



MULTISTATE TAX COMMISSION

AGENDA

Uniformity Committee Meeting

Westin Houston, Memorial City
945 Gessner Road
Houston, Texas 77024
800-937-8461

Wednesday, December 14, 2016
8:30 a.m. to 4:30 p.m. Central Time

Dial-In Number - 1-719-457-1414
Conf. Code. 258090#
(All times shown are approximate.)

Please note that materials for this meeting will be posted on the Commission's Webpage <http://www.mtc.gov/>. Materials will not be provided at the meeting.

- I. **Welcome and Introductions** – Chair Wood Miller, Missouri (8:30 a.m. – 8:40 a.m.)
- II. **Initial Public Comment Period** (8:40 a.m. – 8:50 a.m.)

In accordance with its Public Participation Policy, the Uniformity Committee provides this opportunity for members of the public to address the Committee and Subcommittees directly on this agenda. The Chair may also provide for public comment before or during discussion of specific agenda items.
- III. **Approval of Minutes** – Uniformity Committee phone meeting of August 9, 2016 - Chair (8:50 a.m. – 8:55 a.m.)
- IV. **Federal Legislative Summary** – Recap of federal legislation potentially affecting state income or sales & use taxes introduced in the last session of Congress – Thomas Shimkin, MTC (8:55 a.m. – 9:10 a.m.)
- V. **Report - Summary of Uniformity Projects & Litigation** – A recap of the status of uniformity projects and any litigation with respect to MTC models – Helen Hecht, MTC (9:10 a.m. – 9:30 a.m.)

- VI. **Report & Discussion – Section 18 Work Group Review of Draft Regulation –** Rules for entities with *de minimis* receipts, review and discussion by committee – Vice Chair Holly Coon, Alabama (9:30 a.m. – 10:05 a.m.)
Break (10:05 a.m. – 10:25 a.m.)
- VII. **Discussion of Other Section 18 Work Group Projects –** Review and discussion of the suggestions for other Section 18 projects to be taken up – Vice Chair (10:25 a.m. – 10:45 a.m.)(See past discussions – minutes and reports.)
- VIII. **Report & Discussion - Partnership Work Group Status –** Report of the status of the project to conform state RAR rules to new federal audit and adjustment rules and discussion of state issues – Don Jones, Oregon (10:45 a.m. – 11:35 a.m.)
- IX. **Expected Public Comment on MTC RAR Model –** Nikki Dobay (COST) and Pilar Mata (TEI) representing the ABA/AICPA Partnership Task Force (11:35 a.m. – 12:00 p.m.)
LUNCH- (12:00 p.m. – 1:10 P.M.) (On your own)
- X. **State Roundtable –** Discussion by members of the committee of important legislative initiatives or regulatory projects (or litigation concerning related regulations) in their state that might be of general interest (1:10 p.m. – 2:10 p.m.)
- XI. **Presentation on Proposal to Allow Collection of Lodging Taxes -** American Hotel & Lodging Association (2:10 p.m. – 2:35 p.m.)
BREAK (2:35 p.m. – 2:55 p.m.)
- XII. **Analysis – Conformity of Federal and State Tax Regulations: Are States Required to Give Effect to Federal Regulations Interpreting Comparable Federal Statutes? –** A summary of preliminary analysis of when state courts will look to federal tax regulations in state tax matters– Sheldon Laskin, MTC (2:55 p.m. – 3:30 p.m.)
- XIII. **Presentation and Discussion – Proposed IRC Sec. 385 Regulations and State Conformity –** A discussion of the revised (final) IRS regulations on treatment of debt versus equity transactions among related entities. – Michael Fatale, Massachusetts (3:30 p.m. to 4:15 p.m.)
- XIV. **Discussion of New Uniformity Projects—**Committee and MTC Staff (4:15 pm. – 4:25 p.m.)
- XV. **Adjourn.** (4:25 p.m. – 4:30 p.m.)

If you have any questions about this meeting, please contact Helen Hecht, Multistate Tax Commission, 444 North Capitol Street, N.W., Suite 425, Washington, D.C. 20001-1538, Telephone: (202) 650-0300, E-mail: hhecht@mtc.gov.