



Introduced Version

**HOUSE CONCURRENT
RESOLUTION No. _____**

DIGEST OF INTRODUCED RESOLUTION

A CONCURRENT RESOLUTION requesting the United States Congress to enact legislation prohibiting the United States Postal service from selling non-monopoly goods and services.

Buck

_____ 1999, read first time and referred to Committee on



Introduced

First Regular Session 111th General Assembly (1999)

HOUSE CONCURRENT RESOLUTION

A CONCURRENT RESOLUTION requesting the United States Congress to enact legislation prohibiting the United States Postal service from selling non-monopoly goods and services.

Whereas, The United States Postal Service ("the Postal Service") has recently embarked on a number of programs pursuant to which the Postal Service engages in non-postal businesses and sells many non-postal goods and services at post offices, including clothing, mugs, novelty items, photocopying services, packaging materials, and other non-postal goods and services;

Whereas, Various State and local governments have enacted sales and use taxes on the sale or consumption of goods or services within the State or their various political subdivisions;

Whereas, The Postal Service does not collect and remit state or local sales and use taxes on its sale of non-postal goods or services;

Whereas, The Postal Service bases its non-collection of sales and use taxes on the Supremacy Clause of the United States and the doctrine of intergovernmental tax immunity;

1999

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Whereas, The sale of non-postal goods or services by the Postal Service is not in accordance with the performance of a governmental function but rather is the type of activity engaged in by private enterprises that are subject to State and local sales and use taxes; and

Whereas, The Postal Service's practice of selling non-postal goods and services while at the same time not collecting and remitting sales and use taxes on the sale of such non-postal goods and services puts local tax-paying retailers selling similar items at an economic disadvantage and also has a negative impact on state and local treasuries as a result of the loss of tax revenues that would otherwise be received: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

1 SECTION 1. The Indiana General Assembly hereby requests the
2 United States Congress to enact legislation to prohibit the sale by the
3 Postal Service of such non-monopoly related goods and services and
4 prohibit further service offerings and advertisements by the Postal
5 Service in areas where the general public is presently served by private
6 industry.

7 SECTION 2. That the Principal Clerk of the House of
8 Representatives transmit copies of this resolution to the Vice President
9 of the United States in his capacity as President of the United States
10 Senate, to the Speaker of the United States House of Representatives,
11 to the Clerk of the United States House of Representatives, to the
12 Secretary of the United States Senate, and to the Postmaster General.

