose family has farmed south of Perry since 1869. "Do I think about it a lot? Yes."

Meanwhile, the business day begins in Dallas, Remington Oil & Gas Corp., says higher oil and gas prices and strong production drove first-quarter profit up sharply. In New York, oil and gas producer Noble Energy Inc. says its quarterly profit to fill his Saturn fan.

10:55 a.m., (955) a.m. CDT,  
Madison, Wis. Regular: \$2.89

Jan Richter, 21, arrives for class at the University of Wisconsin driving a Honda Aéro moped. Richter, who drives all week on less than \$2, feels no gas price squeeze. In



Jennifer Sperry, 32, in driver's seat, commutes from Front Royal, Va., to Washington, D.C., with her mother and two others.

**Pooling to save:** Jennifer Sperry, 32, in driver's seat, commutes from Front Royal, Va., to Washington, D.C., with her mother and two others.

crowded Madison, she says, parking is a bigger problem. About 20 minutes later, Jamie Dillon, 23, a student at a Madison technical college, drives up in an aging Buick Century that now costs about \$42 to fill up. So Dillon has cut back on groceries, and he plans to move closer to school. And soon, he says, "I'm going to get rid of this, and get a bike."

Outside Denver, Owen Sterner has an even better idea. She's feeling a bit morally superior as she fills her 2001 Toyota Prius hybrid with \$29.59 regular — "the most I've ever paid for gasoline." But she'll drive 650 miles before refueling. "I still can't believe all these people driving these hummers," Sterner, 60, says of SUVs. "I look at these guys and say, 'You're stupid!'"

By that logic, you might expect sales of gas-guzzlers to be slow at Mount Kisco, Chevrolet, Cadillac, Hummer outside New York City. You'd be wrong.

SUVs such as the Chevrolet Suburban and Tahoe sell well, as does the Cadillac Escalade. And the tank-like Hummer? The smaller, more economical H3 "has been gigantic since its introduction last year," says Patrick Holden, a confident 25-year-old salesman. The larger H2, estimated to get about 15 miles per gallon, sells to a niche market pretty much unaffected by gas prices.

"We've had the best March and April that we've had in a long time," says Holden. "People look at the sticker and see what the EPA rating is, but they've been doing that for decades. We're doing great with models that you might think wouldn't be doing so well. We have the blessing of adherence around here."

Liz Kahn is not so blessed. The 41-year-old unemployed re-employment is searching for work in Aurora, Colo. But this morning she's almost run out of gas while driving around looking unsuccessfully for the office of a potential employer.

She pulls into a Sinclair Bradley station to put a mere \$10 in the tank of her old SUV. "I hate to think that's the way it's going to stay, she

travels, usually in 1997, 1998, signed to travel by Greyhound bus, even though it means taking a stroller, luggage and 1-year-old through the Port Authority bus terminal, one of the nation's busiest.

"We used to go out just to go out, (but) now it's only for important errands," says Romano who shares a car with her mother. Leisure trips have been reduced from four to six times a week to one to three. "Instead of driving to the mall, now we walk to the park," she says. "Things are just getting more and more expensive. I can't even think about what it's going to be like 15 years from now, when my baby is grown up."

5:20 p.m., (2:30 PDT),  
Bernhardt Dunes, Calif.  
Regular: \$3.32

George Stock sneaks himself for opening his wallet to pay for gas, he opens a saddlebag on the 30-year-old 10-speed he rides to and from work.

"These you have to have," says Stock, holding up two miniature hamburger cords from the collection he uses to secure items on the bike. He says he can carry everything he needs from school papers to a 50-pound bag of mortar.

Stock, 63, a substitute teacher, has navigated traffic, desert heat and a stiff breeze to ride about 14 miles between his home and three area schools. Although he's been riding since gas was less than a hick a gallon, the gas price hike has renewed his optimism that more people will trade four wheels for two. "I'm no Lance Armstrong. If I can do it, anybody who is reasonably physically healthy can do it."

6 p.m., Wintersville, Ohio

Step right up, the Bates Brothers carnival is open for thrills and chills. And step quickly, because the rides are open for just four hours — thanks to fuel prices.

Eric Bates, 57, owner of Bates Brothers Amusement Co., says that until recently, the Mardi Gras fun house, The Screamer and The 90-50 would run until midnight or longer — as long as people wanted to ride.

On this night, they'll stop in four hours — at 10 p.m. sharp.

Fuel prices are testing Bates' business skills. "It hurts to write a check for \$7,000 to keep one generator going for a week," he says.

His company consumes up to 10,000 gallons of diesel fuel a week. Fuel has replaced insurance as his company's second-biggest expense, behind labor costs. So Bates is adjusting that over which he has control: operating hours.

6:10 p.m., Front Royal, Va.  
Regular: \$2.81

Step right up, the Bates Brothers carnival is open for thrills and chills. And step quickly, because the rides are open for just four hours — thanks to fuel prices.

Budget better spend less	12%
Don't drive stop at home	9%
Get a more fuel-efficient vehicle	8%
Walk	5%
Use public transportation	4%
Car pool	4%
Consolidate driving	1%
Use a bike	2%
Make closer to work commutes	2%
Make less	2%
Charge more for business to make up loss	1%
Other	8%
No opinion	1%

Source: USA Today's Trip and Fuel Poll of adults in the United States. Surveyed 1,000 people in a telephone poll in October. 10% of respondents did not answer questions.

**Contributing**

Rick Hampson, Martha T. Moore and Mary Pilon in New York; Judy Keen in Chicago; Julie and Elmhurst, Ill.; Patrick O'Driscoll in Aurora, Colo.; Laura Parker in Front Royal, Va.; Dennis Cannon in Columbus, Ohio; Larry Copeland in Acworth, Ga.; Matt Reed of Florida Today in Melbourne; Kent Henson of The Last Minutes Register in Perry, Iowa; Ben Jones of The Register-Wisconsin Green in Madison; Gary Stern of The Westchester County, N.Y. News Journal in Mount Kisco; Owen Florio of the Great Falls (Mont.) Tribune in Sand Springs; Stu Whitney of the Sioux Falls, S.D., Argus Leader in Sioux Falls and Beaver Creek, Minn.; Ben Spillman of the Palm Springs, Calif., Desert Sun in Bernhardt Dunes.

**Latest gas prices**

See more photos, get the latest gas prices from around the USA and calculate your cost of driving at [usatoday.com](http://usatoday.com)

The commuters in the little Kia van pull back into the Park 'N Ride about 75 minutes after leaving Washington.

That business about mother and daughter losing their private time on the road? The mom, Linda Burnett, says she doesn't really miss it.

For one thing, they eat lunch together every day. For another, when it was just the two of them with Jennifer driving, "I never felt like I could sleep, in case it would make her sleepy," Burnett says.

Now, with two others to keep the driver company, Burnett can get her rest. And when another mother and daughter are driving, Jennifer can join her. Gas prices may be a nightmare, but for the Burnetts, carpooling works like a dream.



no date

My name is Anthony Richard Huppert, more commonly known as Tony. My family owns and operates a convenience store known as the Team Oil Travel Center in Spring Valley, WI – 3 ½ hours northwest of Madison.

Addressing this committee today is truly a David and Goliath experience. In 1930, the Unfair Sales Act was created to prevent predatory pricing. This practice of predatory pricing has not lessened over time. If anything, it has increased and now has thousands of dollars to use for its special interest lobbying.

Referring to the Unfair Sales Act as the “Minimum Markup Bill” is an insult to our forefathers and our State’s former legislators. The idea of repealing the Unfair Sales Act is a direct judgment on the intelligence of our former leaders. The instances of predatory pricing that caused our lawmakers to create and enforce this Act in order to protect the common business owner have not gone away. The only thing that has changed is that now the opposition has an abundance of special interest money to use to lobby for its cause.

Last session Wal-Mart, Murphy Oil, and their joint venture known as the “Coalition for Lower Gas Prices, Inc.” spent more than half a million dollars (\$500,000) on lobbyists trying to repeal

the Unfair Sales Act. Murphy Oil and Wal-Mart know they cannot compete on a level business field. They have built their businesses on taxpayers' subsidies, TIF Districts, and special concessions.

The idea of convincing the people in this great State that repealing the Unfair Sales Act will lower gas prices is the sham of all shams. Academic studies done by our own University of Wisconsin – Whitewater and the University of Georgia State credit Wisconsin's Unfair Sales Act with saving the State's consumers more than \$28 million per year on the price of gasoline. Wasting taxpayer's money trying to repeal the very law that has protected them for 75 years is a slap in the face.

The double-edged sword being proposed is to repeal the Unfair Sales Act to lower gas prices and then do a 180° turn and raise State gas tax, raise minimum wage, and mandate more environmental issues that businesses owners must comply with.

Repealing the Unfair Sales Act would increase food prices and seriously jeopardize National Security in the State of Wisconsin. The elimination of small gas station & convenience stores would eliminate the access to petroleum in many areas. We all remember 9/11. I was returning home from a meeting that evening and saw

lines of cars up to 1/8 mile long waiting for gas. People get desperate when the safety of your family is involved.

My son, his wife, their two sons, my daughter, my wife, and our family of employees truly believe we will not be able to fight the predators like Wal-Mart and Murphy Oil. Our entire future is at stake.

I trust this intelligent committee before me today to filter through the smoke-screen propaganda presented by Wal-Mart and Murphy Oil and uphold the beliefs of our forefathers by continuing to protect the people of this state by upholding the Unfair Sales Act.

Unlike the opposition's lobbyists, I am not paid to be here. I am here because the Team Oil Travel Center is not simply my family's way of making a living – this business is our life. Please do not let it be taken away. Do not let the predators jeopardize the security of this beautiful State of Wisconsin by getting this Act repealed.

Using a finite resource such as petroleum as a loss-leader is morally and ethically wrong. Please, **DO NOT REPEAL THE UNFAIR SALES ACT.**

## NATIONAL STUDY

An academic study has credited Wisconsin's Unfair Sales Act with saving the state's consumers more than \$28 million a year on the price of gasoline. The researchers specifically site the state's fair marketing legislation as the reason for the savings, saying that by allowing for more competition, the law benefits consumers. The recently released study was conducted by researchers at the University of Wisconsin-Whitewater and Georgia State University. These findings are part of a long-term study that began in 2001 to track trends in the retail gasoline industry. The study has been published in the *Journal of Urban Economics*.

The study of all 50 states showed that in states with fair marketing legislation, average gasoline prices were one penny a gallon lower five years after the law's enactment. Wisconsin first adopted fair marketing legislation on fuel to protect small businesses from large, predatory competitors. Given these latest findings, the original intent still holds, with the added benefit of savings to consumers. The report tracked the increase in the number of stores selling gasoline under the law over a period of 20 years, showing an average of a 4.5% increase in total outlets.



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PRESENTED BY THE  
**WISCONSIN ETHICS BOARD**

as of Monday, March 28, 2005

**2003-2004 legislative session**  
**Lobbying Effort by Organization**

Select another organization

**Wal-Mart Stores Inc**

	2003		2004		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
<b>Total Expenditures</b>	\$15,247	\$11,050	\$3,014	\$2,057	\$31,368
<b>Total Hours Communicating</b>	4	21	0	0	25
<b>Total Hours Other</b>	43	12	10	8	73
<b>EFFORT as a % of hours lobbied</b>					
<b>Topics Not Assigned Bill or Rule # Effort</b>					
	2003		2004		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
<b>minimum mark-up on fair sales act</b>	100%	94%	50%	100%	93%
<b>Other Matters</b>					
Includes time spent on:  <ul style="list-style-type: none"> <li>• Gubernatorial nominations</li> <li>• Matters on which the organization made no lobbying communication</li> </ul>	2003		2004		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
			6%	50%	

*The hours displayed on this page are a gauge of the effort that organizations directed to trying to influence legislators' actions on a bill. Several factors affect the numbers' precision:*

1. State law requires an organization to supply only a "reasonable estimate" of the hours it spent lobbying on a specific proposal.
2. In the case of a proposal to which an organization devoted less than 10% of its lobbying time, the organization may, but need not, report the number of hours it devoted to that item. Hence, there may be some items for which an organization reported no hours but did devote some fraction of its lobbying effort.
3. In the case of a contract lobbyist representing two or more organizations, it is possible that the lobbyist meeting with a legislator for an hour may have assigned one hour of lobbying time to each client. This appropriately identifies the effort of each client, but will overstate the total hours spent

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as of Monday, March 28, 2005

2003-2004 legislative session  
**Lobbying Effort by Organization**

Select another organization

**Murphy Oil USA Inc**

	2003		2004		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
<b>Total Expenditures</b>	\$83,700	\$24,229	\$12,645	\$5,000	\$125,574
<b>Total Hours Communicating</b>	30	17	12	2	61
<b>Total Hours Other</b>	85	45	18	26	174

**EFFORT as a % of hours lobbied**

**Bills**

click bill to view others' lobbying effort.	2003		2004		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
Assembly Bill 33	2%	1%			1%
Assembly Bill 228	5%	5%			4%
Assembly Bill 275	1%	1%			1%
Assembly Bill 413		1%			0%
Assembly Bill 415		5%			1%
Assembly Bill 655		40%			11%
Senate Bill 8	1%	1%			1%
Senate Bill 13	2%	1%			1%
Senate Bill 117	1%	1%			1%
Senate Bill 197		1%			0%
Senate Bill 313		10%			3%

**Topics Not Assigned Bill or Rule # Effort**

	2003		2004		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
Department of Natural Resources air quality permits	6%	13%			6%
Minimum mark up law	82%	10%	100%	100%	67%
NR 445—Control of hazardous pollutants		10%			3%

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as of Wednesday, June 01, 2005

**2003-2004 legislative session**  
**Lobbying Effort by Organization**  
 Select another organization  
**Coalition for Lower Gas Prices Inc**

	2003		2004		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
<b>Total Expenditures</b>	\$68,000	\$201,989	\$26,488	\$129,939	\$426,416
<b>Total Hours Communicating</b>	43	44	1	0	88
<b>Total Hours Other</b>	23	55	10	0	88
<b>EFFORT as a % of hours lobbied</b>					
<b>Topics Not Assigned Bill or Rule # Effort</b>					
	2003		2004		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
<b>Minimum markup law</b>	100%	100%	100%		100%

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Lobbying Effort by Bill
Lobbying Effort by Rule
Lobbying Effort by Budget Bill Subject

2001-2002 legislative session

## Lobbying Effort by Organization

Select another organization

### Murphy Oil USA Inc

	2001		2002		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
<b>Total Expenditures</b>	\$22,705	\$55,320	\$0	\$0	\$78,025
<b>Total Hours</b>	155	139	19	0	313
<b>EFFORT as a % of hours lobbied</b>					
<b>Budget Bill Subjects</b>					
click budget bill subject to view others' lobbying effort.	2001		2002		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
Agriculture, Trade and Consumer Protection	30%	10%			19%
Natural Resources: Air, Waste and Contaminated Land		10%			4%
<b>Topics Not Assigned Bill or Rule # Effort</b>					
	2001		2002		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
DATCP - minimum mark up	70%	80%	100%		76%

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Lobbying Effort by Budget Bill Subject

2001-2002 legislative session

**Lobbying Effort by Organization**

Select another organization

**Wal-Mart Stores Inc**

	2001		2002		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
<b>Total Expenditures</b>	\$3,740	\$63,437	\$0	\$0	\$67,177
<b>Total Hours</b>	52	142	0	13	207
<b>EFFORT as a % of hours lobbied</b>					
<b>Budget Bill Subjects</b>					
click budget bill subject to view others' lobbying effort.	2001		2002		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
<b>Agriculture, Trade and Consumer Protection</b>	100%	100%			94%
<b>No Lobbying Communication</b>					
	2001		2002		Session to date
	Jan - June	July - Dec	Jan - June	July - Dec	
				100%	0

## WISCONSIN MOTOR VEHICLE FUEL TAX, 1925 - 2003

Date of Change	Gasoline Tax		Change	
	Per Gallon <sup>1</sup>	Amount	Amount	Percent
April 1, 1925	2.0c	2.0c		
April 1, 1931	4.0	2.0		100.0%
July 1, 1955	6.0	2.0		50.0
May 1, 1966	7.0	1.0		16.7
August 1, 1981	9.0	2.0		28.6
August 1, 1983	13.0	4.0		44.4
July 1, 1984	15.0	2.0		15.4
April 1, 1985 <sup>2</sup>	16.0	1.0		6.7
April 1, 1986	16.5	0.5		3.1
April 1, 1987	17.5	1.0		6.1
April 1, 1987 <sup>3</sup>	18.0	0.5		2.9
August 1, 1987 <sup>3</sup>	20.0	2.0		11.1
April 1, 1988	20.9	0.9		4.5
April 1, 1989	20.8	(0.1)		(0.5)
April 1, 1990	21.5	0.7		3.4
April 1, 1991	22.2	0.7		3.3
April 1, 1993 <sup>4</sup>	23.2	1.0		4.5
April 1, 1994	23.1	(0.1)		(0.4)
April 1, 1995 <sup>5</sup>	23.4	0.3		1.3
April 1, 1996 <sup>5</sup>	23.7	0.3		1.3
April 1, 1997	23.8	0.1		0.4
November 1, 1997 <sup>6</sup>	24.8	1.0		4.2
April 1, 1998	25.4	0.6		2.4
April 1, 1999	25.8	0.4		1.6
April 1, 2000	26.4	0.6		2.3
April 1, 2001	27.3	0.9		3.4
April 1, 2002	28.1	0.8		2.9
April 1, 2003	28.5	0.4		1.4

<sup>1</sup>Tax rates for some alternate fuels are based on energy density. The rates effective April 1, 2003, are 20.8 cents for LPG (liquefied petroleum gas) and 22.8 cents for CNG (compressed natural gas). E85 (85% fuel ethanol) is taxed at the same rate as gasoline. Beginning in April 1985, the state motor fuel tax was indexed (1983 Wisconsin Act 27) to take into account fuel consumption and inflation. By law, the tax increase or decrease is automatically calculated annually, based on the inflation rate from the National Highway Maintenance and Operations Cost Index and the percentage change in motor fuel consumption. (The federal gasoline tax has been 18.4 cents per gallon since October 1, 1993.)

<sup>2</sup>Statutory adjustment (1987 Wisconsin Act 27).

<sup>3</sup>1991 Wisconsin Act 119 postponed further fuel tax indexing until April 1, 1993.

<sup>4</sup>1993 Wisconsin Act 16 set aside the calculation of the consumption factor for 1995 and 1996 and provided fixed consumption factors for each year.

<sup>5</sup>1997 Wisconsin Act 27 increased the motor fuel tax rate and modified the indexing formula to take into account only the change to the cost index.

<sup>6</sup>Sources: Session laws of the Wisconsin Legislature; Wisconsin Department of Revenue, *Motor Vehicle Fuel Tax Information*, April 2003 and previous years, and departmental data.

# Team Oil Travel Center

W2555 State Road 29  
Spring Valley, WI  
715-778-5600



Friendly Service of  
Quality Amoco Fuels,  
Groceries, Snacks, &  
Contractor Supplies  
at Convenient Hours

24-hour Pay at the Pump  
Daily Hours 4:30am-11pm  
Liquor & Wine Sales 8am-9pm  
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Culvert Sales 7am-5pm (Mon-Fri)



Meet all your convenience store needs  
in our 4000 sq. ft. store featuring:

Deli Express Bakery Items & Sandwiches  
Fresh Hot Coffee, Cappuccino, and Chai Tea  
Fresh Fruits, Veggies, Snack Cheeses, & Meats  
Cookout, Emergency Automotive Supplies, etc.

We recommend and carry products  
from these local businesses:

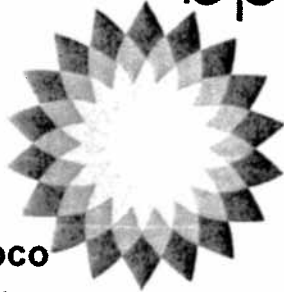
BGH-free Father's Farm Milk  
Ellsworth Cheese Curds Lund Eggs  
CC's Jersey Creme Yogurt S & S Sugar Bush  
Sand Creek Brewing Co. Sailors Meat Market



Our HUGE selection of beer, wine,  
and liquor includes everything  
from Milwaukee's Best and  
Boones Farm to Pilsner Urquell  
and Johnny Walker Blue.

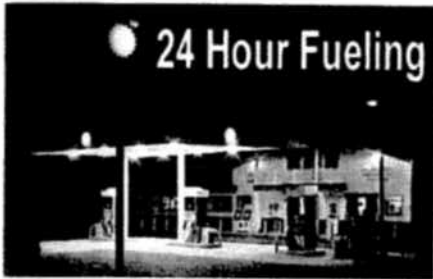
6 Pumps for Amoco Regular,  
Silver, & Premium Gasoline

bp



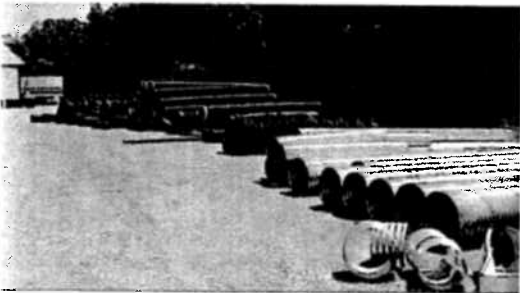
6 Pumps for  
Amoco Diesel

2 High-Volume Amoco  
Diesel Pumps for the big vehicles!



We have ample parking for all our customers with 77 paved vehicle stalls and an easy in and out lot.

We carry a full line of steel and double wall plastic culverts, drain tile, and contractor supplies.



Trudy, Eric, Anthony, and Michele (TEAM) are happy to meet your daily gas, diesel, convenience store, and contractor needs with friendly and personal service at the **Team Oil Travel Center.**



The Team Oil Travel Center is family owned and located 1 mile west of historic Spring Valley, home of the Largest Earthen Dam east of the mighty Mississippi. We are less than a mile from Crystal Cave (Wisconsin's longest show cave) and Spring Valley's beautiful 18-hole Golf Course. These attractions, along with Cady Cheese, the Eau Galle Recreation Area, and Nugget Lake, are only the beginning of the site seeing and recreational opportunities in the surrounding area. The Team Oil Travel Center is also the headquarters for the Spring Valley Chamber of Commerce.



# SV Students Take Scientific Cruise On Lake Michigan

Sujata Murty, Scott Turner, Jon Holodnack, Connor Birkel, Christien Huppert, Nick Sortedahl, and Coach Michele Huppert traveled to Milwaukee on May 12th through the 14th for a one-day scientific voyage on Lake Michigan aboard the UW-Milwaukee Research Vessel Neeskay with research scientists Russell Cuhel and Carmen Aguilar of the UW-Milwaukee Great Lakes WATER Institute.

The trip was the team's prize for winning the Junior Varsity division of the Fourth Annual Lake Sturgeon Bowl, a state-level competition of the National Ocean Sciences Bowl held this past February at UW-Milwaukee. The contest matched teams of students in quiz bowl style, head-to-head competitions answering rapid-fire questions about various ocean sciences. Individual students vied to be the first to "buzz in" and correctly answer oceanography related questions in the areas of biology, chemistry, physics, geology, technology, and social sciences. Between buzzer rounds, the team cooperated to answer more complicated, written Team Challenge questions. The first time entrants from Spring Valley worked together to take 1st place in their division, surprising everyone, including themselves.

The voyage was a big success and a great opportunity for the students to participate in real scientific research. The winds were high and the lake was very rough in the morning, so students helped the researchers collect water quality data in the Milwaukee Harbor. The researchers are monitoring water quality on an ongoing basis from

the Milwaukee River and treated sewage outflows across the harbor and out into the open lake. Students assisted in the collection of data including temperature, light penetration depths, nutrient levels, dissolved oxygen concentrations, and many other variables. They also got to see automated water quality monitoring equipment directly feeding real-time data to computers for immediate analysis. The Captain even brought students up to the pilot house and taught them about ship navigation.

The winds subsided in the afternoon, and the Captain of the Neeskay was then able to take the team out of the protected harbor and into the open lake for the students to investigate their own research questions. The students took samples of bottom sediments and rocks with several methods to study the distribution and sizes of zebra mussels and quagga mussels on different types of lake bottoms.

Zebra and quagga mussels are invasive species in the Great Lakes. Both mussels originate from Europe and most likely arrived in the Great Lakes in ships' ballast waters. Zebra mussels have been a problem for quite some time, clogging water-intake pipes, out-competing and replacing native species, and reducing plankton populations that are important food sources for some fish. Quagga mussels are a newer invader, and research indicates that they are quickly becoming dominant over zebra mussels.

Students used a ponar sampler, a sort of dredge bucket, to collect lake sediments at several locations on the lake. The researchers also deployed a Remotely Operated Vehicle (ROV) equipped with an

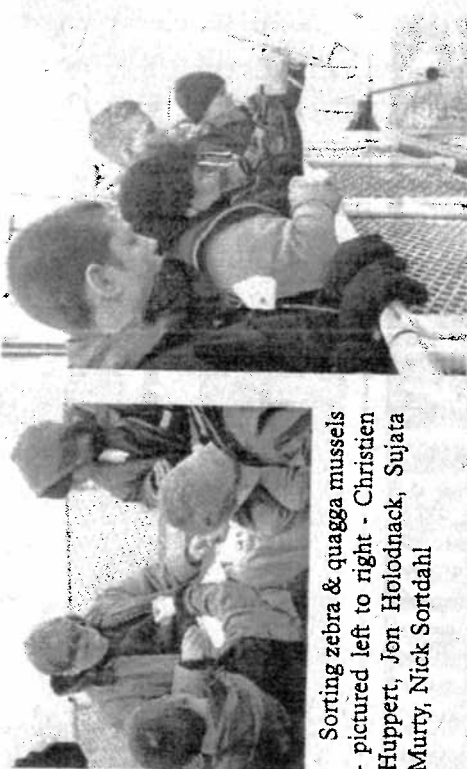
underwater camera and a sturping sampling arm for the students to choose bottom sample locations. The students were very impressed that the ROV, tens of thousands of dollars of equipment, and the ROV pilot were put at their disposal to collect their samples. As samples were collected the students worked to identify, sort, and count the living organisms in the samples - zebra mussels, quagga mussels, bloodworms, leeches, amphipods, etc. Some of the students will soon be analyzing the data they have collected to look for patterns in zebra and quagga mussel distribution and size and then reporting their findings back to the Great Lakes WATER Institute researchers.

This awesome experience was one that very few science majors in college can claim. The students were able to participate in real scientific research, conduct their own research, and visit with respected, professional scientists. Many students spoke with the professionals about education and career paths. Throughout the Lake Sturgeon Bowl competition and the scientific voyage on the Neeskay, the team was constantly impressed by the support, interest, and encouragement shown toward the team by all of the people involved with the NOSB program.

The Wisconsin Lake Sturgeon Bowl is hosted by the University of Wisconsin-Milwaukee Great Lakes WATER Institute in partnership with the University of Wisconsin Sea Grant Institute. Major support is provided by the Brunswick Public Foundation and We Energies through the Wisconsin Energy Corporation Foundation. Additional sponsors include CDM,



Team in survival suits - pictured left to right \*Scott Turner, Nick Sortedahl, Sujata Murty, Christien Huppert, Jon Holodnack, Connor Birkel



Sorting zebra & quagga mussels - pictured left to right - Christien Huppert, Jon Holodnack, Sujata Murty, Nick Sortdahl

Fisher Scientific Company, John G. Shedd Aquarium, NASCO of Fort Atkinson, Pier Wisconsin, UWM Bookstore and UWM Center for Urban Initiatives and Research.

The National Ocean Sciences Bowl is a program of the Consortium for Oceanographic Research & Education (CORE) and is funded through the National Oceanographic Partnership Program (NOPP), a collaboration of 15 federal agencies. Its purpose is to encourage and support the

Measuring light penetration - pictured left to right - Christien Huppert, Carmen Aguilar, Nick Sortedahl, Connor Birkel

next generation of marine scientists, policy makers, teachers, explorers, researchers, technicians, environmental advocates and informed citizens.

For more information about the NOSB and CORE, visit [www.core-ocean.org](http://www.core-ocean.org)



**Trudy**



**Eric**



**Anthony**



**Michele**



**Tina**

# **Happy Holidays** from the 18 employees at the **Team Oil Travel Center** and **Culvert Sales.**



**Amie**



**Donna**

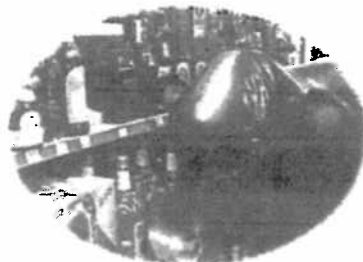
**We appreciate your business  
and want to remind everyone  
that we have plenty of snacks,  
groceries and gift ideas for you  
this season.**



**Cassie**



**Kari**



**Bessy**

**We have the largest  
liquor store  
in the area, with  
a great selection of  
domestic and import  
beers as well as  
hundreds of liquor  
and wine choices.**



**Angie**



**Coleen**

**TEAM OIL TRAVEL CENTER**

**OPEN 365 DAYS A YEAR  
4:30 AM to 11:00 PM**



**Ginger**



**Cheryl**

**W2555 State Road 29  
Spring Valley, WI 54767**



**Scott**



**Christien**



**Sedrick**



**Charlotte**



**Tracy**

Contact: Senator Dave Zien, Chairman -- Senate Committee on Judiciary, Corrections and Privacy (608) 266-7511  
Representative Jeff Wood (608) 266-1194

**\* \* \* MEDIA ADVISORY \* \* \***

**MINIMUM MARKUP ON GAS TO HAVE PUBLIC HEARING**

Bill would end gas price markup

(Madison)... The Senate Committee on Judiciary, Corrections and Privacy will hold a public hearing on Senate Bill 215, a proposal that would end the state law that requires gasoline prices be marked up 3% by wholesalers and 9.18% by retailers. ~~False~~ *True*

The purpose of this public hearing is to allow members of the public to voice their opinions and learn from expert testimony on the issue. The public is encouraged to attend:

Wednesday, June 1, 2005  
1:00 pm  
State Capitol, Room 411 South

The law was created in the 1930's to prevent predatory pricing by large conglomerates, but federal antitrust laws currently exist to prohibit such practices. Additionally, the Zien/Wood bill would protect small business owners under state law by prohibiting the sale of gasoline at or below cost.

Wood and Zien spoke with many gas station owners who feared that large corporations would be able to sell below cost and drive them out of business. In direct response to these concerns, the Zien/Wood proposal strengthens the prohibition on predatory pricing by outlawing the sale of gasoline not only below cost, but it prohibits the sale of gasoline at cost.

Obtain a copy of SB215 online at <http://www.lcgis.state.wi.us/2005/data/SB215hst.html>

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