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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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September 27, 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 1971, 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, 1971

SENATE CONCURRENT RESOLUTION NO. 138

BY SENATOR GUSTE AND REPRESENTATIVES LEBRETON

AND GARRETT

ORIGINATED

IN THE

SENATE


SECRETARY OF THE SENATE

Regular Session, 1971

SENATE CONCURRENT RESOLUTION NO. 138

BY SENATOR GUSTE AND REPRESENTATIVES LEBRETON
AND GARRETT

A CONCURRENT RESOLUTION

Requesting the Congress of the United States to call a convention for the purpose of amending the United States Constitution to provide for intergovernmental sharing of federal income tax revenues.

WHEREAS, a resolution of our nation's myriad and diverse problems is contingent upon a viable partnership between the federal government and strengthened state governments; and

WHEREAS, the federal government, by its extensive reliance on the graduated income tax as a revenue source, has virtually preempted the use of this source from state and local governments, thereby creating a disabling fiscal imbalance between the federal government and the state and local governments; and

WHEREAS, increasing demands upon state and local governments for essential public services have compelled the states to rely heavily on highly regressive and inelastic consumer taxes and property taxes; and

WHEREAS, federal revenues based predominantly on income taxes increase significantly faster than

economic growth, while state and local revenues based heavily on sales and property taxes do not keep pace with economic growth, and

WHEREAS, the fiscal crisis at state and local levels has become the overriding problem of intergovernmental relations and of continuing a viable federal system; and

WHEREAS, the evident solution to this problem is a meaningful sharing of federal income tax resources; and

WHEREAS, the United States Congress, despite the immediate and imperative need therefor, has failed to enact acceptable revenue sharing legislation; and

WHEREAS, in the event of such Congressional inaction, Article V of the Constitution of the United States grants to the states the right to initiate constitutional change by applications from the legislatures of two-thirds of the several states to the Congress, calling for a constitutional convention; and

WHEREAS, the Congress of the United States is required by the Constitution to call such a convention upon receipt of applications from the legislatures of two-thirds of the several states.

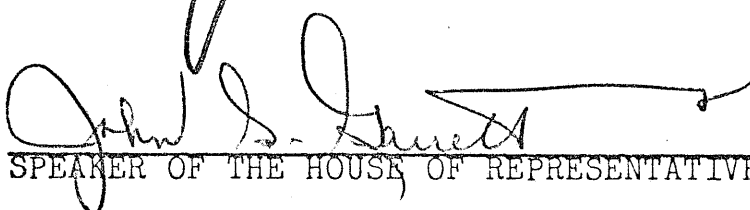
NOW, THEREFORE, BE IT RESOLVED by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that pursuant to Article V of the United States Constitution the Legislature of the State of Louisiana does hereby make application to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing to the several states a constitutional amendment which shall provide

that a portion of the taxes on income levied by Congress pursuant to the sixteenth amendment of the United States Constitution shall be made available each year to state governments and political subdivisions thereof, by means of direct allocation, tax credits, or both, without limiting directly or indirectly the use of such monies for any purpose not inconsistent with any other provision of the Constitution of the United States.

BE IT FURTHER RESOLVED that this application shall constitute a continuing application for such convention pursuant to Article V until the Legislatures of two-thirds of the states shall have made like applications and such United States, unless previously rescinded by the Legislature of Louisiana.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be transmitted forthwith to the President of the Senate and the Speaker of the House of Representatives of the United States and to the Legislatures of each of the several states attesting the adoption of this resolution by the Legislature of the State of Louisiana and to each member of the Congress from the State of Louisiana.


LIEUTENANT GOVERNOR AND PRESIDENT OF THE SENATE


SPEAKER OF THE HOUSE OF REPRESENTATIVES