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RESOLUTION NO. 9-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, URGING UNITED STATES CONGRESSIONAL ACTION TO FULLY FUND AN ANTI-DRUG PROGRAM, REAUTHORIZE WITH CERTAIN PROVISIONS THE RESOURCE CONSERVATION AND RECOVERY ACT, AND AUTHORIZE FULL COLLECTION OF STATE AND LOCAL SALES TAX ON INTERSTATE SALES.

WHEREAS, S 26 and HR 705 have been introduced in Congress providing a supplemental appropriation bill which would fully fund an anti-drug abuse effort, including \$125 million for state and local drug enforcement grants and \$24 million to reduce the waiting list for treatment programs and other purposes; and

WHEREAS, Congress is considering reauthorization of the Resource Conservation Recovery Act which regulates the disposal of solid and hazardous wastes; and

WHEREAS, the United States Supreme Court barred states and cities from requiring out-of-state retailers to collect tax owed on sales to residents of their jurisdiction unless Congress enacts authorizing legislation; and

WHEREAS, this tax loophole results in an annual loss of \$500 million in local sales tax and more than \$2 billion in state sales tax:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1: That the City Council of the City of Mesquite, Texas, urges the United States Congress to pass Legislation fully funding the anti-drug program introduced by Senator Daniel Moynihan and Representative Charles Rangel. This legislation is desperately needed by cities whose citizens are daily threatened with violence at the hands of those selling and using illegal drugs.

SECTION 2: That the City Council of the City of Mesquite, Texas, urges that when Congress reauthorizes the Resource Conservation and Recovery Act that it contain these provisions:

- Create joint governmental and private sector initiatives to remove toxic constituents from products that end up in the waste stream and to reduce the volume of packaging that must be disposed.
- Create joint initiatives to encourage and expand the amount of waste that is recycled.

00058

RESOLUTION/ Page 2

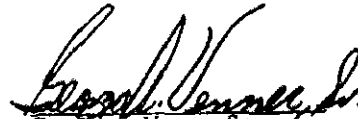
- Develop a regulatory framework for municipal incinerators that will improve their operation and perhaps enhance their public acceptability.
- Provide federal funding both directly and through amendments to the tax code that facilitate for siting of landfills (including ash disposal facilities).

SECTION 3: That the City Council of the City of Mesquite, Texas, strongly urges that the Congress introduce and pass legislation that provides for full collection of state and local sales taxes on interstate sales. This legislation should be patterned after the compromise agreement reached among the National League of Cities, The National Association of Counties, the National Conference of State Legislators, the National Conference of Mayors and the National Governors Association. This agreement would require a state to enact a local "in lieu" fee before it can collect the state sales taxes. Federal law would specify that the "in lieu" rate must be equal to the weighted average sales tax rate used by local governments in the state. Out of state retailers would have the choice of collecting local sales taxes for a particular state at either the "in lieu" rate or the actual local rate.

SECTION 4: That a copy of this resolution be transmitted to Congressman John Bryant with a request for any assistance he may be able to provide in these important matters.

SECTION 5: That this resolution shall take effect immediately from the date of its passage.

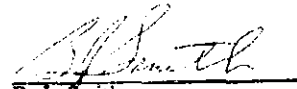
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 6th day of March, A.D., 1989.

  
George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED:

  
Lynn Prugel  
City Secretary

  
B. J. Smith  
City Attorney