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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>

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 North Dakota, 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

Forty-Second Legislative Assembly, State of North Dakota begun and held at the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and seventy-one.

SENATE CONCURRENT RESOLUTION NO. 4013

Jud
M-143

(Lips)

A concurrent resolution requesting Congress to call a convention to amend the Constitution of the United States to provide for revenue sharing.

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 the receipt of applications from the legislatures of two-thirds of the several States:

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:


That the Forty-second Legislative Assembly does hereby make application pursuant to article V of the United States Constitution 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 moneys for any purpose not inconsistent with any other provision of the Constitution of the United States; and

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 convention shall have been called by the Congress of the United States, unless previously rescinded by the North Dakota Legislative Assembly; and

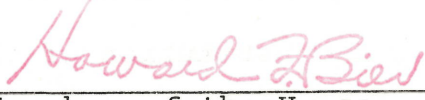
BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the President of the Senate and the Speaker of the House of Representatives of the United States, to the North Dakota Congressional Delegation, and to the legislatures of each of the several States.



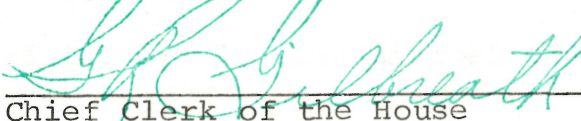
President of the Senate



Secretary of the Senate



Speaker of the House



Chief Clerk of the House