



10/18/18

COST's 49th ANNUAL MEETING October 23 – 26, 2018 Phoenix, Arizona

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Please note that all attendees are welcome to attend any session except for the Audit Sessions. These sessions, as always, are open to COST industry member professionals only.

TUESDAY, OCTOBER 23 rd	
12:00 – 7:30 p.m.	Registration – <i>Arizona Grand Ballroom Foyer</i>
1:00 – 3:00 p.m.	<p>Government Relations State Tax Basics Training – <i>Sonoran Sky 1-4</i> An essential state tax overview and primer for any government affairs professional who deals with state tax legislation and policy issues. This session will review the basic fundamentals of state taxes imposed on business including the essential elements of the income tax computation (e.g., apportionment/allocation, separate/consolidated/combined returns) and discuss the latest trends in state tax reform and how states seek to “more fairly reflect” the activities of companies providing products and services in their state.</p> <p>Speakers: Nikki Dobay, COST, Portland, OR Aziza Farooki, COST, Washington, DC Angela Pitale, NextEra Energy, Juno Beach, FL</p>
3:30 – 5:30 p.m.	<p>Legislative/Government Relations Meeting – <i>Sonoran Sky 1-4</i> State Chamber of Commerce Executives and COST Member Government Affairs and Policy Representatives will discuss and share information regarding COST tax priorities for the new 2018/2019 legislative cycle as well as receive COST advocacy materials.</p> <p>Panel: COST Advocacy Team and Legislative and Policy Steering Committee</p>
5:30 – 7:30 p.m.	Welcome Reception – <i>Sponsored by Ernst & Young* - Paseo Exclusive</i> - Don't miss this opportunity to jump start your tax networking with friends and colleagues in a casual atmosphere. It's a great way to get geared up for the meeting.
7:00 – 8:30 p.m.	COST Board of Directors Meeting – <i>Ocotillo A Meeting Room</i>
8:30 – 9:00 p.m.	STRI Board Meeting – <i>Palm 2D Meeting Room</i>
WEDNESDAY, OCTOBER 24 TH	
7:30 a.m. – 5:10 p.m.	Registration – <i>Arizona Grand Ballroom Foyer</i>
7:30 – 8:30 a.m.	Continental Breakfast & Networking – <i>Palm Court</i>
8:30 – 9:00 a.m.	<p>Welcome & Opening Remarks – COST's 49th Annual Meeting of the Membership: Election of New Directors – <i>Arizona Grand Ballroom A-I</i> Douglas Lindholm, COST, President & Executive Director, Washington, DC Amy Thomas Laub, COST Chair, Nationwide Insurance Company, Columbus, OH Arthur Parham, Incoming COST Chair, Entergy Services, The Woodlands, TX Charles Drury, COST, Vice President & Chief Operating Officer, Washington, DC</p>
9:00 – 10:00 a.m.	<p>After Wayfair – Modernizing State Sales Tax Systems? – <i>Arizona Grand Ballroom A-I</i> The <i>Wayfair</i> decision will have a significant impact on the states' ability to impose their taxing jurisdiction on out-of-state taxpayers, both for sales and use taxes and direct taxes. The decision will also have a longer-term impact on efforts to modernize state sales tax systems by requiring more uniformity and simplification. This session will examine the path forward for taxpayers in light of</p>

	<p><i>Wayfair</i> for all state and local taxes, as well as how state policymakers might improve state sales tax administration in response to the decision.</p> <p>Moderator: Doug Lindholm, COST, Washington, DC</p> <p>Speakers: Sue Haffield, PwC*, Minneapolis, MN Faranak Naghavi, EY*, New York, NY Mitchell Newmark, Morrison & Foerster*, New York, NY</p>		
10:00 – 10:15 a.m.	Refreshment Break & Networking – Arizona Grand Ballroom Foyer		
10:15 – 11:05 a.m.	<p>Facilitating Change – The New World of Marketplace Platform Collection – Sonoran Sky 5-8</p> <p>This session will explore the wave of the future in sales and use tax collection authority – marketplace facilitator laws. Before doing so, the speakers will take attendees on a survey of states’ existing authority to require a third-party to administer sales and use tax on behalf of the seller or retailer. This session will also briefly highlight co-vendor, joint and several liability and assignment rules in the sales and use tax context and compare historic laws to the new marketplace facilitator regimes.</p> <p>Speakers: Eric Fader, BDO*, Chicago, IL Stephen Kranz, McDermott, Will & Emery*, Washington, DC</p>	<p>Sales and Use Tax Compliance for Goods and Services Used in Multiple Jurisdictions – Sonoran Sky 1-4</p> <p>Numerous goods and services are either mobile (think rolling stock) or usable in many different places (think digital goods, software, etc.). How does a vendor determine where to collect sales tax on the sale of these items? And how does a consumer figure out whether and where to pay the use tax on these items? In this program, the speakers will outline the sales and use tax compliance obligations for goods and services used in multiple jurisdictions.</p> <p>Speakers: William Ault, Crowe LLP*, New York, NY Timothy Noonan, Hodgson Russ*, Buffalo, NY</p>	<p>Tax Reform and ASC 740—State Tax Considerations –Arizona Grand Ballroom A-I</p> <p>The speakers in this session will discuss how companies can analyze the impact of the 2017 Tax Reform Act and federal accounting method elections on their state tax provision, including implications for current state income tax expense, state deferred income tax, and unrecognized tax benefit positions. These accounting specialists will also tackle the ongoing complexities in identifying and measuring deferred taxes and assessing needs for valuation allowances, as well as the practical implications of common state uncertain tax positions.</p> <p>Speakers: Kent Clay, Deloitte*, Atlanta, GA Kevin Herzberg, Grant Thornton*, Dallas, TX</p>
. 11:10 a.m. – 12:00 p.m.	<p>Best Practices for the Tax Professional When Getting Involved in the State Legislative Process –Sonoran Sky 5-8</p> <p>Tax professionals face the challenge every year just to stay abreast of the tax law changes made by the various states. However, participating in the legislative</p>	<p>Top Five Trends in State Sales and Use Taxes – Sonoran Sky 1-4</p> <p>Don’t miss this detailed overview of the most important trends impacting sales and use tax across the nation. The speakers in this session will evaluate the most critical</p>	<p>What to Do About "Phantom Income" In Your Tax Base – Arizona Grand Ballroom A-I</p> <p>Many items create deemed (or phantom) income in your federal starting point ENI number. Federal tax reform is one cause (e.g., toll charge and GILTI...),</p>

	<p>process can often bring even greater benefits to the companies that will be impacted by those legislative changes. The speakers in this session will provide the best practices to follow when diving into the legislative process and the various avenues that are available to maximize the benefits of those efforts.</p> <p>Speakers: Nikki Dobay, COST, Portland, OR Phil Horwitz, Moss Adams*, Denver, CO Erica Kenney, EY*, Denver, CO Angela Pitale, NextEra Energy, Juno Beach, FL</p>	<p>developments that could either hurt or help your company or industry.</p> <p>Speakers: Sean Evans, DuCharme McMillen & Associates*, Overland Park, KS Curtis Osterloh, Scott Douglas & McConnico*, Austin, TX</p>	<p>but there are others, such as federal deemed dividends, certain incentives and some depreciation recapture provisions. If there is no specific state modification, you may think your company is stuck with the artificially high income amount. But there are a number of common law, case law, and statutory arguments (that work!) to remove those items from your state tax computations.</p> <p>Speakers: Jonathan Feldman, Eversheds Sutherland (US)*, Atlanta, GA Leah Robinson, Mayer Brown*, New York, NY</p>
12:00 – 1:25 p.m.	<p>Lunch/Networking - <i>Paseo Exclusive</i> - Announcement of COST Directors & Officers for 2018/2019 - Welcome to Arizona, Glenn Hamer, Arizona Chamber of Commerce</p>		
1:25 – 2:15 p.m.	<p>Update on Developments in Property Taxes – <i>Sonoran Sky 5-8</i> The speakers in this session will update attendees on recent developments in the property tax arena including recent California cases dealing with the treatment of intangibles, the IAAO’s article on intangibles, the status of the “dark store” issue and more.</p> <p>Speakers: Cris O’Neill, Greenberg Traurig*, Irvine, CA Mike Rischard, Altus Group*, Phoenix, AZ</p>	<p>Sales and Use Tax Issues with Cloud Transactions – <i>Sonoran Sky 1-4</i> As more companies move to the cloud, purchasers are facing critical issues in determining taxability and situsing. This session will focus on hot issues and trends in this area, including IFTA pre-exemption, limitations on use of exemption certificates, concerns regarding Qui Tam and Class Action, and will discuss best practices for dealing with these ever- challenging issues.</p> <p>Speakers: Loren Chumley, KPMG*, Nashville, TN Carolynn Kranz, Industry Sales Tax Solutions*, Washington, DC James Taylor, Alliance Data, Columbus, OH</p>	<p>Top Five Trends in State Income Taxation of Multistate Businesses – <i>Arizona Grand Ballroom A-I</i> The speakers in this session will update you on the most important trends impacting state income taxes across the nation. They will evaluate the most critical case developments and legislative trends that are likely to be the newsmakers in the future and impact your company’s operations.</p> <p>Speakers: Mark Loyd, Bingham Greenebaum & Doll*, Louisville, KY Brian Pedersen, Alvarez & Marsal Taxand*, San Francisco, CA</p>
2:20 – 3:10 p.m.	<p>Report from the Front Lines: Southeast States and Texas Chamber Roundtable Discussion on Business</p>	<p>Online Marketplace Operators – The Latest Sales Tax Target – <i>Sonoran Sky 1-4</i></p>	<p>Looming Constitutional Challenges: State Corporate Income Tax Conformity with the International</p>

	<p>Taxes – 2018 Recap & 2019 Predictions – <i>Arizona Grand Ballroom A-I</i> Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in the southeast states’ and Texas upcoming legislative sessions, viewed through the prism of this year’s accomplishments and setbacks.</p> <p>Moderators: Ferdinand Hogroian, COST, Washington, DC David Sawyer, COST, Washington, DC</p> <p>Speakers: Matt Boch, Arkansas State Chamber of Commerce/Dover Dixon Horne, Little Rock, AR Mark Colson, Business Council of Alabama, Montgomery, AL Dale Craymer, Texas Taxpayers and Research Association, Austin, TX Bruce Ely, Bradley Arant Boult Cummings, Birmingham, AL Kate Shanks, Kentucky Chamber of Commerce, Frankfort, KY Jason Soper, North Carolina Chamber, Raleigh, NC</p>	<p>The speakers in this session will discuss some of the new SUT and I/F nexus rules regarding marketplace sellers and potential pitfalls, including: Inventory, Notice Requirements, Economic Nexus and Click-through/Affiliate Nexus.</p> <p>Speakers: Peter Larsen, Akerman*, Jacksonville, FL Carley Roberts, Pillsbury Winthrop Shaw Pittman*, Sacramento, CA</p>	<p>Tax Provisions in the TCJA – <i>Sonoran Sky 5-8</i> This session will analyze the potential constitutional infirmities with state corporate income tax conformity with the international tax provisions in the Tax Cuts and Jobs Act. The speakers will discuss issues relating to factor relief (or the absence thereof) and potential discrimination against foreign commerce. The panel will also provide a perspective on the different application of constitutional provisions in separate reporting and combining reporting states.</p> <p>Moderator: Karl Frieden, COST, Washington, DC</p> <p>Speakers: Joseph Donovan, Sullivan & Worcester*, Boston, MA Peter Faber, McDermott Will & Emery*, New York, NY</p>
3:10 – 3:25 p.m.	Refreshment Break & Networking – <i>Arizona Grand Ballroom Foyer</i>		
3:25 – 4:15 p.m.	<p>Audit Session: Puerto Rico and Southeast Region SALT Developments & Audit Reports (COST Industry Members Only) – <i>Arizona Grand Ballroom A-I</i> The ever-popular COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the states of Alabama, Arkansas, Florida, Georgia,</p>	<p>Indirect Tax Technology Tools – <i>Sonoran Sky 1-4</i> The need for technology to help manage indirect tax is more important than ever. As states expand their nexus provisions and implement alternative requirements such as the Notice & Reporting requirements, attempts to comply using ERP functionality or even manual methods raises the risk to both sellers and buyers. Come to participate in a discussion</p>	<p>Pass-Through Entity Updates, including Reporting Federal Changes/Partnership Audits and Potential TCJA Impact – <i>Sonoran Sky 5-8</i> Multistate companies have been increasingly using pass-through entities for their business operations, which creates unique state tax issues. This session will analyze some of the recent state tax developments impacting pass-</p>

	<p>Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia and Puerto Rico Audits.</p> <p>Moderators: Arthur Parham, Entergy Services, The Woodlands, TX Amy Thomas Laub, Nationwide Insurance Co., Columbus, OH</p> <p>Facilitators: Karen DiNuzzo-Wright, Walmart Inc., Bentonville, AR Jeffrey Langer, The Home Depot, Atlanta, GA</p>	<p>on evolving automation trends in the indirect tax space, including review of automated and enabled technology tools, AI, and other process tools. This session will highlight current trends and thinking in automating key indirect tax functions.</p> <p>Speakers: George Famalett, PwC*, San Jose, CA Jeff McGhehey, The Home Depot, Atlanta, GA Diane Yetter, YETTER*, Chicago, IL</p>	<p>through entities and their owners, including the effort to provide model rules for states implementing the new federal partnership audit rules. The panel will also examine the impact of the Tax Cuts and Jobs Act (TCJA) on pass-through entities, including choice of entity issues arising from these changes.</p> <p>Speakers: Nikki Dobay, COST, Washington, DC Bruce Ely, Bradley Arant Boult Cummings*, Birmingham, AL Steve Wlodychak, EY*, Washington, DC</p>
4:20 – 5:10 p.m.	<p>Mike Raley, VF Corporation, Greensboro, NC</p>	<p>2018 Unclaimed Property Updates - Trends and Litigation – <i>Sonoran Sky 1-4</i></p> <p>The speakers in this session will review the ever-evolving unclaimed property world as a result of statutory changes and litigation.</p> <p>Speakers: Cathleen Bucholtz, True Partners Consulting*, Los Angeles, CA Michael Giovannini, Alston & Bird*, Charlotte, NC Gwen Lawhorn, DuCharme McMillen & Associates*, Cincinnati, OH</p>	<p>California’s New Office of Tax Appeals – A Review of its First Year – <i>Sonoran Sky 5-8</i></p> <p>As of January 2018, the new California Office of Tax Appeals (OTA) is hearing cases and issuing decisions on California tax issues. The members of the panel in this session will discuss how California’s new tax tribunal is faring. They will also discuss how the OTA’s process differs from the Board of Equalization’s procedures and whether there is likely to be any additional rulemaking or legislation to work out the kinks. Finally, they will take a look at COST’s Independent Tax Tribunal Policy Position to see how the new OTA stacks up.</p> <p>Moderator: Nikki Dobay, COST, Portland, OR</p> <p>Speakers: Myriam Bouaziz, Office of Tax Appeals, Sacramento, CA</p>

			Chris Campbell, Deloitte*, Los Angeles, CA Jeffrey Vesely, Pillsbury Winthrop Shaw Pittman*, San Francisco, CA Jaclyn Zumaeta, Office of Tax Appeals, Sacramento, CA
5:15 – 5:45 p.m.	Special Reception - First Time Attendees, New Members & Non-Members (Invited) - <i>Paseo Exclusive</i>		
5:45 – 7:15 p.m.	Reception – <i>Sponsored by Eversheds Sutherland* and PwC* - Paseo Exclusive</i> - Now that your brain is filled with the most current tax knowledge, reward your hard work with cocktails, lots of delicious food and good conversation. Share your thoughts and experiences from the first full day with others and gain new perspectives.		
7:30 p.m.	Group Dinner - Z*Tejas Chandler – Everyone is invited to join other COST members for dinner! Don't miss this opportunity to mingle with fellow tax professionals and expand your professional network! Please stop by the Registration Desk to let us know that you will be there or contact Judy Slotnik! Folks will pay their own way.		
THURSDAY, OCTOBER 25th			
6:30 – 7:15 a.m.	Early Morning Walk with Judy Slotnik (COST's Membership Coordinator) and Other Early Risers - Get your day off to a great start sharing an early morning stroll with other attendees. Group will leave from the hotel lobby at 6:30 a.m.		
6:30 a.m. – 5:10 p.m.	Registration – <i>Arizona Grand Ballroom Foyer</i>		
6:30 – 8:00 a.m.	Continental Breakfast & Networking – <i>Palm Court</i>		
7:00 – 8:00 a.m.	<p>Early Morning Ethics Coffee Talk - Ethical & Professional Challenges Facing State Tax Professionals – <i>Sonoran Sky 1-4</i></p> <p>Rise and shine and enjoy an entertaining, informative hour on the latest ethics developments relevant to state tax professionals. This presentation will serve as your “wake up” for Thursday morning. However, there’s much more to this session than getting an hour of Ethics CPE/CLE. Tax professionals and government affairs professionals must navigate a host of ethical issues on a daily basis. Some issues are obvious, others may not be. The speakers will discuss how to spot ethical issues and deal with them in a thoughtful and effective manner. <i>(PLEASE NOTE – THERE WILL BE A SEPARATE REGISTRATION SIGN IN SHEET FOR THIS SESSION AND ATTENDEES MUST ARRIVE AND SIGN IN BY 7:00 AM. IN ORDER TO OBTAIN CLE/CPE).</i></p> <p>Speakers: Jordan Goodman, Horwood Marcus & Berk*, Chicago, IL Kendall Houghton, Alston & Bird*, Washington, DC</p>		
8:00 – 9:00 a.m.	<p>Report from the Front Lines: West Coast States Roundtable Discussion on Business Taxes – 2018 Recap & 2019 Predictions – <i>Arizona Grand Ballroom A-I</i></p> <p>Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in West Coast States’ upcoming legislative sessions,</p>	<p>Damned If You Do, Damned If You Don't – Caught Between Qui Tam and Class Action – <i>Sonoran Sky 1-4</i></p> <p>The recent trend of class action and whistleblower lawsuits related to under/over collection of sales/use tax puts retailers in a no win situation when it comes to uncertain and/or complex compliance issues. The speakers in this session will explore this trend, its impact on</p>	<p>Taxation of “Inbound” Foreign Entities –You Don't Need a PE to Establish State Tax Nexus, and Other Nasty Surprises – <i>Sonoran Sky 5-8</i></p> <p>This session explores the risks that foreign entities face from aggressive U.S. state taxation, both for the foreign entity directly and when conducting business through U.S. subsidiaries.</p>

	<p>viewed through the prism of this year’s accomplishments and setbacks.</p> <p>Moderator: Nikki Dobay, COST, Portland, OR</p> <p>Speakers: Teresa Casazza, California Taxpayers Association, Sacramento, CA Clayton Hill, Association of Washington Business, Olympia, WA Mike Stober, Oregon Business & Industry, Portland, OR</p>	<p>sales tax compliance, and actions that companies can take that reduce their risk/exposure in this area.</p> <p>Speakers: Jaye Calhoun, Kean Miller*, New Orleans, LA David Pope, Baker & McKenzie*, New York, NY</p>	<p>With the aggressive advancement of economic and factor presence nexus, transfer pricing challenges, use of related party addbacks, and changes to apportionment rules, foreign-based entities face an uncertain state tax environment. Further, the decision in <i>Wayfair</i> could create new sales tax collection obligations for foreign entities. This session will examine some of the potential state tax traps for inbound foreign entities, recent legislative developments impacting these businesses, and strategies for minimizing exposure.</p> <p>Speakers: Lynn Gandhi, Honigman Miller Schwartz and Cohn*, Detroit, MI Marilyn Wethekam, Horwood Marcus & Berk*, Chicago, IL</p>
9:05 – 9:55 a.m.	<p>Report from the Front Lines: Western States Chamber Roundtable Discussion on Business Taxes – 2018 Recap & 2019 Predictions – <i>Arizona Grand Ballroom A-I</i></p> <p>Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in the western states’ upcoming legislative sessions, viewed through the prism of this year’s accomplishments and setbacks.</p> <p>Moderators: Nikki Dobay, COST, Portland, OR Pat Reynolds, COST, Washington, DC</p> <p>Speakers: Richard Anklam, New Mexico Tax Research Institute, Albuquerque, NM</p>	<p>All the Right Moves: Understanding and Communicating the State Tax Consequences of Corporate Expansion – <i>Sonoran Sky 1-4</i></p> <p>Now that the economy has turned the corner, your corporation may be looking to expand – a new headquarters, a new manufacturing facility, a new distribution or call center. But what are the tax consequences of such a move? While management may be thinking only about incentives and income or property tax rates, we know there’s more to consider. Choosing between State X and State Y involves analyzing variations in the income tax base and apportionment methodologies, transactions and gross receipts taxes on certain services or products, local wage and income taxes, and, yes, property taxes.</p>	<p>What is the Future for COP? – <i>Sonoran Sky 5-8</i></p> <p>The number of states that still utilize the costs of performance to source certain classes of income is dwindling fast. As decisions are being made when returns are filed, it’s important to know which states have legislatively changed to another sourcing methodology, which have not and which have “changed” absent legislation. It is also important to understand the implications of this disparity. This panel will discuss these issues and how to best handle the states’ varying treatments of this issue.</p> <p>Speakers: Terry Frederick, Barnwell Consulting*, Overland Park, KS</p>

	<p>Miguel Legarreta, Associated Taxpayers of Idaho, Boise, ID Kevin McCarthy, Arizona Tax Research Association, Phoenix, AZ Michael Pelham, Nevada Taxpayers Association, Carson City, NV Howard Stephenson, Utah Taxpayers Association, Salt Lake City, UT Bob Story, Montana Taxpayers Association, Helena, MT</p>	<p>Speakers: William Backstrom, Jones Walker*, New Orleans, LA Elizabeth Cha, Eversheds Sutherland (US)*, Washington, DC</p>	<p>Jennifer Karpchuk, Chamberlain Hrdlicka White Williams & Aughttry*, Conshohocken, PA</p>
9:55 – 10:10 a.m.	Refreshment Break & Networking – Arizona Grand Ballroom Foyer		
10:10 – 11:00 a.m.	<p>Audit Session: West Region SALT Developments & Audit Reports (COST Industry Members Only) – Part 1 – Arizona Grand Ballroom A-I The ever-popular COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the states of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington & Wyoming</p> <p>Moderators: Doug Lindholm, COST, Washington, DC Hugh McKinnon, Raytheon Co., Waltham, MA</p> <p>Facilitators: Madison Barnett, The Coca-Cola Company, Atlanta, GA Benjamin Bright, HCA Healthcare, Nashville, TN</p>	<p>Sales and Use Tax Issues from the Purchaser’s Perspective – Sonoran Sky 1-4 A multijurisdictional purchaser not only must deal with issues of whether the correct amount of tax is collected on a transaction, but also must properly accrue tax on a variety of circumstances. This raises issues including credits for taxes paid to other jurisdictions and multijurisdictional sourcing rules and their application to simultaneous use or subsequent use in different locations. Purchasers must also navigate administrative issues such as qualifying for and maintaining direct pay permits and efficiently obtaining refunds from the state or seeking reimbursement from the seller. This session will examine best practices for dealing with unique and recurring purchaser indirect tax issues.</p> <p>Speakers: Trisha Fortune, Ryan*, San Jose, CA Steve Riddle, RSM*, Denver, CO</p>	<p>Sale of a Business – Now What? – Sonoran Sky 5-8 The speakers in this session will address some of the important issues that sellers must resolve when selling a business such as: factors in categorizing the sale as business or nonbusiness income; how to source the sale for purposes of the sales factor; and, the impact on tax attributes. In addition, they will discuss the forms you need to file, accounts to correct, outstanding liabilities, etc., and effective ways to work together with outside counsel to maximize the benefit and minimize the risk.</p> <p>Speakers: John Eardley, Crowe LLP*, Grand Rapids, MI Molly Miller, Fresenius Medical Care North America, Waltham, MA John Paek, Baker McKenzie*, Palo Alto, CA</p>

<p>11:05 – 12:00 p.m.</p>	<p>Federal Tax Reform – How Have the States Reacted So Far? – Arizona Grand Ballroom A-I The Tax Cuts and Jobs Act not only constituted the single biggest change in federal corporate income tax laws in 30 years but also in state corporate income tax laws. This panel will provide a broad overview of state conformity and non-conformity with federal tax reform provisions in the first 10 months since enactment. How many states have opted out of the more far-reaching provisions such as GILTI and the interest expense limitation, and are more likely to follow? What are some the key emerging trends as companies develop compliance and planning strategies relating to state conformity with TCJA? What are the short-term and long-term state fiscal impacts and how will these influence the direction of state tax policy? These and other topics will be covered in this session.</p> <p>Moderator: Karl Frieden, COST, Washington, DC</p> <p>Speakers: Maria Eberle, Baker & McKenzie*, New York, NY Jamie Yesnowitz, Grant Thornton*, Washington, DC</p>		
<p>12:00 p.m. – 12:25 p.m.</p>	<p>Presentation to Bobby Burgner of the Tenth Annual COST/ Paul Frankel Excellence in State Taxation Award – Arizona Grand Ballroom A-I</p>		
<p>12:25 – 1:25 p.m.</p>	<p>Lunch - <i>Paseo Exclusive</i></p>		
<p>1:25 – 2:15 p.m.</p>	<p>Audit Session: West Region SALT Developments & Audit Reports (COST Industry Members Only) - Part 2 – Arizona Grand Ballroom A-I The ever-popular COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the states of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington & Wyoming</p> <p>Moderators: Doug Lindholm, COST, Washington, DC Hugh McKinnon, Raytheon Co., Waltham, MA</p> <p>Facilitators: Madison Barnett, The Coca-Cola Company, Atlanta, GA Benjamin Bright, HCA Healthcare, Nashville, TN</p>	<p>Learning From the 2018 Survey of State Tax Departments – Sonoran Sky 1-4 In this session, representatives from Bloomberg Tax and COST will join other state tax experts to review the results of the 2018 Survey of State Tax Departments. For 18 years this survey has offered clarity on each state’s position on the gray areas of corporate taxation. This session will take a closer look at the recent trends in state corporate income taxation and taxation of pass-through entities, analyze the survey results in these areas, and provide a discussion on recent changes in states’ taxation of corporations and pass-through entities.</p> <p>Speakers: Lauren Colandreo, Bloomberg Tax, Washington, DC Harley Duncan, KPMG*, Washington, DC Joseph Huddleston, EY*, Washington, DC Fred Nicely, COST, Washington, DC</p>	<p>Focus on Federal Tax Reform: GILTI – Sonoran Sky 5-8 State tax conformity with the global intangible low-taxed income (GILTI) provision within the TCJA represents the single biggest change in state taxation of foreign source income in decades. The panel will provide an in-depth look at how GILTI works at the federal level. It will also examine unique state tax compliance and planning issues relating to GILTI including corporate ownership structures, filing methodologies, and factor relief.</p> <p>Speakers: Alysse McLoughlin, McDermott Will & Emery*, New York, NY Scott Schiefelbein, Deloitte*, Portland, OR</p>

2:20 – 3:10 p.m.	<p>Report from the Front Lines: Northeast States Chamber Roundtable Discussion on Business Taxes – 2018 & 2019 Predictions – <i>Arizona Grand Ballroom A-I</i></p> <p>Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in the northeast states’ upcoming legislative sessions, viewed through the prism of this year’s accomplishments and setbacks.</p> <p>Moderator: Karl Frieden, COST, Washington, DC</p> <p>Speakers: Carl Marrara, Pennsylvania Manufacturers’ Association, Harrisburg, PA Andrew Musick, New Jersey Business & Industry Association, Trenton, NJ Ken Pokalsky, Business Council of New York State, Albany, NY</p>	<p>Taming Those Gross Receipts Taxes – <i>Sonoran Sky 1-4</i></p> <p>Fortunately, post-Ohio’s and Texas’ entry into the gross receipts tax arena back in 2005 and 2007, there has not been a widespread adoption by other states of gross receipts taxes. However, there are still four states with gross receipts taxes (Delaware, Nevada, Ohio, Texas (quasi gross receipts tax), and Washington) along with many local taxes that are effectively gross receipts taxes. Gross receipts taxes may seem simple at first blush, but the sourcing of transactions and administrative compliance issues can make them difficult. This session will provide tips to help navigate and tame the “gross receipts taxes” waters, with a specific focus on issues in Ohio and Texas.</p> <p>Speakers: Danielle Ahlrich, Martens, Todd, Leonard & Ahlrich*, Austin, TX Thomas Zaino, Zaino Hall & Farrin*, Columbus, OH</p>	<p>Focus on Federal Tax Reform: 163(j) – <i>Sonoran Sky 5-8</i></p> <p>The new interest expense limitation provision in the TCJA is one of the most far-reaching (and tax raising) base broadeners included within federal tax reform. The session will provide an overview of IRS guidance to date on how the provision will work at the federal level. It will also analyze state-level compliance issues for both separate reporting and combined reporting states, and complexities arising from coordination with existing related party addback requirements.</p> <p>Speakers: Veronica Caputo, Grant Thornton*, Atlanta, GA Ken Lee, PwC*, San Francisco, CA</p>
3:10 – 3:25 p.m.	<p>Refreshment Break & Networking – <i>Sponsored by Honigman Miller Schwartz and Cohn* - Arizona Grand Ballroom Foyer</i></p>		
3:25 – 4:15 p.m.	<p>Audit Session: Canada, MTC and Northeast Region SALT Developments & Audit Reports (COST Industry Members Only) – <i>Arizona Grand Ballroom A-I</i></p> <p>The ever-popular COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the states of Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode</p>	<p>Is Fundamental Fairness <i>Finito?</i> – <i>Sonoran Sky 1-4</i></p> <p>In <i>Nextel</i>, the Pennsylvania Supreme Court has held that it’s not required to provide a refund where a hypothetical alternative remedy exists. As is did with recent retroactive tax legislation cases, the U.S. Supreme Court refused to review this case. Should the Court’s refusal to hear this case and prior retroactive tax legislation cases cause us concern? The speakers in this session will review the history of this issue and provide their analysis and predictions of the future of this issue and its impact on</p>	<p>Market Sourcing: The Audits Are Coming – <i>Sonoran Sky 5-8</i></p> <p>Market sourcing rules are now applicable in many states, returns have been filed, audits are underway, and controversies are beginning. This panel will review audit and controversy developments and discuss ways to plan for and manage disputes.</p> <p>Speakers: William Gorrod, Morrison & Foerster*, New York, NY</p>

	<p>Island, Vermont and Canada & MTC Audits</p> <p>Moderators: Paul Broman, BP America Inc., Houston, TX Mollie Miller, Fresenius Medical Care North America, Waltham, MA</p>	<p>the taxpayer – taxing authority relationship.</p> <p>Moderator: Fred Nicely, COST, Washington, DC</p> <p>Speakers: Dirk Giseburt, Davis Wright Tremaine*, Seattle, WA Lee Zoeller, Reed Smith*, Philadelphia, PA</p>	<p>Lindsay LaCava, Baker & McKenzie*, New York, NY</p>
4:20 – 5:10 p.m.	<p>Facilitators: Ann Brown, RELX Group, Newton, MA Tony Chirico, Medtronic Inc, Mansfield, MA Toni Mincic, CenturyLink, Broomfield, CO Andy Solomon, L3 Technologies Inc, New York, NY</p>	<p>Inside the Machinery and Equipment Exemption – <i>Sonoran Sky 1-4</i></p> <p>The speakers in this session will discuss the application of the M&E exemptions that are available and the application of those exemptions to the changing business landscape.</p> <p>Speakers: Janette Lohman, Thompson Coburn*, St. Louis, MO Breen Schiller, Horwood Marcus & Berk*, Chicago, IL</p>	<p>Happy 10 Year Anniversary, MeadWestvaco! – <i>Sonoran Sky 5-8</i></p> <p>It's been 10 years since SCOTUS decided MeadWestvaco Corp. v. Illinois Dept. of Revenue, 553 U.S. 16 (2008), the most recent chapter in the Court's unitary business principle line of decisions. The speakers in this session will review that decision and its implications for corporate taxpayers that invest in other businesses. Does the operational purpose test from Allied Signal have any application at all when dealing with investments in unrelated businesses? How have state courts applied MeadWestvaco? What steps can you take to avoid having investment gain treated as business income?</p> <p>Speakers: Jeremy Abrams, Reed Smith*, Washington, DC Nicole Johnson, Morrison & Foerster*, New York, NY</p>
5:30 – 7:30 p.m.	<p>Vendor Fair Reception – <i>South Mountain Ballroom</i></p> <p>Come join the fun as various service and product providers host our Annual Meeting Vendor Fair. There'll be lots of give-aways, food and activities. And at the end of the Vendor Fair there will be several drawings for some fantastic prizes. But you have to stay to the end to win the prize!!! So, come join us for a lot of fun!! Wear your favorite sports team attire to show your pride.</p>		

FRIDAY, OCTOBER 26th

6:30 – 7:15 a.m.	Early Morning Run with Nikki Dobay (COST's West Coast Tax Counsel) and Other Early Risers Join COST's West Coast Counsel, Nikki Dobay, and fellow early-risers for a 2.5 -3.5 mile run. Get a jump on your day and enjoy an opportunity to meet other attendees and see some beautiful, early-morning sites. The group will leave the hotel lobby at 6:30 a.m.		
6:30 a.m. – 1:15 p.m.	Registration – <i>Arizona Grand Ballroom Foyer</i>		
7:00 – 8:00 a.m.	Continental Breakfast & Networking – <i>Palm Court</i>		
7:15 – 8:00 a.m.	COST Membership Task Force Meeting – Open to all COST Industry Members – <i>Sonoran Sky 1-4</i> Please join us and provide your ideas on expanding our membership and increasing the value that our members receive from COST. Remember, COST is the result of all of your efforts and assistance. So, come join us for some lively discussion.		
8:00 – 9:15 a.m.	Tax Administrators Roundtable – <i>Arizona Grand Ballroom A-I</i> This roundtable discussion will feature key state tax administrators discussing the latest news, developments, and outlook from a tax perspective. These administrators will provide insights on what happened in their states during 2018 and what is planned for 2019 and beyond. Moderated by an experienced advisor, this session will provide an opportunity to ask those important questions we all seem to have, either confidentially or face-to-face. Moderator: Jim Eads, Ryan*, Austin, TX Panelists: Karey Barton, Associate Deputy Comptroller of Public Accounts for Tax, State of Texas, Austin, TX Jozel Brunett, California Franchise Tax Board, Sacramento, CA Greg Gursky, Deputy State Treasurer for Tax Policy, State of Michigan, Lansing, MI Grant Nülle, Arizona Department of Revenue, Phoenix, AZ Ron Penny, Secretary of Revenue, State of North Carolina, Raleigh, NC		
9:15 – 9:30 a.m.	Refreshment Break, Networking and Hotel Check Out – <i>Arizona Grand Ballroom Foyer</i>		
9:30 – 10:25 a.m.	Report from the Front Lines: Midwest States Chamber Roundtable Discussion on Business Taxes – 2018 Recap & 2019 Predictions – <i>Arizona Grand Ballroom A-I</i> Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in the midwest states' upcoming legislative sessions, viewed through the prism of this year's accomplishments and setbacks.	Financial Services Hot Topics – <i>Sonoran Sky 1-4</i> This session provides insights on new and developing issues of particular import to the financial services industry. Topics for the session were solicited from COST Financial Services Tax Force members. Sharing of experiences and ideas by attendees is encouraged Speaker: William Kusterman, EY*, Minneapolis, MN	Navigating Varying State Filing Methods and Elections and Using Them to Your Advantage – <i>Sonoran Sky 5-8</i> The state corporate tax reporting landscape is constantly changing, including the continuing spread of mandatory unitary combined reporting (now in about half the states). These new corporate tax filing requirements present a variety of risks and challenges, but also opportunities. Are

	<p>Moderator: Fred Nicely, COST, Washington, DC</p> <p>Speakers: Beth Kadoun, Minnesota Chamber of Commerce, St. Paul, MN Jill Larson, Minnesota Business Partnership, Minneapolis, MN Jeff McClain, Ohio Chamber of Commerce, Columbus, OH Carol Portman, Taxpayers' Federation of Illinois, Springfield, IL Tom Sands, Iowa Taxpayers Association, Des Moines, IA Keith Staats, Illinois Chamber of Commerce, Springfield, IL Bill Waltz, Indiana Chamber of Commerce, Indianapolis, IN</p>		<p>you making the right elections (e.g., water's edge and affiliated group)? In separate entity filing states, are you considering the alternative filing methods allowed, including elective combined and consolidated returns? Is your company efficiently navigating these different state corporate tax filing regimes to arrive at the best tax result for your company while taking steps to reduce risk and compliance costs? This session will examine these questions and provide considerations and best practices to dealing with this annual struggle of state corporate tax departments.</p> <p>Speakers: Michael Wynne, Jones Day*, Chicago, IL Masha Yevzelman, Fredrikson & Byron*, Minneapolis, MN</p>
<p>10:30 –11:20 a.m.</p>	<p>Audit Session: Central /Midwest Region SALT Developments & Audit Reports (COST Industry Members Only) – Arizona Grand Ballroom A-I The ever-popular COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the states of Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Texas & Wisconsin</p> <p>Moderators: Pat Reynolds, COST, Washington, DC Robert Tuinstra, DuPont, Wilmington, DE</p>	<p>Best Practices for Credits & Incentives Management and How to Prepare for FASB Topic 832 and New IRC 118 – Sonoran Sky 1-4 This panel will discuss best practices for tracking, managing and reporting on all forms of government assistance for businesses (public and private) of all sizes. Not only is it critical to gain better control and visibility of this important asset, but to also prepare for new and pending regulations – FASB Topic 832 and IRC 118– which will require greater disclosures on: tax credits, incentives, grants, abatements, rebates, bond guarantees, refundable tax credits, statutory/negotiated incentives, etc.</p> <p>Speakers: Danny Bigel, The OIX*, New York, NY</p>	<p>Interplay of Property Values and Characterizations between Income, Sales and Property Taxes – Sonoran Sky 5-8 The characterization of property for state and local tax purposes can vary based on the type of tax imposed by the state. Property characterized as real property for property tax purposes is often treated differently by the same state under construction contracts for sales tax purposes or income tax purposes. The speakers in this session will cover these similarities and differences and will note the nuances in states' definitions of real property and tangible personal property.</p>

	<p>Facilitators: Sara Archer, H&R Block Management, Kansas City, MO Lani Canniff, Ameriprise Financial, Inc, Minneapolis, MN Joe McGinn, AirLiquide/Airgas, Radnor, PA Patrick Shrake, Cargill, Inc, Minneapolis, MN</p>	<p>Christopher Grissom, Bradley Arant Boult Cummings*, Birmingham, AL Arthur Parham, Entergy Services, The Woodlands, TX</p>	<p>Speakers: Clark Calhoun, Alston & Bird*, Los Angeles, CA John Fletcher, Jones Walker*, Jackson, MS Robert Wollfarth, Baker, Donelson, Bearman, Caldwell & Berkowitz*, New Orleans, LA</p>
11:25 a.m. – 12:15 p.m.		<p>Are You Prepared? MTC and States Ramp Up Transfer Pricing Efforts – <i>Sonoran Sky 1-4</i> After years of discussing and designing a transfer pricing component to its existing audit program, the MTC is finally moving forward with the program. Several states have signed on to the program, and the MTC is working to secure additional participation. Participating states are now meeting to discuss confidential taxpayer information, pursuant to an Information Exchange Agreement. Moreover, states are ramping up their transfer pricing activities, including utilization of third-party contractors. What can taxpayers do to (1) address these issues under audit and (2) proactively minimize exposure when drafting intercompany pricing agreements moving forward?</p> <p>Speakers: Susan Fickling-Munge, Duff & Phelps*, Chicago, IL John Paraskevas, Exxon Mobil, Houston, TX Kyle Sollie, Reed Smith*, Philadelphia, PA</p>	
12:20 – 1:15 p.m.	<p>The Great “Discussion” – <i>Arizona Grand Ballroom A-I</i> This session will provide views on the nation’s most significant state tax policy issues including comments on the future of the corporate income tax.</p> <p>Moderator: Douglas Lindholm, COST, Washington, DC Panelists: Craig Fields, Morrison & Foerster*, New York, NY Jeffrey Friedman, Eversheds Sutherland (US)*, Washington, DC Jordan Goodman, Horwood Marcus & Berk*, Chicago, IL Kendall Houghton, Alston & Bird*, Washington, DC</p>		
1:15 p.m.	<p>Annual Meeting Adjourns</p>		

* Denotes COST Practitioner Connection Partner