



Multistate Tax Commission (MTC)
Nexus Committee Minutes – OPEN SESSION
March 13, 2014
Denver, Colorado

**DRAFT – Motion for approval expected at
Nexus Committee Meeting scheduled for
7/29/2014**

State or Affiliation	Name
AL	Chris Sherlock
AR	Deanna Munds-Smith *
CO	Dennis P. Lima
GA	Anita DeGumbia
ID	Randy Tilley
ID	Steve Wynn
LA	R. Jay Frost
MT	Lee Baerlocher
MT	Gene Walborn
NC	Lennie Collins (Nexus Committee Chairman)
ND	Matt Peyerl
ND	Myles Vosberg
NE	Troy Hopkins *
NM	David Fergeson
OR	Christi Daniken *
OR	Jeff Henderson
OR	Gary Humphrey
SC	Rick Reames
TX	Hermi Nanez *
UT	Mike Christensen *
UT	Frank Hales
UT	Shelley Robinson *
WA	Karolyn Bishop
WA	Scott Garrison
WA	John Ryser
WI	Rick DeBano
WV	Andrew Glancy
MTC	Thomas Shimkin (Nexus Director)
MTC	Diane Simon-Queen *
MTC	Ben Abalos
Consultant	Elizabeth Harchenko

* Participated by telephone

Italicized text indicates a committee action or a matter to follow up.

Nexus Committee Chairman Lennie Collins convened the meeting. *The committee approved by voice vote the minutes of the December 10, 2013 and January 8, 2014 meetings.* Mr. Collins invited comments from the public. There were none.

Nexus Director's Report

Mr. Shimkin said that Nexus states' collections for the current, partial fiscal year (July 1, 2013 – February 28, 2014) were \$3,559,556. Nexus executed 182 contracts, with an average value of \$19,558, he reported.

In response to Gene Walborn's (MT) question whether the National Nexus Program accepted voluntary disclosure applications from pass-through entities, Mr. Shimkin advised that Nexus has received many such applications. It also occasionally receives disclosures of failure to withhold wages, he said.

Mr. Shimkin said that he suggests to applicants for disclosures less than \$500 in a state that they begin filing without benefit of voluntary disclosure and address any penalty directly with the state should it arise. Lee Baerlocher (MT) and Randy Tilley (ID) concurred.

Mr. Shimkin asked whether any state finds it unacceptable for taxpayers to include past liabilities on a first-year return. Matt Peyerl (ND) advised that it would not satisfy liability, but would stop penalties and interest. Chris Sherlock (AL) suggested that taxpayers may want to contact his office to settle penalties.

Steve Wynn (ID) asked whether the inclusion of past liabilities on a first-year return was an issue a taxpayer should bring to a states' taxpayer advocate. Chris Sherlock (AL) said that in Alabama, taxpayers must exhaust the appeals process before seeking help from the Department's taxpayer advocate. Lennie Collins (NC) shared that his state has just established an office of taxpayer advocate. Gene Walborn (MT) shared that his state's advocate does not have waiver authority; a taxpayer's payment satisfies liability for principal and interest, but the taxpayer must still file returns.

Strategic Planning

Mr. Shimkin introduced Ms. Elizabeth Harchenko, who will facilitate the Nexus Committee's strategic planning. Turning to that planning, the committee reviewed the Commission's Mission, Vision, Values, and Goals (MVVG); reviewed the Nexus Charter for consistency with the Commission's MVVG; brainstormed a statement of purpose and vision for the Nexus Program; did an environmental scan of Nexus organization and activities; and identified potential goals for the Nexus Program. *Ms. Harchenko said that a sub-group of the Nexus Committee will work from the ideas generated at the meeting to present a draft plan for the committee's consideration at its July meeting in New Mexico.* Gene Walborn (MT), Randy Tilley (ID), Shelley Robinson (UT), Anita DeGumbia (GA), and Christy Vandevender (AL) form the working group.

New Business

There was no new business.

Closed Session

The committee entered closed session, returned to open session, and reported its closed session. There were no members of the public present to hear the report.

Adjournment

The Committee adjourned.