



## Fiscal Estimate Narratives

DOT 7/1/2003

LRB Number	03-2509/1	Introduction Number	AB-415	Estimate Type	Original
<b>Subject</b>					
Sale of motor fuel under the unfair sales act					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, among those sales that are exempt from the requirements of the Unfair Sales Act are sales where the price of the merchandise is established in good faith to meet an existing price of a competitor. Current law defines the "existing price of a competitor" as a price being simultaneously offered to a buyer for merchandise of like quality and quantity by a person who is a direct competitor of the seller. Under this bill, the exemption applies with respect to sales of motor vehicle fuel only if the direct competitor is located in this state.

Under this bill, the most likely sellers of motor fuel that would be impacted would be those located near the border of Wisconsin. A seller of motor fuel near the border could no longer look to competitors just across the border in order to be exempt from the minimum mark-up law as it pertains to selling motor fuels. Under the bill, a seller would need to look to competitors within Wisconsin, in order to be exempt from the minimum mark-up law.

The Department believes that there will be no fiscal effect to the Department from this bill. Although this bill could impact a number of sellers of motor fuels in border locations throughout the state, the impact on the price of motor fuels and related impact on demand, would probably be minor.

### Long-Range Fiscal Implications