



MULTISTATE TAX COMMISSION

PUBLIC NOTICE & AGENDA

**Multistate Tax Commission Executive Committee Meeting**

Rosen Centre Hotel  
9840 International Drive  
Orlando, Florida

**Thursday, November 8, 2018**

8:30 a.m. to 12:00 noon Eastern Time

Note: Participation in the open sessions of this meeting via teleconferencing will be available by using the following dial-in number: 1-605-475-5605, conference code 273821

**I. Welcome and Introductions**

**II. Initial Public Comment Period**

In accordance with its Public Participation Policy, the Commission provides this opportunity for members of the public to address the Committee regarding the topics on this agenda. The Chair may also provide for public comment before or during the discussion of specific agenda items.

A member of the public who has substantial comments is urged to submit them in writing before the meeting. Please contact the Commission staff member noted as an information contact on this agenda to coordinate submission of written comments.

The Chair may limit the amount of time available to each individual speaker to allow sufficient opportunity for all commenters and the accomplishment of the Committee's business during the time allotted for the meeting.

**III. Approval of Minutes of Executive Committee Teleconference Meeting on September 12, 2018**

**IV. Report of the Chair**

**V. Report of the Treasurer**

**A. Financial Report for the Period July 1, 2018 – September 30, 2018**

*If you would like additional information about this meeting, contact  
Marshall C. Stranburg, Deputy Executive Director, Multistate Tax Commission,  
444 North Capitol Street, N.W., Suite 425  
Washington, D.C. 20001 | Tel: (202) 650-0300 | Email: [mstranburg@mtc.gov](mailto:mstranburg@mtc.gov)*

- B. Approval of audited financial statements as reported in the independent auditor report for fiscal year July 1, 2017 – June 30, 2018

**VI. Report of the Executive Director**

**VII. Committee Reports**

- A. Audit Committee
- B. Litigation Committee
- C. Nexus Committee
- D. State Intercompany Transactions Advisory Service Committee
- E. Strategic Planning Steering Committee
- F. Uniformity Committee
- G. Other Committee Business (if any)

**VIII. Uniformity**

- A. Hearing Officer Report on Model Uniform Statute and Regulation for Reporting Adjustments to Federal Taxable Income and Federal Partnership Audit Adjustments
- B. Other Uniformity Matters (if any)

**IX. Federal Issues with State Tax Implications**

- A. Bills Introduced in the 115<sup>th</sup> Congress
  1. S.19 (proposed Sec. 20), MOBILE NOW Act – included in FY 2018 federal budget bill (H.R. 1625 – Consolidated Appropriations Act, 2018)
  2. S.540/H.R.1393, Mobile Workforce State Income Tax Simplification Act of 2017
  3. S.976, Marketplace Fairness Act of 2017/H.R.2193, Remote Transactions Parity Act of 2017
  4. S. 3180 Stop Taxing Our Potential (STOP) Act of 2018
  5. H.R. 6824, Online Sales Simplicity and Small Business Relief Act of 2018
  6. H.R. 6724, Protecting Business from Burdensome Compliance Cost Act of 2018
  7. S. Res. 433, A resolution expressing the sense of the Senate that the Marketplace Fairness Act of 2017 would harm the economy of the United States and place an undue burden on small businesses and multiple States across the United States
  8. H.R. 2887, No Regulation Without Representation Act of 2017
  9. S. 3581/H.R. 7058, Digital Goods and Services Tax Fairness Act of 2018
  10. H.R. 6978, Business Activity Tax Simplification Act (BATSA) of 2018
  11. S. 18/H.R. 25, Fair Tax Act of 2017
  12. S.1159/H.R.2024, End Discriminatory State Taxes for Automobile Renters Act of 2017

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- B. Issues Possibly to be Considered in the 115<sup>th</sup> Congress
  - 1. Response to Impact of Federal Tax Reform on States
  - 2. Federal Tax Reform – Phase 2

C. Other Federal Legislative Activity

**X. Upcoming Meetings & Events**

2019 Spring Committee Meetings, April 23 to 26, 2019 – Denver, Colorado  
52nd Annual Conference and Meetings, August 5 to 8, 2019 – Boise, Idaho

----- CLOSED SESSION -----

**XI. Consideration of Confidential Matters during Closed Session**

- A. Nexus Committee & National Nexus Program
  - 1. Approval of Minutes of Closed Session on July 26, 2018
  - 2. Report on Confidential Matters
    - Pursuant to the Commission’s Public Participation Policy, Section 15, Subsection (c), this item is scheduled for a closed session because it involves confidential taxpayer information, the disclosure of which is prohibited by law. Pursuant to the Commission’s Public Participation Policy, Section 16, consideration of minutes is scheduled for a confidential session because that policy requires that the minute book of a closed session be kept confidential.
- B. Audit Committee & Joint Audit Program
  - 1. Approval of Minutes of Closed Session on July 26, 2018
  - 2. Report on Confidential Matters
    - Pursuant to the Commission’s Public Participation Policy, Section 15, Subsection (c), this item is scheduled for a closed session because it involves confidential taxpayer information, the disclosure of which is prohibited by law. Pursuant to the Commission’s Public Participation Policy, Section 16, consideration of minutes is scheduled for a confidential session because that policy requires that the minute book of a closed session be kept confidential.
- C. Items Related to Pending Litigation & Commission Personnel Matters
  - 1. Approval of Minutes of Closed Session on July 26, 2018
  - 2. Other Confidential Matters
    - Pursuant to the Commission’s Public Participation Policy, section 15, subsection (f), an item relating to pending litigation may be scheduled for a closed session if it involves a current adjudicatory proceeding to which the Commission or a member State is a party; if it involves significant exposure to litigation against the Commission or a member State, if this body needs to decide if a significant exposure to litigation exists; or if the Commission or a member State is initiating or making a decision to initiate litigation. Pursuant to section 15, subsection (a) and (e), an item may be scheduled for a confidential session because it involves confidential personnel information or the discharging of responsibilities related to salaries, salary schedules, or compensation paid in the form of fringe benefits.

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----- PUBLIC SESSION RECONVENED -----

**XII. Resumption of Public Session and Reports from Closed Session** (if any)

**XIII. Adjournment**