

The Uniformer

**MESSAGE FROM THE
FTA MOTOR FUEL TAX
SECTION CHAIR
HERMAN WISNESKI**

I hope the holiday season was fun and interesting for you and your family. This report, since I just took the chair in September, will be short and sweet. All the sub-committees are toiling away in their respective areas of expertise. I expect that we will see results of this work at the meeting in Seattle.

I read that states are more diligent, in these times of shrinking tax revenues, in pursuing tax cheaters and tax fraud in the three largest areas of taxation; sales tax, personal income tax and corporate income tax. I think they are missing another tax that has a tremendous impact on the state and that is Motor Fuel excise tax. If it is some other name in your state or province it is the tax that pays for the roads, bridges, Department of Transportation and in my case, Minnesota, pays for the Petroleum tax unit. States are looking at raising revenue not raising taxes. By going after the tax cheats and scofflaws the state gets more money but does not have to raise taxes. This is where Uniformity can help the states. We can work together on cross-border issues, interstate sales of motor fuels; stop the cheaters from playing one state against the other. When you come to a Uniformity meeting and interact with the other participants at the meeting you are using the committee as it was intended to work. Bring your ideas and suggestions on how you are

doing audits, tracking product, collecting from the bad guys and other things you do in your state or province does that other states or provinces can adopt.

I will have a longer column in the next issue of The Uniformer for the May meeting.

**MESSAGE FROM THE
UNIFORMITY COMMITTEE
STATE CO-CHAIR
MARCIA LEICHNER**

I hope everyone had a wonderful holiday season, and I wish you all a happy and healthy 2009. I'd like to thank you for your confidence, and I look forward to serving as the State Uniformity Co-Chair.

The past six months has been a roller coaster for the fuel industry. This morning, gasoline in Omaha was down to \$1.48, which depicts a five-year low. Would any of us have projected these low prices just six months ago when we were spending almost \$4 per gallon of gasoline? I don't think so, but honestly my "family" budget appreciates the lower prices. As individuals, businesses, states, and a nation we are facing tough economic times and tight budgets. We will certainly be called upon to do more with less, and it's very important to keep the lines of communication open among states and with industry. As an active member of the Uniformity Committee for a number of years, I've been impressed with all of the smart and hard working individuals that make up this group. Evidence of the hard work

can be seen in the updates that continue to be made to the Uniformity Project Book. This book is a working document for states and industry, and serves as a great reference and road map for motor fuels administration. I'd like to thank George Higdon, past State Co-Chair, for his expertise and contributions; Bob Donnellan, for his leadership as he continues to serve as Industry Co-Chair; and all of the subcommittee chairs who continue in their leadership role: Brian Serafino, Gene Holland, Wilda Ice, Sharon Templin, Christy Dixon, and Ron Travis. I'd like to express a warm welcome to Lee Gonzales, FL, who replaces Herman Wisneski, MN, on the Forms Management subcommittee; and Traci Bullock, SC, who replaces Darrell Wissink, my co-worker, on the Electronic Commerce subcommittee.

Thank you Herman and Darrell for your contributions. I look forward to working with each of you.

**MESSAGE FROM THE
UNIFORMITY COMMITTEE
INDUSTRY CO-CHAIR
BOB DONNELLAN**

As I head into my 5th year as your Industry Uniformity Co Chair I would like to thank everyone for the support they have shown me over the past four years. Every one of you have done a tremendous job within your sub committees and I look forward to working with all of you again over the next year. I know it seems that we keep hitting a brick wall

every time we try to get States to become uniform or try and let states know we have already invented the wheel on EDI, but persistence in the end will make it happen and if we can just get one more state to jump on board that is gratification enough for me and I hope for you as well. Again, Thanks for a great job last year!

MESSAGE FROM MAL BRUCE

My tenure as manager of Fuel Tax Council (FTC) began October 1, 2008. It has been a busy past few months transitioning into the new position and moving the FTC office from Ontario to Alberta. In September, 2008 I had the opportunity to attend my first FTA, Motor Fuel Tax Section meetings in Hartford, Connecticut. It was a pleasure to meet so many knowledgeable and friendly people and witness the excellent organization of this event.

FTC Semi-Annual Meetings

The FTC Semi-Annual Meetings were held in Victoria, British Columbia on October 21 and 22, 2008. This was the first meeting under the FTC's new meeting format which provides for Sub-Committee meetings to be held on the first day, followed by the Advisory and Steering Committee meetings on the second day. The four standing Sub-Committees are:

- Uniform Reporting,
- Communications,
- Audit and Enforcement and;
- Training.

We received very positive responses to the new meeting format. The Sub-Committee breakout sessions facilitated excellent discussion and exchanges of information on key issues.

The FTC's next semi-annual meetings are scheduled to take place in Charlottetown, Prince Edward Island on May 12 & 13, 2009.

By-Laws and MOU

The FTC By-Laws are currently being translated into French. The French version should be available for distribution before our next semi-annual meeting in Charlottetown. The MOU is still undergoing some editing to address issues presented by some jurisdictions. A new draft of the MOU is expected early in 2009.

Training

The training course schedule has been developed for the upcoming year. A Basic Fuel Tax Training Course was held in Whitby, Ontario from December 2 – 4, 2008. Another offering of this course is scheduled for Vancouver in late February or early March. We are also planning to hold our Field Audit Training Course in the Toronto area in the spring and in the Vancouver area in the fall of 2009.

Development continues on our new EDP Audit Training Course. The development plan has been revised and the course material is expected to be completed in February, 2009. The first mock

course is tentatively scheduled to be delivered in May, 2009.

Council Membership Expansion

The Communications Sub-Committee is currently working out the details to invite more fuel industry stakeholders to participate in FTC meetings. It is anticipated that invitations letters will be sent out to the first group in the early 2009. The goal is to have more industry sectors affected by or who have a vested interest in fuel tax administration participating in our meetings.

Election of Officers

Current Steering Committee Vice-Chair, Andrew Foster (New Brunswick) will take over from André Brisebois (Quebec) as Chair of the Steering Committee on April 1, 2009. Melissa Banks (Alberta) was elected as the Vice-Chair at the Steering Committee meeting held in Victoria, British Columbia on October 22, 2008. Melissa's term as vice-chair also begins on April 1, 2009.

Onward and Upward

I look forward to the challenges ahead and the opportunity to contribute to the quality of fuel tax administration in Canada. The cooperative working relationship between the FTC and the FTA, Motor Fuel Tax Section is well documented. I plan on working hard to continue this valuable relationship. Most importantly, I look forward to working with the many knowledgeable and supportive people who work in fuel tax administration.

UNIFORMITY COMMITTEE

The FTA Motor Fuel Tax Section Uniformity Committee met at the Hartford Hilton in Hartford, Connecticut on September 20, 2008. George Higdon (MS), Uniformity State Co-Chair called the meeting to order. Fifty-eight (58) were in attendance.

Minutes

The minutes of the May 2008 Uniformity Committee meeting in Jackson Hole, Wyoming were approved.

Presentation

Edie Martin (KS) gave a presentation on Disaster Planning.

SUBCOMMITTEE REPORTS**Compliance Subcommittee**

Wilda Ice (WV) reported there were sixteen (16) in attendance. The committee discussed the following:

- Modification of diesel engines to allow for propane injections
- Ethanol/biodiesel
- Report from WV on various projects that include:
 - Barge movement
 - Fuel sampling
 - Railroads and ethanol movement
 - Military bases and stale fuel
 - Unlicensed importers
 - Investigations
- New Issues

Electronic Commerce Subcommittee

Darrell Wissink (NE) reported there were thirty-eight (38) in attendance. The subcommittee discussed the following:

- Industry Issues
- EDI/EC Survey
- XML Schema update
- ExSTARS Update

Forms Management Subcommittee

Herman Wisneski (MN) reported that this committee met with Electronic Commerce. There were thirty-eight (38) in attendance. The subcommittee discussed the following:

- Forms approved request
 - New York
still working on them
 - Arizona
still working on them
 - New Hampshire
still working on them
- Uniform Blenders Report
- Uniform Refund form
- Producers and Manufacturers report
- EDI implementation by the States

Communication and Coordination Subcommittee

Christy Dixon (OK) reported that seventeen (17) were in attendance. The subcommittee discussed the following and the September 2008 *Uniformer* was

passed out. (See minutes for the publication).

- Alternative Fuels Incentive and Law booklet
- Definition:
 - Two Party Exchange
Exchange Agreement
- Diversion/how states handle
- Addition to the Model
Legislation Checklist for
points of taxation

Old/New Business**Old/New Business**

Everyone THANKED George Higdon (MS) for being the Uniformity Chair for the last year.

Marcia Leichner (NE) will be the next Uniformity Chair.

Everyone THANKED Darrell Wissink (NE) for being the Electronic Commerce Chair for the past several years.

Traci Bullock (SC) will be the next Electronic Commerce Chair.

Everyone THANKED Herman Wisneski (MN) for being the Forms Management Chair for the past several years.

Lee Gonzales (FL) will be the next Forms Management Chair.

Next Meeting

The next Uniformity Committee meetings are scheduled as follows:

January 9-10, 2009
Seattle, Washington

May 29-30, 2009
Dana Point, California

September 18-19, 2009
Oklahoma City, Oklahoma

The meeting was adjourned.

UPCOMING MEETINGS 2009

Uniformity Meeting

May 29-30, 2009
Dana Point, California

September 18-19, 2009
Oklahoma City, Oklahoma

**FTA Motor Fuel Tax
Training Courses**

Advanced Investigation Training
Course
January 25-29, 2009
Austin, Texas

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