



To: Uniformity Committee
From: Helen Hecht, MTC
Re: New Business – Proposal to Compile Drafter’s Notes
Date: December 14, 2016

The Uniformity Committee Charter sets out the following goals for the Committee’s work:

1. Simplicity, equity and consistency;
2. Greater voluntary compliance through taxpayer education and increased enforcement; and
3. Fostering greater communication among stakeholders, i.e., states and taxpayers.

Since the Commission’s adoption of changes to Article IV of the model compact (UDITPA), the Committee has recognized the need to issue guidance to implement those changes and to conform past model regulations to the changes. As states look at adopting some or all of the changes (whether in the same form, or a similar form), it seems that there is a greater need to do something more than just to let our “models speak for themselves.”

We have increased the amount of information archived and available during the drafting process. But we would also suggest that the committee consider having staff compile Drafter’s Notes where having those notes would help to foster communication about the Commission’s models—both the important choices they reflect and any other essential information. (This is something the Uniform Law Commission also does, but to a much greater extent than we are proposing here.)

Examples would include:

- Notes about the relationship of the Section 17 regulations and our special industry regulations and any potential conflicts;
- Notes to make clear that the current special industry models do not yet reflect Art. IV changes and may need to be revised;
- Highlighting provisions that may be more relevant to separate filing states; and
- Notes on the background of certain important provisions and the other choices considered.