



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA
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BETTY T. YEE
First District, San Francisco

BILL LEONARD
Second District, Ontario/Sacramento

MICHELLE STEEL
Third District, Rolling Hills Estates

JUDY CHU, Ph.D.
Fourth District, Los Angeles

JOHN CHIANG
State Controller

RAMON J. HIRSIG
Executive Director

**STATE BOARD OF EQUALIZATION MEETING
450 N Street, Room 121, Sacramento
May 28-29, 2008**

PRELIMINARY RECORD OF BOARD ACTION

Wednesday, May 28, 2008

The following is a preliminary record of Board actions taken at the May 28-29, 2008 Board Meeting. This is not an official record and is subject to correction or modification. The official record of the Board's actions is the minutes of the Board, which will be adopted at a subsequent meeting.

The Board's decision reflects only the issues resolved by the Board at the meeting. Issues resolved prior to the meeting are not reflected in this document.

If you would like specific information regarding items on this Preliminary Record of Board Action, please telephone Rose Smith at (916) 323-9656 or e-mail: Rose.Smith@boe.ca.gov Please be advised that material containing confidential taxpayer information cannot be publicly disclosed.

Board Committee Meetings

BOARD COMMITTEE MEETINGS – Please see Page 19, O., Adoption of Board Committee Reports and Approval of Committee Actions, for voting results.

Board Meeting

Oral Hearings

There are no items for these matters:

- A. Homeowner and Renter Property Tax Assistance Hearings
- B. Corporate Franchise and Personal Income Tax Hearings

C. Sales and Use Tax Appeals Hearings

C1. Janice Diana Samsing and Mildred Kaunas, 356928 (UT)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' Petition Partially Granted/Denied	Dr. Chu	No
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	No
	Mr. Chiang/Ms. Mandel	Yes

C2. Foster Poultry Farms, 77405, 265656, 304306 (KHE)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petitions and Claim Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

C3. Matt Lababedy, 89002316680 (KH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Denied	Dr. Chu	Yes
	Mr. Leonard	No
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

There are no items for these matters:

- D. Special Taxes Appeals Hearings
- E. Property Tax Appeals Hearings

F. Public Hearings

These items are scheduled for the afternoon session.

Chief Counsel Matters**J. Rulemaking**

These items are scheduled for Thursday, May 29, 2008.

K. Business Taxes

There are no items for this matter.

L. Property Taxes

These items are scheduled for Thursday, May 29, 2008.

M. Other Chief Counsel Matters**M1. Adoption of Formal and Memorandum Opinions**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations with revisions.	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

G. Tax Program Nonappearance Matters – Consent**G1. Legal Appeals Matters**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations No Final Determination on sub-items 2a and 2b	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

- Hearing Notices Sent – No Response
 1. Synpep Corporation, 329381 (CH)
 - ~~2a. Jamal A. Mahgoub, 356195 (CH)~~
 - ~~2b. AMT Solutions, Inc., 356197, 392072 (CH)~~
 3. Kenneth Darryl Beecham, 393632, (KH)
 4. Weston James Coolidge, 386899 (CH)
 5. Simmons Duplicating Supply Company, Inc., 347724 (OH)
- Petition for Release of Seized Property
 6. Hany M. Abuelrous, 433967 (ET)

G2. Franchise and Income Tax Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

- Decision
 1. Jack Larson, 329112

G3. Homeowner and Renter Property Tax Assistance Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

- Decision
 1. Gloria M. Williams, 387273

G4. Sales and Use Taxes Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

- Redeterminations
 1. Nissan North America, Inc., 272698 (OHA)
 2. Panasonic Corporation of North America, 422116 (OHB)
 3. 4 S Casino Party Suppliers, LLC, 299497 (BH)
 4. Specialty Salvage Limited, 283580 (KH)
 5. Union Pacific Railroad Company, 326246 (OHA)
- Denial of Claim for Refund
 6. Govstor, LLC, 417205 (JHF)

G5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes—except not participating in sub-item 1

- Refunds
 1. Target Corporation, 360870 (OHA)
 2. Lighthouse Worldwide Solutions, Inc., 373666 (CH)
 3. Birchwood Cabinets of California, Inc., 389873 (KH)
 4. Pentax of America, Inc., 403453 (OHB)
 5. Daimler Chrysler Corporation, 436898 (CHA)
 6. Mercedes-Benz USA, LLC, 426403 (KH)
 7. Qualcomm, Inc., 404369 (UT)
 8. KII Acquisition Company, 342751 (FH)

9. Vertis, Inc., 396782 (OHB)
10. Consolidated Electrical Distributors, Inc., 287507 (AC)
11. TSK America, Inc., 417773 (OHA)
12. Freight Systems, Inc., 395248 (OHA)
13. Watsonville Hospital Corporation, 381029 (GHC)

G6. Special Taxes Matters
There are no items for this matter.

G7. Special Taxes Matters – Credits, Cancellations, and Refunds

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes—except not participating in sub-items 1a, 1b and 3

- Refunds
 - 1a. Equiva Trading Company, 254407, (MT) – “CF”
 - 1b. Equiva Trading Company, 208034, (MT) – “CF”
 2. Nella Oil Company, LLC, 345962 (MT)
 3. Midland National Life Insurance Company, 427043 (ET) – “CF”

There are no items for these matters:

- G8 Property Tax Matters
- G9 Cigarette License Fee Matters
- G10 Legal Appeals Property Tax Matters

H. Tax Program Nonappearance Matters – Adjudicatory

H1. Legal Appeals Matters

- Hearing Notices Sent – No Response
 1. Rajinder Singh Garcha, 30060 (KH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

➤ Cases Heard But Not Decided

2a. Don Ricardo's Restaurant, Inc., 42025 (AP)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Partially Granted/Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Not participating

2b. Padrino's, Inc., 42029 (AC)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Partially Granted/Denied Relieved amnesty-related penalties.	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Not participating

3. John Richard Dudley, 253691 (KH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Partially Granted/Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

H2. Franchise and Income Tax Matters

➤ Opinion

1. Affiliated Funding Corporation, 317945

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Appeal Denied Formal Opinion not Adopted	Dr. Chu	Yes
	Mr. Leonard	No
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

➤ Decisions

2. Bruce H. Erfer and Lynn N. Erfer, 294534

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' Appeal Partially Granted/Denied	Dr. Chu	Yes
	Mr. Leonard	No
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

3a. Stanley W. Gribble, 354879

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Appeal Partially Granted/Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

3b. SWG Management Company, 354880

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Appeal Granted	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

4. Ronald C. Nelson and Marie J. Nelson, 329716

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' Appeal Partially Granted/Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

5. Teresa Rothman, 380556

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Appeal Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

6. Catherine Wimby, 354090

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Appeal Partially Granted/Denied	Dr. Chu	No
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	No
	Mr. Chiang/Ms. Mandel	Yes

7. Constance Zorn, 317272

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Appeal Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

➤ Opinion on Petition for Rehearing

8. Larry Geisel and Rhoda Geisel, 358724

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' Appeal Denied	Dr. Chu	Yes
	Mr. Leonard	Abstain
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

- Matter for Board Consideration
 9. Daniel V, Inc., 342609

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Appeal Denied	Dr. Chu	Yes
	Mr. Leonard	No
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

H3. Homeowner and Renter Property Tax Assistance Matters

- Decision
 1. Savann Nhem, 379885

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Appeal Dismissed	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

- Petition for Rehearing
 2. Sajjad Riyaz, 349075

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Denied	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

H4. Sales and Use Taxes Matters

- Relief of Penalty/Interest
 1. Messer Griesheim Industries, Inc., 435576 (OHB)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Granted	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

2. PCS Leasing Co, L.P., 431274 (OHA)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Granted	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Not participating
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

H5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds

➤ Refund

1. Owens & Minor Distribution, Inc., 306485 (OHB)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Claim Granted	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

H6. Special Taxes Matters

This matter is scheduled for Thursday, May 29, 2008.

There are no items for these matters:

H7 Special Taxes Matters – Credits, Cancellations, and Refunds

H8 Property Tax Matters

H9 Cigarette License Fee Matters

H10 Legal Appeals Property Tax Matters

I. Tax Program Nonappearance Matters**I1. Property Taxes Matters**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Not participating

➤ Audits

1. CallTower, Inc. (7960) – “CF”

2. IP Networks, Inc. (7995) – “CF”

12. Offers-in-Compromise Recommendations

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

1. Sharp Image Electronics, Inc.
2. Fassel Mahmoud Elder
3. Management Insultants L.P.
4. James Steven Slack
5. Fadel Mohammed Elwalani and Marina Elwalani
6. Angie Wilder

1:30 p.m. Board Meeting Reconvenes

Special Presentations

Superior Accomplishment Awards Program

C. Sales and Use Tax Appeals Hearing

C4a. Norman P. Shockley, Jr., 306953 (GH)

C4b. Acclaim Technology, Inc., 341204 (GH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No Final Board Determination. Board ordered that the petitions and claims be submitted for decision, granting the petitioner 30 days to file supporting documents, the Department 30 days to respond, and the Appeals Division 30 days thereafter to review the petitioner's supporting documents, the Department's response and provide its recommendation to the Board.	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

F. Public Hearing

F1. Proposed amendments to Sales and Use Tax Regulation 1807, *Process for Reviewing Local Tax Reallocation Inquiries*; and, adoption of Regulation 1828, *Process for Reviewing Transactions and Use Tax Distribution Inquiries*

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Adopted amendments as published.	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

Administrative Session

The following items are scheduled for Thursday, May 29, 2008.

- N. Consent Agenda
- O. Adoption of Board Committee Reports and Approval of Committee Actions
- P. Other Administrative Matters

Q. Closed Session

These items are scheduled for Thursday, May 29, 2008.



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STATE BOARD OF EQUALIZATION MEETING
450 N Street, Room 121, Sacramento
May 28-29, 2008

PRELIMINARY RECORD OF BOARD ACTION

Thursday, May 29, 2008

Board Meeting

Board Member Annual Photograph

Special Presentation

- Presentation of Retirement Resolution
Joseph D. Young—Postponed to June

State Assessed Properties Value Setting

Property Tax Matter - "CF"

Electric Generation Facilities
SBE Company Nos. 1100-1199

Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Non-Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Energy Companies
SBE Company Nos. 100-199

Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Non-Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Pipeline Companies
SBE Company Nos. 400-499

Consent Agenda Items except SBE Company Nos. 467 and 480

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

SBE Company Nos. 467 and 480

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Not Participating
	Ms. Yee	Yes
	Mr. Chiang	Yes

Railroad Companies
SBE Company Nos. 800-899

Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Non-Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Radio Telephone and Paging Companies
SBE Company Nos. 3000-3999

Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Non-Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Interexchange Telephone Companies
Company Nos. 2000-2499 and 7500-8999

Consent Agenda Items except SBE Company Nos. 7894 and 8035

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

SBE Company Nos. 7894 and 8035

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	No
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang	Yes

Non-Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Wireless Telephone Companies
SBE Companies Nos. 2500-2799

Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Non-Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

Local Exchange Telephone Companies
SBE Company Nos. 200-399

Consent Agenda Items

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Value Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang	Yes

H. Tax Program Nonappearance Matters – Adjudicatory**H6 Special Taxes Matters**

➤ Denial of Relief of Penalty

1. Republic Indemnity Company of California, 298649 (ET) – “CF”

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's Petition Denied	Dr. Chu	Yes
	Mr. Leonard	No
	Ms. Steel	No
	Ms. Yee	Yes
	Mr. Chiang	Yes

C. Sales and Use Tax Appeals Hearing

C5. Princess House, Inc., 380967 (OHB)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No Final Board Determination.	Dr. Chu	Yes
Board ordered that the petition be submitted for decision, granting the petitioner 30 days to file supporting documents, the Department 30 days to respond, and the Appeals Division 30 days thereafter to review the petitioner's supporting documents, the Department's response and provide its recommendation to the Board.	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

Chief Counsel Matters**J. Rulemaking**J1. Proposed Amendments to *Board of Equalization Rules for Tax Appeals* (Cal. Code Regs., tit. 18, § 5000 et seq.)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved amendments as recommended by staff.	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

L. Property Taxes

L1. State Assessee Property Tax Appeals Procedures

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

Administrative Session**N. Consent Agenda**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved Staff Recommendations	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

N1. Retirement Resolutions

- Maria Socorro L. Concepcion
- Thomas A. Gonzales
- Sharon A. Hamilton
- Galen G. Hardin
- Loretta R. Lopez
- Mabel Mar
- Marco W. Morales
- Larry D. Rackley
- Spencer B. Stallings, Jr.
- Patty Taylor
- Victoria T. Winter

N2. Approval of Board Meeting Minutes

- March 18-19, 2008
- April 8, 2008

N3. Adoption of 4-R Act Equalization Ratio for 2008-09

O. Adoption of Board Committee Reports and Approval of Committee Actions

O1. Property Tax Committee

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Adopted committee report and approved the actions therein.	Dr. Chu	Yes
For details see:	Mr. Leonard	Yes
http://www.boe.ca.gov/proptaxes/p/cwplan08.htm	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

1. Discussion of Biopharmaceutical Industry Business Property Assessment Practice Guidelines

<u>DECISION</u>	<u>MEMBER</u>	<u>COMMITTEE VOTE</u>
Deferred to July	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

O2. Customer Services and Administrative Efficiency Committee

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Adopted committee report as amended and approved the actions therein.	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
For details see:	Ms. Yee	Yes
http://www.boe.ca.gov/meetings/custsrv/custsrv08.htm	Mr. Chiang/Ms. Mandel	Yes

P. Other Administrative Matters

P1. Executive Director's Report

- a. Headquarters Building Remediation Update
- b. Headquarters Planning Effort Update
- c. Report on time extensions to Butte, Kern, Mariposa, Monterey, Placer, Santa Cruz and Tulare Counties to complete and submit 2008-09 Local Assessment Roll, pursuant to Revenue and Taxation Code section 155
- d. Report on suggestions submitted at 3/18/08 Business Taxpayers' Bill of Rights Hearings – refund claims filed by hospitals

P2. Chief Counsel Report

There are no items for this matter.

P3. Deputy Director's Report

a. Sales and Use Tax

1. Enhancing BOE Collections
- b. Property and Special Taxes
There are no items for this matter.

c. Administration

1. Interagency Agreement Contracts Over \$1 Million

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes—except not participating in Bank of America

- California Department of Toxic Substances Control
- California Department of Motor Vehicles
- California Department of Technology Services
- Bank of America
- Hygiene Technologies International, Inc.

2. Purchases Over \$1 Million

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved	Dr. Chu	Yes
	Mr. Leonard	Yes
	Ms. Steel	Yes
	Ms. Yee	Yes
	Mr. Chiang/Ms. Mandel	Yes

- Dell Marketing

3. Update on Proposed Fiscal Year 2008-2009 Budget

Q. Closed Session