



The National Conference of State Legislatures



EXECUTIVE COMMITTEE TASK FORCE ON STATE AND LOCAL TAXATION

The Confidante Miami Beach * November 17-18, 2017 * Miami Beach, Florida

Unless otherwise noted, all meetings will be held in the Century Lounge Room.

Friday, November 17th

11:30 a.m. – 1:00 p.m. Lunch: Federal Budget Update

Location: Vista Terrace

Join us for a joint luncheon with the NCSL Fiscal Leaders Seminar to hear the latest update on the federal budget and what is happening in DC.

- ❖ Max Behlke, NCSL
- ❖ Harley Duncan, KPMG

1:15 – 1:30 p.m.

Welcome and Introductions

The Task Force chairs will provide an overview of the meeting followed by attendee introductions.

- ❖ Senator Pam Althoff, Illinois
- ❖ Representative Chris Perone, Connecticut

1:30 – 2:30 p.m.

The Data & Taxation of Marijuana Legalization

As more states address legislation and regulations governing recreational use of marijuana, industry participants are gathering increasing data about the impact of certain policies on the industry and the black market. The task force will hear from the President of Weedmaps, a technology leader serving legal growers and dispensaries, about the best practices surrounding licensing, zoning and taxation to establish new markets and diminish illegal sales.

- ❖ David Quam, Nelson Mullins
- ❖ Chris Beals, Weedmaps President

2:30 – 3:15 p.m.

Certifying Third Party Databases – Improving the Accuracy of Tax Collections

The panel will discuss challenges for taxpayers in getting detailed information and data about taxing jurisdictions, rates, boundaries and tax base for accurate tax compliance. They will focus on the benefits and challenges for states and taxpayers of certifying third party databases as a potential solution.

- ❖ Craig Johnson, Streamlined Governing Board
- ❖ Deborah Bierbaum, AT&T
- ❖ Andrew Fitzpatrick, Wal-Mart
- ❖ Russ Brubaker, FedTax
- ❖ Tony Burton, Pitney Bowes

3:15 – 3:45 p.m.

Remote Sales Tax Update

On Oct. 2, South Dakota formally petitioned SCOTUS asking for the authority to enforce its 2016 remote sales tax law, S.B. 106. Given that states are constitutionally barred from requiring out-of-state businesses to collect and remit sales tax under the 1992 Supreme Court decision *Quill Corp. v. North Dakota*, the South Dakota law was clearly intended to take a case to SCOTUS and successfully convince the court to overturn the Quill decision. The State and Local Legal Center (SLLC) will be filing an amicus brief on behalf of the "Big 7" state and local government groups, including NCSL, and will ask the court to grant South Dakota's petition. This session will provide an update on the remote sales tax collection issue at the state and federal levels and what can be expected in the next year.

- ❖ Max Behlke, National Conference of State Legislatures
- ❖ Joe Rinzel, Retail Industry Leaders Association

3:45 – 4:15 p.m.

Real Time Sales Tax Collection

In 2013 and 2014, the task force thoroughly discussed the issue of daily remittance of sales taxes, or the requirement that sales taxes be remitted to the proper jurisdictions at the time of the transaction. Given recent state activity on the issue, this session will provide an update and discussion of whether technology currently exists to execute daily remittance and what the costs and benefits of building such system would be.

- ❖ Kathleen Kittrick, Verizon
- ❖ Scott Mackey, Leonine Public Affairs
- ❖ Pat Reynolds, Council on State Taxation

4:15 – 5:00 p.m.

Unclaimed Property

Unclaimed property continues to be an issue front and center for many legislatures. This panel will discuss (1) lessons learned from the first legislative season in which the Revised Uniform Unclaimed Property Act was considered, and in some cases adopted in part and (2) the MoneyGram case, currently before the United States Supreme Court under its original jurisdiction to handle cases brought by one state against another, which may re-write the rules regarding which state has priority over custody of unclaimed funds.

- ❖ Diann Smith, McDermott Will Emery
- ❖ Pat Reynolds, Council on State Taxation

7:00 – 10:00 p.m.

Task Force Reception and Dinner

The Task Force reception will be from 7-7:45 p.m. followed by dinner at Nina's House outside the Confidante.

Location: Confidante Miami Beach – Next to the hotel outdoor space/pool
4041 Collins Ave.
Miami Beach, FL 33140

Reception and Dinner are for Task Force Members, Sponsors, and Invited Guests Only

D.Y.K.? About 7 million children “disappeared” after a new 1985 tax law. It’s not as bad as it seems! What happened was that taxpayers didn’t used to have to submit a Social Security Number for their dependents, so many claimed fake children in order to get a tax deduction. When a new law passed requiring Social Security Numbers, some 7 million children and other family members magically vanished.

Saturday, November 18th

8:00 – 9:00 a.m. Breakfast

Location: Vista Terrace

9:00 – 9:30 a.m. How States are Improving Tax Incentives for Jobs and Growth

PEW Charitable Trust's latest research on tax incentive evaluation, "How States Are Improving Tax Incentives for Jobs and Growth", was released earlier this year which builds on their earlier research for how states are gathering evidence on the results of their economic development tax incentives. Hear about what they think the best practices are for effectively evaluating tax incentives.

❖ Bob Zahradnik, PEW Charitable Trusts

9:30 – 9:45 a.m. Short-Term Lodging Taxation

Liz Malm of Multistate Associates will provide an update of this year's legislative activity around the country related to the sharing economy and taxation and will discuss the possibility of updating the Task Force's Best Practices document on Online Travel Companies to discuss adding home-sharing/short-term rental platforms to it.

❖ Liz Malm, Multistate Associates

9:45 – 10:00 a.m. Federal Partnership Audit Model

Since the meeting in June, there have been updates on the draft model legislation to improve the process for taxpayers to report federal tax adjustments to the states. This session will summarize the details of the updated model legislation and provide copies of the latest version for task force members to provide comments as well as share with their state tax agencies for their input.

❖ Fred Nicely, Council on State Taxation

10:00 – 10:45 a.m. Diving into Federal Tax Reform

Although comprehensive tax reform remains high on the priority list for the 115th Congress, congressional leadership and the administration have diverging viewpoints on what reform would entail. This panel discussion will examine the prospects of passing tax reform by the end of this year, or by the end of this Congress, and will also dive into what tax reform may ultimately look like.

- ❖ Karl Friedan, Council on State Taxation
- ❖ Max Behlke, National Conference of State Legislatures
- ❖ Joe Henchman, Tax Foundation

10:45 – 11:30 a.m. State Implications of Federal Tax Reform

While the possibility of federal tax reform passing in the near future is still up in the air, if a comprehensive tax bill is signed into law, it is almost certain that the tax changes will affect the states. This panel discussion will continue our discussion of federal tax reform and the possible implications it will have on the states.

- ❖ Robert Shannon, CenturyLink
- ❖ Deborah Bierbaum, AT&T

D.Y.K.? If you turn 100 and live in New Mexico, you can [stop paying income tax](#)! You just can't be claimed as a dependent by anyone else. Good luck getting to that century mark!

11:30 a.m. – Noon Business Meeting and Task Force Roundtable

- ❖ Senator Pam Althoff, Illinois
- ❖ Representative Chris Perone, Connecticut

12:00 p.m. Adjournment

FUTURE TASK FORCE MEETINGS

LATE MARCH, 2018

LOCATION TBD

JUNE 28 – 29, 2018

LAKE TAHOE, NEVADA

JULY 29 -30, 2018

LOS ANGELES, CALIFORNIA

IN CONJUNCTION WITH

NCSL's LEGISLATIVE SUMMIT (JULY 30 – AUG. 2)

NOVEMBER 16-17, 2018

SCOTTSDALE, ARIZONA

Task Force Membership

Co-Chair, Senator Pam Althoff, Illinois
Co-Chair, Delegate Sheila Hixson, Maryland
Co-Chair, Representative Chris Perone, Connecticut

Representative Chris Sells, Alabama
Representative Dan Douglas, Arkansas
Representative Helene Keeley, Delaware
Councilmember Anita Bonds,
Washington D.C.
Representative David Santiago, Florida
Representative Scott Saiki, Hawaii
Representative Sylvia Luke, Hawaii
Representative Lance Clow, Idaho
Senator Toi Hutchinson, Illinois
Senator Randy Feenstra, Iowa
Representative Julie Stokes, Louisiana
Senator Neil Riser, Louisiana
Representative Jay Kaufman, Massachusetts
Representative Joyce Peppin, Minnesota
Senator Ann Rest, Minnesota
Senator Ryan Silvey, Missouri
Senator Jim Smith, Nebraska
Assemblywoman Irene Bustamante-Adams,
Nevada
Representative Norman Major,
New Hampshire
Representative Carl Trujillo, New Mexico
Assemblyman Felix Ortiz, New York
Representative John Szoka, North Carolina
Senator Dwight Cook, North Dakota
Representative Gary Scherer, Ohio
Representative Timothy Schaffer, Ohio
Senator Roger Thompson, Oklahoma

Representative Brian Kennedy,
Rhode Island
Representative Nathan Ballentine,
South Carolina
Senator Paul Campbell Jr., South Carolina
Senator Deb Peters, South Dakota
Senator Ernie Otten, South Dakota
Representative Kevin Brooks, Tennessee
Representative Dennis Bonnen, Texas
Representative Dan Flynn, Texas
Representative Drew Springer, Texas
Representative John Wray, Texas
Senator Wayne Harper, Utah
Senator Howard Stephenson, Utah
Senator Curtis Bramble, Utah
Representative Janet Ancel, Vermont
Delegate Eric Nelson, West Virginia
Senator Alberta Darling, Wisconsin
Representative John Macco, Wisconsin

Legislative Staff

Esther Van Mourik, Colorado
Jennifer Hays, Kentucky
Mary Cleary, Michigan
Katherine Schill, Minnesota
Megan Moore, Montana
Dan Schmidt, Wisconsin

NCSL Staff

Max Behlke, Washington, D.C.
Jake Lestock, Washington, D.C.

2017-2018 NCSL National Officers

Senator Deb Peters (South Dakota), President
Senator Toi Hutchinson (Illiois), President-elect
Speaker Robin Vos (Wisconsin), Vice President
Senator Dan Blue (North Carolina), Immediate Past President