TO: Uniformity Subcommittee Participants

FROM: Cindy Anders-Robb

Motor Fuel Tax Associate

SUBJECT: <u>Uniformity Meetings</u>

DATE: July 16, 2007

The <u>September 2007</u> Motor Fuel Tax Section Uniformity Committee meeting is scheduled for Baton Rouge, LA. The Subcommittees will meet all day <u>September 28</u>, <u>2007</u>. The Main Uniformity meeting is schedule for <u>September 29</u>, <u>2007</u>. The meeting will be at the Hilton Capitol Center. The special rate at the Hilton is \$119.00 single plus 13% tax. Make your reservations directly with the hotel by calling (800) 445-8667 or (225) 344-5866. Make certain to inform the hotel that you are attending the Federation of Tax Administrators meeting to receive the special rate. The address of the hotel is 201 Lafayette, Baton Rouge, LA 70801. Please note that the cut-off date for the hotel reservation is <u>August 26</u>, <u>2007</u>.

The <u>January 2008</u> Motor Fuel Tax Section Uniformity Committee meeting is scheduled for Glendale, Arizona. The Subcommittees will meet all day <u>January 18, 2008</u>. The Main Uniformity meeting is schedule for <u>January 19, 2008</u>. The meeting will be at the Renaissance Phoenix/Glendale Hotel. The special rate at the Renaissance is \$110.00 single plus 12.7% tax + \$1.00 city surcharge). Make your reservations directly with the hotel by calling (800) 228-9290 or (623) 937-3700. Make certain to inform the hotel that you are attending the **Federation of Tax Administrators** meeting to receive the special rate. The address of the hotel is 9495 W. Coyotes Boulevard, Glendale, Arizona 85305. Please note that the cut-off date for the hotel reservation is **December 23, 2007**.

The <u>May 2008</u> Motor Fuel Tax Section Uniformity Committee meeting is scheduled for Jackson Hole, Wyoming. The Subcommittees will meet all day <u>May 30, 2008</u>. The Main Uniformity meeting is schedule for <u>May 31, 2008</u>. The meeting will be at the Snow King Hotel. The special rate at the Snow King is \$95.00 single/\$104.00 double plus 10% tax. Make your reservations directly with the hotel by calling (800) 522-5464 or (307) 733-5200. Make certain to inform the hotel that you are attending the Federation of Tax Administrators meeting to receive the special rate. Parking is free. The address of the hotel is 400 E Snow King Avenue, Jackson Hole, Wyoming 83001. Please note that the cut-off date for the hotel reservation is April 28, 2008.

PRELIMINARY AGENDA

FTA Motor Fuel Tax Uniformity Committee Baton Rouge, Louisiana September 28-29, 2007

Friday 8:00am – 5:00pm <u>September 28, 2007</u>

Subcommittee

Room One Room Two

8:00am - Noon 8:00am - Noon

Communication & Coordination Electronic Commerce Forms Management

(Both subcommittees are

meeting together in the morning)

1:00pm - 5:00pm Compliance 1:00pm - 5:00pm Electronic Commerce

Saturday 9:00 am to noon September 29, 2007

FTA Full Uniformity Committee

- 1. Introduction
- 2. Approval of minutes
- 3. Presentation
- 4. Subcommittee Reports and Recommendation

Each subcommittee will give a report of the subcommittee and any recommendations for the Full Uniformity Committee to vote on.

- Communication & Coordination
- Compliance
- E-Commerce
- Forms Management
- 5. Old Business
- 6. New Business
- 7. Next Meeting
- 8. Adjourn

PRELIMINARY AGENDA

FTA Motor Fuel Tax Uniformity Committee Glendale, Arizona January 18-19, 2008

Friday 8:00am – 5:00pm <u>January 18, 2008</u>

Subcommittee

Room One Room Two

8:00am - Noon 8:00am - Noon

Communication & Coordination Electronic Commerce Forms Management

(Both subcommittees are

meeting together in the morning)

1:00pm – 5:00pm Compliance 1:00pm – 5:00pm Electronic Commerce

Saturday 8:00 am to noon January 19, 2008

FTA Full Uniformity Committee

- 1. Introduction
- 2. Approval of minutes
- 3. Presentation
- 4. Subcommittee Reports and Recommendation

Each subcommittee will give a report of the subcommittee and any recommendations for the Full Uniformity Committee to vote on.

- Communication & Coordination
- Compliance
- E-Commerce
- Forms Management
- 5. Old Business
- 6. New Business
- 7. Next Meeting
- 8. Adjourn

PRELIMINARY AGENDA

FTA Motor Fuel Tax Uniformity Committee Jackson Hole, Wyoming May 30-31, 2008

Friday 8:00am – 5:00pm <u>May 30, 2008</u>

Subcommittee

Room One Room Two

8:00am - Noon 8:00am - Noon

Communication & Coordination Electronic Commerce Forms Management

(Both subcommittees are

meeting together in the morning)

1:00pm - 5:00pm Compliance 1:00pm - 5:00pm Electronic Commerce

Saturday 8:00 am to noon <u>May 31, 2008</u>

FTA Full Uniformity Committee

- 1. Introduction
- 2. Approval of minutes
- 3. Presentation
- 4. Subcommittee Reports and Recommendation

Each subcommittee will give a report of the subcommittee and any recommendations for the Full Uniformity Committee to vote on.

- Communication & Coordination
- Compliance
- E-Commerce
- Forms Management
- 5. Old Business
- 6. New Business
- 7. Next Meeting
- 8. Adjourn

FTA MOTOR FUEL UNIFORMITY COMMITTEE

Pittsburgh, Pennsylvania June 2, 2007

Minutes

The FTA Motor Fuel Tax Section Uniformity Committee met at the Marriott City Center in Pittsburg, Pennsylvania on June 2, 2007. Donna Alderman (NC), Uniformity State Co-Chair called the meeting to order. Fifty-one (51) were in attendance. (See attached list of attendees)

Minutes

The minutes of the January 2007 Uniformity Committee meeting in Portsmouth, Virginia were approved.

Presentation

Jack Crago (PA) gave a presentation on the problems with the bill of lading not being uniform.

Uniformity Chairs

State Co-Chair Donna Alderman, State of North Carolina Industry Co-Chair Bob Donnellan – Global Companies

Subcommittee Chairs

Compliance Subcommittee

State Co-Chair Rick Schirk – State of Ohio Industry Co-Chair Sharon Templin – Shell Oil

Communication and Coordination Subcommittee

State Co-Chair Bob Crawford – State of Maryland Industry Co-Chair Phillip Kirkpatrick -- ExxonMobil

Electronic Commerce Subcommittee

State Co-Chair Darrell Wissink – State of Nebraska Industry Co-Chair Kathy McKee – Marathon Pettroleum

Forms Management Subcommittee

State Co-Chair Herman Wisneski – State of Minnesota Industry Co-Chair Brian Serafino – Chevron/Texaco

Subcommittee Reports

The <u>Compliance Subcommittee</u> Rick Shirk (OH) reported there were twenty-nine (29) in attendance. Bruce Johnson (WV) gave a presentation about the movement of fuel by barge on the inland rivers. He supplied the committee with ways to track the movement o fuel through the navigation information center. The committee discussed the following:

- Dyed Fuel Issues
- Fuel Evasion Issues
- Railroad Issues
- Training
- Bio Diesel Issues

(See the minutes of this subcommittee for more details)

The <u>Electronic Commerce Subcommittee</u> Darrell Wissink (NE) reported the subcommittee discussed the following:

Morning Session combined with Forms Management meeting (27 in attendance)

- ExSTARS Update
- ExSTARS User's Group
- States EDI guides
- Industry Issues
- EDI Implementation Guide Updates
- XML Schema

(See the minutes of this subcommittee for more details)

The <u>Forms Management Subcommittee</u> Herman Wisneski (MN) reported that this committee met with Electronic Commerce. There were twenty-seven (27) in attendance. The subcommittee discussed the following:

- Kentucky requested four schedule codes
- Forms approved request

Maryland (approved)

Massachusetts (approved)

Louisiana request is on hold

New York was sent back for changes

Arizona was sent back for changes

- Canadian/FTA product code comparison
- Railroad STCC and FTA product codes

The Forms subcommittee reminded all states that are planning on changing forms or schedules; they should review the FTA Uniformity book to make certain that the changes meet the guidelines.

(See the minutes of this subcommittee for more details)

The <u>Communication and Coordination Subcommittee</u> Bob Crawford (MD) reported that seventeen (23) were in attendance. The subcommittee discussed the following and the June 2007 *Uniformer* was passed out. (See minutes for the publication)

- White paper/issue paper on bio diesel and other alternative fuels
- Definition for Diversion
- Define Racing Fuel
- Bill of lading project
- Document for the Model Legislation for when fuel has 2 different tax rates

(See the minutes of this subcommittee for more details)

FULL COMMITTEE APPROVED

Add to the Uniformity Booklet under Alternative Fuels Section

I Reduce Tax Rates

When considering reduced tax rate provisions for specific alternative fuel blends or fuel uses, the following are some items to be addressed:

1. There is an increased potential for evasion if: (a) fuel may be purchased at a specific blend to receive a reduced tax rate. The reduce tax rate is remitted, then the fuel may be further blended and sold as the higher rate, or (b) fuel may be

- purchased at a reduced tax rate based on a specified use, then later used for a different purpose, which should be taxed at a higher rate.
- 2. Consider a credit or refund to allow for ease in fuel taxation. This will further ensure accuracy of reduced tax rates/credits situations for specific fuel blends and uses.

<u>Canadian Update</u> Charles Greenough with the Canadian Fuel Tax Council reported that they are working on E-filing with Alberta leading the group. The Council has had five basic training classes so far this year and working on an Advanced and EDPI courses.

Old/New Business

The full committee **THANKED** Bob Crawford (MD) for all his years of service. Bob will be retiring on June 30, 2007.

Cindy Anders-Robb requested that all minutes, agenda, year end report and project tracking forms be submitted to her no later than June 29, 2007.

Next Meeting

The next Uniformity Committee meetings are scheduled as follows:

September 28-29, 2007 – Baton Rouge, Louisiana January 18-19, 2008 – Glendale, Arizona May 30-31, 2008 – Jackson, Wyoming September 19-20, 2008 – Hartford, Connecticut

The meeting was adjourned.

Pittsburgh, Pennsylvania 2-Jun-07

| | | | Z-Juli-07 | | |
|----------|---------------------|--|--------------|--------------|---------------------------------------|
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| XX | Burdick, Doug | Fuel Quest/ZyTax | 850-514-3366 | 850-514-3366 | doug.burdick@Zytax.com |
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| | Crowley, Mary Dailey, Janson Davenport, Kirk Dixon, Christy Dollens, Linda Donnellan, Robert Feletto, Lou Ferullo, Alan Fitzgerald, Julian Sr. Fitzgerald, Scott Gabriele, Mark Gast, Keith Gilson, Cheryl Gonzales, Lee Gostovich, Sharon Graves, Marc Grammer, Michael Gray, Bill Greenough, Charles Grigsby, Ray | Crawford, Bob Crawford, Bob Crowley, Mary PA Dept of Revenue Crowley, Mary PA Dept of Revenue Dailey, Janson SC Department of Revenue Davenport, Kirk Texas Comptroller of Public Accounts Dixon, Christy Oklahoma Tax Commission Dollens, Linda Indiana Department of Revenue Donnellan, Robert Global Companies LLC Feletto, Lou CA Board of Equilization Ferullo, Alan MA DOR Fitzgerald, Julian Sr. North Carolina Dept of Revenue Gabriele, Mark CA Board of Equilization Gast, Keith MO Dept of Revenue Gilson, Cheryl ZyTax Gonzales, Lee Florida Department of Revenue Gostovich, Sharon Wyoming Dept of Transportation Graves, Marc Battelle Grammer, Michael Kentucky Dept of Revenue Gray, Bill Sinclair Oil Corporation Greenough, Charles Canadian Fuel Tax Council Grigsby, Ray Tennessee Dept of Revenue | NameState/CompanyPhoneCrago, JackPA Dept of Revenue717-783-9191Crawford, BobComptroller of Maryland410-260-7566Crowley, MaryPA Dept of Revenue717-783-2518Dailey, JansonSC Department of Revenue803-898-5570Davenport, KirkTexas Comptroller of Public Accounts512-463-3849Dixon, ChristyOklahoma Tax Commission405-522-4197Dollens, LindaIndiana Department of Revenue317-615-2501Donnellan, RobertGlobal Companies LLC781-398-4354Feletto, LouCA Board of Equilization916-323-9401Ferullo, AlanMA DOR617-887-6763Fitzgerald, Julian Sr.North Carolina Dept of Revenue919-733-8200Fitzgerald, ScottIowa Department of Revenue515-242-6033Gabriele, MarkCA Board of Equilization916-445-2715Gast, KeithMO Dept of Revenue573-751-5902Gilson, CherylZyTax920-617-7626Gonzales, LeeFlorida Department of Revenue850-488-7268Gostovich, SharonWyoming Dept of Transportation307-777-4774Graves, MarcBattelle216-898-6437Grawer, MichaelKentucky Dept of Revenue502-564-1234Gray, BillSinclair Oil Corporation801-524-2887Greenough, CharlesCanadian Fuel Tax Council905-433-5705Grigsby, RayTennessee Dept of Revenue615-532-6914 | Name State/Company Phone Fax Crago, Jack PA Dept of Revenue 717-783-9191 717-787-7471 Crawford, Bob Comptroller of Maryland 410-260-7566 410-974-3129 Crowley, Mary PA Dept of Revenue 717-783-2518 717-787-6261 Dailey, Janson SC Department of Revenue 803-898-5570 803-898-5507 Davenport, Kirk Texas Comptroller of Public Accounts 512-463-3849 512-475-0900 Dixon, Christy Oklahoma Tax Commission 405-522-4197 405-522-2072 Dollens, Linda Indiana Department of Revenue 317-615-2501 317-615-2502 Donnellan, Robert Global Companies LLC 781-398-4354 781-398-4160 Feletto, Lou CA Board of Equilization 916-323-9401 916-323-9401 Ferullo, Alan MA DOR 617-887-6763 617-887-6859 Fitzgerald, Julian Sr. North Carolina Dept of Revenue 919-733-8200 919-733-8654 Fitzgerald, Scott Iowa Department of Revenue 515-242-6033 919-733-8654 Gabriele, Mark CA Board of Equilitzation |

| | | | 2-Jun-07 | | |
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| | | | 2-Jun-07 | _ | |
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Pittsburgh, Pennsylvania 2-Jun-07

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June 2007 Volume 26

The Uniformer

MESSAGE FROM THE FTA MOTOR FUEL TAX SECTION CHAIR MICHAEL HARRELL

Well, the summer driving season is already upon us, and it looks like fuel prices are going to be another consumer issue this year. With prices already on the rise, we can anticipate the usual charges of "high taxes" or "price gouging" being leveled at government and industry respectively. Of course, when prices rise, consumers and product suppliers will seek ways (legally, and unfortunately illegally) to reduce the amount they pay, or reap profits from underpayment of taxes. Now more than ever, the function that we serve is an important one, and is the last (and only) line of defense against revenue losses. Another challenge that we face: moratoriums on fuel excise taxes, or "tax holidays". Many jurisdictions are already facing revenue shortfalls; we can only "tighten our belts" but so much, and do the work that's intended at the same levels, but with shrinking budgets. And of course, we're always trying to find ways to "do more with less", and focus our efforts in the areas that give us the most "bang for our buck". I am certainly glad that we are able to meet a couple of times throughout the year, talk about what's out there, and help each other develop "game plans" to do what we need to do with what we have.

The Pacific Region Conference was very successful and a lot of valuable information was shared among the attendees. I look

forward to visiting with the Northeastern, Southern and Midwestern regions, as well as our attending our Uniformity meeting, and of course our Annual meeting. I certainly encourage as many jurisdictions as possible to attend the conference in their region, and of course I hope that every jurisdiction can attend the annual meeting. Also, participation in Uniformity is, in my opinion, critical - not just attending the meetings, but also embracing the concept of uniform fuel tax administration. Finally, I most certainly value our industry and federal government partners continuing to walk this road beside us, and not only attending the conferences, but also active participating in planning and presentation of information that is vital to our growth as Fuel Tax Administrators, investigators, auditors, lawyers, and everyone else involved.

MESSAGE FROM THE UNIFORMITY COMMITTEE INDUSTRY CO-CHAIR BOB DONNELLAN

With the ever changing personnel within the industry, as your Industry Co-chair of uniformity it is time to recruit for various state co- chair positions. As you may or may not know we have had several Industry representatives that have given us a tremendous wealth of knowledge and some of those individuals are going to have to step down next year. If there is anyone in the industry that would like the opportunity to sit as an industry co-chair of a sub committee please see me or

Donna Alderman within the next couple of months so we can determine what committee to seat you at. Also at this time we are looking for Industry as well as State nominees for the Uniformity Awards. If there is someone or a State that you think should be recognized please forward your nominations to us no later than August 1, 2007.

UNIFORMITY COMMITTEE

The FTA Motor Fuel Tax Section Uniformity Committee met at the Marriott in Portsmouth, Virginia on January 20, 2007. Donna Alderman (NC), Uniformity State Co-Chair called the meeting to order. Forty-nine (49) were in attendance.

Minutes

The minutes of the October 2006 Uniformity Committee meeting in Albuquerque, NM were approved.

Presentation

A video by Fuel Mister on how to make bio diesel in your garage was presented by Rick Schirk (OH).

Carol Player passed around a sample of bio diesel from a bio diesel plant in South Carolina she visited. The sample of bio diesel was made from chicken fat.

SUBCOMMITTEE REPORTS

Compliance Subcommittee

Rick Shirk (OH) reported there were twenty-seven (27) in attendance. The committee discussed the following:

The Uniformer

- Best Practices Manual (disclosing sensitive information)
- Dyed Fuel Issues
- Fuel Evasion Issues
- Railroad Issues
- Training
- Bio Diesel Issues
- Paperwork of Barges

Electronic Commerce Subcommittee

Darrell Wissink (NE) reported the two sessions and discussed the following:

Not Too Technical

(27 in attendance) (this was combined with Forms Management meeting).

- ExTOLE
- ExSTARS User's Group
- EC 2006 Survey results
- Industry Issues

<u>Technical</u>

(19 in attendance)

- IRS Update
- ExSTARS Update
- State EDI Guides
- EDI Implementation Guide Updates
- Data Repository
- XML Schema

Forms Management Subcommittee

Herman Wisneski (MN) reported that this committee met with Electronic Commerce. There were twenty-seven (27) in attendance. The subcommittee discussed the following:

 Product code request Racing Gas

- Best method to report product where the tax has been assessed at a lower rate but sold at a higher rate
- Schedule code request from Kentucky
- Forms approval request State of Maryland State of Louisiana State of New York
- Railroad STCC and FTA product codes

Full Committee Approved:

 Rename Schedule 10-J to "Gallons delivered to consumers or filing stations tax free"

Communication and Coordination Subcommittee

The Communication and Coordination Subcommittee Christy Dixon (OK) reported that seventeen (17) were in attendance. The subcommittee discussed the following and the January 2007 Uniformer was passed out.

- White paper/issue paper on bio diesel and other alternative fuels
- Definition for Diversion
- Define Racing Fuel
- Bill of lading project
- Document for the Model Legislation for when fuel has 2 different tax rates
- Gather information on Two Party Exchange

Full Committee Approved:

Definition for Diversion Diversion means product shipped from a terminal to a state or jurisdiction other than the destination state or jurisdiction indicated on the original bill of lading.

Old/New Business

Michael Harrell, Motor Fuel Tax Section National Chair discussed that he is looking for topics for the Annual Meeting in October. If anyone has anything they would like to present or see on the agenda, please contact Michael Harrell or Cindy Anders-Robb.

Carol Player talked about the National Diversion Registry. The registry currently has 25 states participating in it. She encourages more states to join. If you are interested in joining, please contact Carol Player or Cindy Anders-Robb for details.

Cindy Anders-Robb requested that all minutes, agenda and project tracking forms be submitted to her no later than February 16, 2007.

Next Meeting

The next Uniformity Committee meetings are scheduled as follows:

June 1-2, 2007 – Pittsburgh, Pennsylvania

September 28-29, 2007 – Baton Rouge, Louisiana

The meeting was adjourned.

UPCOMING MEETINGS 2007

Uniformity Meeting

June 2007

3

The Uniformer

September 28-29, 2007 Baton Rouge, Louisiana

January 18-19, 2008 Glendale, Arizona

May 30-13, 2008 Jackson Hole, Wyoming

Regional Meetings

Southern Region
June 17-19, 2007
Wilmington, North Carolina

Midwestern Region Indianapolis, Indiana June 25-26, 2007

Annual Meeting
September 30- October 3, 2007
Baton Rouge Hilton
Baton Rouge, Louisiana

Training Courses

Basic Training
July 29-August 1, 2007
Helena. Montana

Advanced Training August 26-30, 2007 St. Louis, Missouri

Basic Investigation Training September 9-12, 2007 Cleveland, Ohio

Advanced Investigation Training
January 28-31, 2008
Austin, Texas

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AGENDA COMPLIANCE SUB-COMMITTEE Baton Rouge LA 9-28-07 thru 9-29-07

INTRODUCTION OF ATTENDEES

DISSCUSSION OF EMAILS BEING SENT OUT TO MEMBERS OF UNIFORMITY

TRAINING CLASSESS

DYED FUEL ISSUES

CURRENT TRENDS IN EVASION

GUEST SPEAKER AND OR PRESENTATION (To be announced)

QUESTIONS AND ANSWERS

FTA Uniformity Meeting Pittsburgh PA June 1st and 2nd

Rick Shirk State of Ohio, State Co-Chair Sharon Templin, Shell Oil, Industry Co-Chair

Compliance Sub-Committee Minutes

29 Members were in attendance 22 state government and 7 industry

The meeting began with introduction of attendees

Speaker: Bruce Johnson gave a presentation about the movement of fuel by barge on the inland rivers. He supplied us with ways to track the movement of fuel through the navigation information center.

Training Classes:

Cindy spoke about the need for instructors for the fuel investigation and audit training classes.

The following is a list of training classes for the 07 training year,

Basic Training

July 29th thru August 2nd 2007 Montana

Advanced Training

August 26-30 2007 St. Louis, Missouri

Investigation Class

September 9th thru September 12th 2007 Cleveland Ohio

Dyed Fuel Issues

Minnesota has 70 inspectors over a four day period they conducted 165 inspections resulting in 10 violations.

Texas has 15 inspectors and they do 2000 to 3000 inspections a year with 150 violations last year.

Maryland has about a 2% violation Rate.

Bio Diesel

Minnesota as of July 1st 2007 treats Bio Diesel as a petroleum product.

Bruce Johnson from West Virginia informed us that the Heritage Corporation makes test kits for roadside use in testing for Bio Diesel, Ethanol, Black Fuel. Each test kit is can only be used one time and the cost is \$35.00

Bruce thought it might be a good idea for multiple states to get together and approach to see if they could make the test kits a little more economical so the states could afford to use them.

We had a long discussion about if and how each state taxes Bio Diesel.

Current Trends

Tim Story from the IRS Thanked PA for the case they did that resulted in a five million dollar assessment.

FTA MOTOR FUEL UNIFORMITY COMMITTEE COMMUNICATION & COORDINATION SUBCOMMITTEE

Pittsburgh, Pennsylvania June 2, 2007

Minutes

The Communication & Coordination Subcommittee met on Friday, June 1, 2007 at the Pittsburgh Marriott Hotel – Pittsburgh, Pennsylvania. State Co-Chair Bob Crawford conducted the meeting. Phil Kirkpatrick -Industry Co-Chair - was unable to attend. The meeting was called to order at approximately 8:00 AM. There were 23 attendees present.

The latest edition of The Uniformer (June 2007 copy) was distributed. The deadline for submission of articles to be included in the September Uniformer is September 3rd. Many thanks go to Ed King and Phil Kirkpatrick for their continued work on the Uniformer. Ed King reminds the Chairs of the four regional task force groups to kindly submit a brief summary of the regional meeting for inclusion in the Uniformer. This concept was presented in January of 2006 in an effort to improve communications to all FTA motor fuel members and is appreciated by all uniformity members.

The Steering Committee met on Thursday, May 31, 2007. As a result of that meeting, a new on-going task has been assigned to the Communications and Coordination sub-committee. The sub-committee will now be responsible for monitoring and tracking the tracking forms of ALL subcommittee. The Steering Committee reminds all that the EDI Guide is readily available to all states for FREE. XML schema will also be included in the guidelines for electronic filing. Off the wall variations (including spreadsheets) for reporting motor fuel activity will NOT be approved by the Uniformity Committee of FTA.

Definition Projects

The recently approved definition of 'diversion' was discussed. It is being recommended that a footnote be added to the new definition clarifying that it is the intent for "state" and "jurisdiction" to have the same general connotation for the definition. It is not meant to include another jurisdiction within a state, such as a city or county, as has been used in the Diversion Registry from time to time. Approval at the Annual Meeting in October will be sought, for incorporation in the FTA Uniformity guide.

General

Carol Player presented a draft of the bio-diesel white paper project for discussion. A few recommendations and clarifications were made. A revised version will be presented at the October 2007 meeting with the intent of moving the project on to finality. The expanded portion of the white paper project, which now will include other alternative fuels, will continue as an open item.

The Bill of Lading (BOL) project was discussed. Samples of various bills of lading were reviewed, which are only the tip of a monstrous ice-berg. It was learned

that SASHTO (Southeastern Association of State Highway and Transportation Officials) was looking at the same subject. Carol Player of South Carolina will coordinate information between SASHTO and the Communications and Coordination group of FTA. Sub-committee members strongly feel the BOL user community is inclined to resist any change or uniformity to the BOL. It was suggested that Homeland Security could become involved and further that Federal legislation may have to resolve the issue to reach uniformity. Jack Crago, Mary Crowley and Ed King continue to work the project.

Next, an extensive discussion was held on "fuel grade ethanol". At issue is the general ability (or rather lack thereof) to track this fuels movements, primarily because it is not a "petroleum product". Most large bulk quantities move by rail or by various vessel types on the waterways. It is becoming a larger problem in almost all states.

Multiple tax rates on the same fuel type – with or without different usage- were also discussed. The multiplicity of a states tax rates can't help but result in revenue reductions to most states transportation funding pools. Additionally, with reduced collections, there will also be less Federal matching monies. The proliferation of tax rates (sometimes referred to as 'incentives') frequently end up being refunds to the fuel user. These are political issues that the politicians must recognize and ultimately deal with. Edie Martin (Kansas) put together some language that will be proposed for addition to Section 14, Alternative Fuels, giving some suggestions on how to handle this item. This will be in the Model Legislation document within the Uniformity guide.

The next meeting will be on September 28, 2007 in Baton Rouge, Louisiana followed by the Annual FTA Motor Fuel Tax meeting September 30 through October 3.

The meeting adjourned at approximately 11:20 AM.

Bob Crawford, State Co-Chair

FTA Communication & Coordination Subcommittee June 1-2, 2007

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June 1-2, 2007

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| | Papandrea, Marc | Connecticut | 860-541-3228 | 860-541-7698 | Marc.papandrea@po.state.ct.us | | | |
| X | Player, Carol | S Carolina Dept of Rev | 803-898-5911 | 803-898-5685 | playerc@sctax.org | Х | | Х |
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| Х | Rutledge, Amy | N Carolina Dept of Rev | 336-834-4320 | 336-834-4327 | Amy.rutledge@ncdor.com | | | |

FTA Communication & Coordination Subcommittee

June 1-2, 2007

| Present | Name | State / Company | Phone | Fax | E-Mail Address | 1/07 | 10/06 | 6/06 |
|---------|-----------------|------------------------|--------------|--------------|-----------------------------|------|-------|------|
| | Sery, James H | Oklahoma Tax Comm | 405-522-1764 | | | | | Х |
| Х | Shirk, Rick | Ohio Dept of Taxation | 614-995-5010 | 614-752-1929 | | | | Х |
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FTA Communication & Coordination Subcommittee

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Electronic Commerce / Forms Subcommittees - Agenda Baton Rouge, LA

Sept. 28, 2007 8:00 a.m. to 3:30 p.m.

8:00 A.M. - 11:30 A.M. Forms and EC combined meeting 1:00 P.M. -3:30 P.M. EC Session

Times are approximate

8:00 A.M. – 8:10 A.M.

Introductions

Overview of Agenda Items

Review of EC Minutes from October 6, 2007 Review of Forms Minutes from October 6, 2007

Darrell Wissink, Nebraska Dept of Revenue, Kathryn McKee, Marathon Petroleum,

Herman Wisneski, Minnesota Department of Revenue,

Brian Serafino, Chevron

8:10 A.M. – 9:30 A.M.

Forms Agenda

Herman Wisneski

Michigan racing fuel product code.

Louisiana forms approval. New York forms approval. Arizona forms approval.

STCC/FTA product code comparison. Canada/FTA Product code comparison. "Blendstocks" definition issue or project.

New Business.

9:30 A.M. - 10:00 A.M.

ExSTARS update and User group report

Tim Torri, IRS

Edie Martin, Kansas Dept of Revenue

George Higdon, Mississippi Tax Commission

10:00 A.M. - 10:15 A.M.

Break

10:15 A.M.- 11:00 A.M.

Industry Issues

Brian Serafino

11:00 A.M. - 11:30 A.M.

Canadian Project

Charles Greenough, Canadian Fuel Tax Council

11:30 A.M. – 1:00 P.M. Lunch

1:00 P.M. - 1:30 P.M.

EDI Guide

Submissions

Supplemental return definition Scott Fitzgerald, Iowa Dept of Revenue

1:30 P.M. - 2:30 P.M.

XML Schema update

Stan Whaley, Florida Dept of Revenue

2:30 p.m. - 3:30 p.m.

Review Action Items Review 2007 Goals

> Darrell Wissink Kathy McKee

Next Meeting:

Date: January 18, 2008 Location: Glendale, AZ

FTA Motor Fuel Uniformity Committee June 1, 2007, Pittsburgh, PA

Minutes were reviewed and approved from the January 19, 2007 meetings for both eCommerce and Forms.

Combined Forms and eCommerce (Morning session)

Attended by 27 people: 15 state, 8 industry, 1 vendors, 1 IRS, 2 Canada

ExStars Update

Tim Torri gave an update on ExStars. States will have 4030 and prior 4010 data available. IRS is upgrading hardware to alleviate processing issues with large files. October 1 is deadline for filling 4030 for industry.

Data perfection is still ongoing. EDI help desk number is (216)-898-6432.

Penalty administration is ongoing. IRS has 1047 late and non-filed periods since January 2006. IRS is looking at determining when to assess for a late filed return. The current criterion is w/in 15 days of file due date. Non-filed penalties are being assessed. There is a fast track appeals process available. ExSTARS data has been actively used for determining non-filed assessments.

Biodiesel and Ethanol

IRS is assembling teams to look at the issues and requirements for biodiesel and ethanol products. They are re-visiting how to register or not register refineries. Fuel Policy and ExSTARS Requirements are two different groups involved.

ExSTARS Users Group

4030 data has not been available yet. Ray Grimm reported that states are having difficulty w/ complexity of downloading 4010 data from ExSTARS. Per Tim Torri, this process is currently the same for 4030. States would like to have input on how to make this more usable. ExSTARS user group will look at this.

Industry Issues

Brian Serafino will co-ordinate the industry conference call to discuss any issues that effect uniform electronic filing. Industry should email Brian at bmse@chevron.com to be included. One concern brought to the attention of the group was the lack of standard product definition for gasoline blendstocks. Each state currently has their own definition. By not correctly labeling products there may be missed taxes, especially for waste oil and undefined products.

There is also a problem with registering of alternative fuel plants.

States mandating spreadsheet filing are a concern.

State EDI Guides

<u>Kentucky is seeking approval, with anticipated December implementation</u>. They plan to bring their EDI Implementation Guide in September.

EDI Implementation Guide Updates

Supplemental return needs more definition. Scott Fitzgerald is addressing this.

Working groups were updated. We disbanded the working group for State Web pages. We brought up the topic of the need for ExSTARS Single Point of Filing.

Stan Whaley reported Florida is including a new optional REF Payment Category segment which they need to go with BPR Payment Information to identify payment types such as tax, bill, audit, amended, return item. This will not be included in the FTA EDI Implementation Guide, since FL will be phasing out this process and no other states are using this.

XML Schema

Stan reviewed progress on developing the XML schema for Motor Fuel. Considerations need to include if "combined" reporting is still a business requirement,

The group is developing the schemas to allow reporting for different return types; distributor, supplier, terminal operator, common carrier, retailer. There will also be options for combined returns.

We will include the XML high level design one page document, replacing chapter 11 contents and deleting chapter 12. Revise TOC.

Key:

Action Item (In Italics)
Report at Full Uniformity (Underline)

September 2007 Agenda

- 1. Attendance and introductions
- 2. Approval of June 2007 minutes.
- 3. Old Business:
 - A. Michigan product code request for "Racing gas"
 - B. Louisiana forms approval.
 - C. New York forma approval.
 - D. Arizona forms approval.
 - E. STCC/FTA product code comparison.
 - F. Canada/FTA product cord comparison
 - G. "Blendstocks" definition issue or project.
- 4. New Business