



MULTISTATE TAX COMMISSION

MEMORANDUM

To: MTC Strategic Planning Committee
From: Executive Director Greg Matson and General Counsel Nancy Prosser
Subject: Proposed Bylaw Changes to Accompany Public Participation Policy Revision
Date: February 28, 2024

Changes are needed to make the bylaws consistent with the proposed revision to the Commission's Public Participation Policy, which this committee chartered as a project in July 2023.

First, we propose to revise the heading of bylaw 4 from "Meetings" to "Commission Meetings" and revise the heading of bylaw 5 from "Quorum, Voting, and Minutes Requirements" to "Commission Quorum, Voting, and Minutes Requirements."

Second, we propose to revise bylaw 7(d) regarding "Hearings and Procedures for Uniformity Recommendations" as follows, both with and then without track changes:

All hearings are open to the public and, in addition to any other notice required, ~~must be announced no less than 30 days in advance of such hearings, in a mailing to the names on the mailing list maintained by the office of the Multistate Tax Commission, and in such other manner as the executive director deems appropriate.~~ In counting the 30-day notice period, the day after the day that the notice is issued is day one. ~~In the event that~~ If the hearing is not properly noticed ~~pursuant to~~ under this bylaw, and upon timely complaint of any person, the hearing will be rescheduled to provide for proper notice. A complaint of improper notice must be made within 30 days of the completion of the hearing or within 15 days of the date of the report described in section (e), whichever is earlier, and ~~must be made pursuant to~~ subject to ~~Section 24 of the procedure for complaints outlined in the~~ Commission's Public Participation Policy. ~~In counting the period for submitting a timely complaint, the day after the completion of the hearing or the date of the report, as the case may be, is day one.~~



All hearings are open to the public and, in addition to any other notice required, must be announced no less than 30 days in advance. In counting the 30-day notice period, the day after the day that the notice is issued is day one. If the hearing is not properly noticed under this bylaw, and upon timely complaint of any person, the hearing will be rescheduled to provide for proper notice. A complaint of improper notice must be made within 30 days of the completion of the hearing or within 15 days of the date of the report described in section (e), whichever is earlier, and is subject to the procedure for complaints outlined in the Commission's Public Participation Policy.

Finally, we recommend that bylaw 11, regarding "Parliamentary Authority" be amended to expressly include a reference to the Public Participation Policy as follows:

Except where inconsistent with the provisions of the Compact, ~~or~~ these Bylaws, or the Public Participation Policy, Mason's Manual of Legislative Procedure is the parliamentary authority for all meetings of the Commission.