

By Representative Sanderson

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House Memorial

A memorial to the Congress of the United States  
requesting Congress to enact legislation  
prohibiting the United States Postal Service  
from selling nonmonopoly goods and services.

WHEREAS, the United States Postal Service has recently  
embarked upon a number of programs pursuant to which the  
Postal Service engages in nonpostal businesses and sells many  
nonpostal goods and services at post offices, including  
clothing, mugs, novelty items, photocopying services,  
packaging materials, and other nonpostal goods and services,  
and

WHEREAS, various state and local governments have  
enacted sales and use taxes on the sale or consumption of  
goods or services within their states or their various  
political subdivisions, and

WHEREAS, the Postal Service does not collect and remit  
state or local sales and use taxes on its sale of nonpostal  
goods or services, and

WHEREAS, the Postal Service bases its noncollection of  
sales and use taxes on the "supremacy clause" of the United  
States Constitution and the doctrine of intergovernmental tax  
immunity, and

WHEREAS, the sale of nonpostal 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 practice by the Postal Service of selling  
nonpostal goods and services while at the same time not

1 collecting and remitting sales and use taxes on the sale of  
2 such nonpostal goods and services puts local taxpaying  
3 retailers selling similar items at an economic disadvantage  
4 and has a negative impact on state and local treasuries as a  
5 result of the loss of tax revenues that would otherwise be  
6 received, NOW, THEREFORE,

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8 Be It Resolved by the Legislature of the State of Florida:

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10 That the House of Representatives of the State of  
11 Florida hereby requests the United States Congress to enact  
12 legislation to prohibit the sale by the United States Postal  
13 Service of such nonmonopoly-related goods and services and  
14 prohibit further service offerings and advertisements by the  
15 United States Postal Service in areas where the general public  
16 is presently served by private industry.

17 BE IT FURTHER RESOLVED that copies of this memorial be  
18 sent to each member of the Florida delegation to the United  
19 States Congress, to the Vice President of the United States in  
20 his capacity as the President of the Senate, to the Speaker of  
21 the United States House of Representatives, to the Clerk of  
22 the United States House of Representatives, to the Secretary  
23 of the United States Senate, and to the Postmaster General of  
24 the United States.

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