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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

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<http://www.house.gov/judiciary>

October 3, 2016

The Honorable Karen Haas
Clerk of the U.S. House of Representatives
U.S. Capitol, Room H154
Washington, D.C. 20515

Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the State of Louisiana, received by the House of Representatives in the year 1970, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte

Chairman

Regular Session, 1970

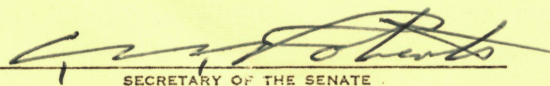
SENATE CONCURRENT RESOLUTION NO. 25

BY MR. JOHNSTON

ORIGINATED

IN THE

SENATE


SECRETARY OF THE SENATE

Regular Session

SENATE CONCURRENT RESOLUTION NO. 25

BY MR. JOHNSTON

A CONCURRENT RESOLUTION

Memorializing the Congress of the United States with respect to the calling of a convention for the purpose of proposing an amendment to the Constitution of the United States relative to the power of Congress and the states to levy and collect taxes upon the income derived from interest paid on evidences of indebtedness of the United States, the states and any political subdivision, agency or instrumentality of the United States or the states.

WHEREAS, the imposition of taxes by the United States Government on the interest earned on indebtedness of States, their political subdivisions, and the agencies and instrumentalities thereof, would create a burden on and restrict the power of state and local governments to fund money; and

WHEREAS, the constantly recurring attempts of Congress and the Treasury Department of the United States to impose or attempt to impose such taxes, directly or indirectly, has severely damaged and continues to threaten great damage to the ability of all state and local governmental units to borrow money for needed public improvements and has delayed many improvements and substantially increased the cost of those undertaken, to the detriment of the taxpayer; and

WHEREAS, the continued attempts to impose such taxes violates the constitutional principle of reciprocal

intergovernmental tax immunity first enunciated by the Supreme Court of the United States in McCulloch v. Maryland (4 Wheat 316) in the year 1819 and more specifically applied by that court in Pollack v. Farmers' Loan & Trust Co. (157 U.S. 429) and later cases; and

WHEREAS, it is urgent and essential to the best interest of the citizens of this and all other states that definitive action be taken to insure against further attempts on the part of Congress to tax such interests earnings by amending the Constitution of the United States to unequivocally reaffirm the principle of reciprocal intergovernmental tax immunity and thereby to restore investor confidence in the market for such evidences of indebtedness and consequently reduce the burden incident to borrowing by the states, their political subdivisions, agencies and instrumentalities, and ultimately the burden on the taxpayer.

THEREFORE, BE IT RESOLVED by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring that, in conformity with Article V of the Constitution of the United States, application is hereby made by the Legislature of Louisiana to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States which shall read substantially as follows:

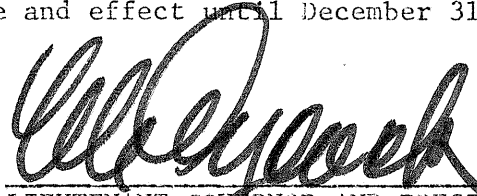
"Article _____

Without the consent of a state, the Congress shall have no power to levy or provide for the collection of any tax, direct or indirect, upon income derived from interest paid on evidences of indebtedness of such state or of any political subdivision, agency or instrumentality thereof, nor shall any state have power, without the consent of Congress, to levy and collect any tax, direct or indirect, upon income derived from interest paid on obligations of the United States or of any agency or

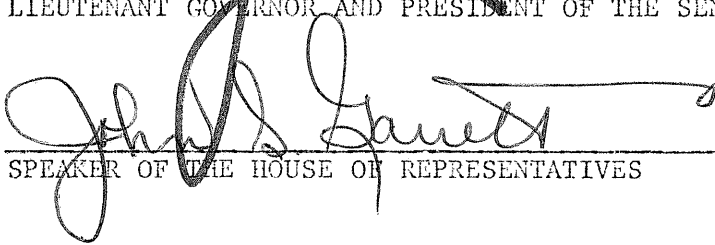
instrumentality thereof."

BE IT FURTHER RESOLVED that duly attested copies of this Concurrent Resolution shall be transmitted immediately by the Secretary of State of Louisiana to the President and Secretary of the Senate of the Congress of the United States, to the Speaker and Clerk of the House of Representatives of the Congress of the United States, to the Secretary of State of the United States and to each member of the Congress from the State of Louisiana.

BE IT FURTHER RESOLVED that this Concurrent Resolution shall continue in full force and effect until December 31, 1975.



LIEUTENANT GOVERNOR AND PRESIDENT OF THE SENATE



SPEAKER OF THE HOUSE OF REPRESENTATIVES