

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

SENATE CONCURRENT RESOLUTION NO. 4053

(Senators T. Mathern, G. Nelson)

(Representatives Boucher, Dorso)

(Approved by the Delayed Bills Committee)

A concurrent resolution urging Congress to act quickly to fulfill its obligation under the Internet Tax Freedom Act with regard to balanced membership of the Advisory Commission on Electronic Commerce and urging the Advisory Commission on Electronic Commerce to be mindful in its deliberations of the impact of Internet usage and Internet sales transactions on telecommunications, traditional retail businesses, and state and local tax bases.

WHEREAS, the Internet Tax Freedom Act was signed into law on October 21, 1998, and provided for establishment of the Advisory Commission on Electronic Commerce, to include 16 members appointed by Congressional leadership, eight of whom are to represent state and local governments and eight of whom are to represent industry and consumer groups; and

WHEREAS, equal representation for state and local governments is critical to North Dakota and other states because sales taxes have traditionally been a state prerogative and the participation of state and local governments is essential to the validity of recommendations of the Advisory Commission because the enormous growth in Internet usage and Internet sales transactions seriously impacts telecommunications, traditional retail businesses, and state and local tax bases; and

WHEREAS, appointments to the Advisory Commission on Electronic Commerce were made by Congressional leaders without consultations among themselves and resulted in an imbalance in the membership of the Advisory Commission on Electronic Commerce, with fewer than eight members representing state and local governments, which does not comply with the Internet Tax Freedom Act; and

WHEREAS, the failure of Congress to comply with its own legislation and appoint a balanced commission must be corrected as soon as possible because the Advisory Commission on Electronic Commerce has a limited time to complete its work and much of that time has already been lost;

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

That the Fifty-sixth Legislative Assembly urges the Congress of the United States to act quickly to fulfill its obligation under the Internet Tax Freedom Act with regard to balanced membership of the Advisory Commission on Electronic Commerce and urges the Advisory Commission on Electronic Commerce to be mindful in its deliberations of the impact of Internet usage and Internet sales transactions on telecommunications, traditional retail businesses, and state and local tax bases; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Majority and Minority Leaders of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, to each member of the Advisory Commission on Electronic Commerce, and to each member of the North Dakota Congressional Delegation.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

Filed in this office this _____ day of _____, 1999,
at _____ o'clock _____ M.

Secretary of State