

HM 1429

2011

## 1 House Memorial

2 A memorial to the Congress of the United States, urging  
3 Congress to submit the repeal amendment to the United  
4 States Constitution to the states for ratification.

5  
6 WHEREAS, the United States Constitution provides for a  
7 government with enumerated powers, and

8 WHEREAS, the Tenth Amendment to the United States  
9 Constitution provides that "[t]he powers not delegated to the  
10 United States by the Constitution, nor prohibited by it to the  
11 States, are reserved to the States respectively, or to the  
12 people," and

13 WHEREAS, the balance of power in the federal system has  
14 shifted decidedly in favor of the powers of the Federal  
15 Government over the last century as a result of constitutional  
16 amendments and changes in judicial interpretation of  
17 constitutional limitations on the powers of the Federal  
18 Government, and

19 WHEREAS, the proposed repeal amendment would provide "[a]ny  
20 provision of law or regulation of the United States may be  
21 repealed by the several states, and such repeal shall be  
22 effective when the legislatures of two-thirds of the several  
23 states approve resolutions for this purpose that particularly  
24 describe the same provision or provisions of law or regulation  
25 to be repealed," and

26 WHEREAS, adoption of this amendment to the United States  
27 Constitution would restore the original balance in our federal  
28 system and allow a check on the Federal Government by the

HM 1429

2011

29 | democratically elected members of the legislatures of the  
30 | several states, NOW, THEREFORE,

31

32 | Be It Resolved by the Legislature of the State of Florida:

33

34 |       That the Congress of the United States is requested to  
35 | submit the repeal amendment to the United States Constitution to  
36 | the states for ratification.

37 |       BE IT FURTHER RESOLVED that copies of this memorial be  
38 | dispatched to the President of the United States, to the  
39 | President of the United States Senate, to the Speaker of the  
40 | United States House of Representatives, and to each member of  
41 | the Florida delegation to the United States Congress.