



MULTISTATE TAX COMMISSION

PUBLIC NOTICE & AGENDA

Multistate Tax Commission Executive Committee Meeting

Westin Houston Memorial City
945 Gessner Street
Houston, Texas

Thursday, December 15, 2016

8:30 a.m. to 3:00 p.m. Central Time

Note: Participation in the open sessions of this meeting via teleconferencing will be available by using the following dial-in number: 1-719-325-2630, conference code 794129

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 Commission directly on this agenda. The Chair may also provide for public comment before or during the committee's discussion of specific agenda items.

III. Approval of Minutes of Executive Committee Meetings on July 28, 2016, and October 4, 2016

IV. Report of the Chair

- A. Election of Executive Committee Member for Unexpired Term Due to Vacancy
- B. Annual Meeting Date

V. Report of the Treasurer

- A. Financial Report for the 4-month period July 1, 2016 – October 31, 2016
- B. Approval of audited financial statements as reported in the independent auditor report for fiscal year July 1, 2015 – June 30, 2016

VI. Report of Executive Director

Annual Report of the Commission

*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*

VII. Committee Reports

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

VIII. Uniformity

- A. Model Sales and Use Tax Notice and Reporting Statute – Status of Litigation Report
- B. Other Uniformity Matters (if any)

IX. Preliminary Discussion of Amendments to Bylaws

- A. Bylaw 3 (Amending terms that reflect gender references; eliminating uncertainty over commencement of terms; clarifying procedures for filling vacancies; conforming dates for preparation of annual report)
- B. Bylaw 4 (Amending terms that reflect gender references; conforming date for holding annual meeting)
- C. Bylaw 6 (Amending terms that reflect gender references; clarifying use of committees structure)
- D. Bylaw 7 (Amending terms that reflect gender references)
- E. Bylaw 8 (Amending terms that reflect gender references; updating financial limits)
- F. Bylaw 10 (Amending terms that reflect gender references)
- G. Bylaw 13 (Conforming committee participation)
- H. Bylaw 14 (Amending terms that reflect gender references)
- I. Proposed Changes to Eliminate Use of Word “Shall” (which has multiple meanings that can cause interpretative problems)

X. Federal Issues with State Tax Implications

- A. S.2555 (proposed Sec. 21), MOBILE NOW Act and companions S.1261/H.R.1087, Wireless Telecommunications Tax and Fee Collection Fairness Act of 2015
- B. S.698, Marketplace Fairness Act of 2015/H.R.2775, Remote Transactions Parity Act of 2015/H.R. 5893, No Regulation Without Representation Act/ proposed Online Sales Simplification Act
- C. S.386/H.R.2315, Mobile Workforce State Income Tax Simplification Act of 2015
- D. S.851/H.R.1643, Digital Goods and Services Tax Fairness Act of 2015
- E. S.1164/H.R.1528, End Discriminatory State Taxes for Automobile Renters Act of 2015

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- F. S.2117/H.R.3663, To prevent certain discriminatory taxation of natural gas pipeline property
- G. H.R.2584, Business Activity Tax Simplification Act of 2015
- H. Federal Tax Reform
- I. Other Federal Legislative Activity

XI. Upcoming Meetings & Events

2017 Winter Committee Meetings, March 8 to 10 — San Diego, California

50th Annual Conference & Meetings, July 31 to August 3, 2017 — Louisville, Kentucky

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

XII. Consideration of Confidential Matters during Closed Session

A. Nexus Committee & National Nexus Program

- 1. Approval of Minutes of Closed Session on July 28, 2016
- 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 28, 2016
- 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 28, 2016
- 2. Litigation regarding Compact Article III Election

3. 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.

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

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

XIV. Adjournment