

HM 439

2017

## 1 House Memorial

2 A memorial to the Congress of the United States,  
3 urging Congress to propose to the states an amendment  
4 to the Constitution of the United States, for  
5 submission to the several states, which would require  
6 a federal regulation be adopted by a majority vote of  
7 both houses of Congress if opposed by a specified  
8 percentage of the membership of either house.  
9

10 WHEREAS, the growth and abuse of federal regulatory  
11 authority threaten our constitutional liberties, including those  
12 guaranteed by the Bill of Rights in the First, Second, Fourth,  
13 and Fifth Amendments to the Constitution of the United States,  
14 and

15 WHEREAS, federal regulators must be more accountable to the  
16 elected representatives of the people and not immune from such  
17 accountability, and

18 WHEREAS, the Declaration of Independence decried the  
19 imposition of the central government of "absolute Tyranny over  
20 these States" that "erected a multitude of New Offices, and sent  
21 hither swarms of Officers to harass our people, and eat out  
22 their substance," and

23 WHEREAS, the states too often find themselves in a similar  
24 position today, and

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25 WHEREAS, the United States House of Representatives has  
 26 passed with bipartisan support the Regulations from the  
 27 Executive in Need of Scrutiny (REINS) Act of 2015, H.R. 427, to  
 28 require that Congress approve major new federal regulations  
 29 before they may take effect, and

30 WHEREAS, even if enacted, the law may be repealed or not  
 31 enforced by a future Congress or the President, and

32 WHEREAS, an amendment to the United States Constitution  
 33 does not require the President's approval and cannot be waived  
 34 by a future Congress or the President, NOW, THEREFORE,

35  
 36 Be It Resolved by the Legislature of the State of Florida:

37  
 38 That the Florida Legislature respectfully petitions the  
 39 Congress of the United States to propose to the states an  
 40 amendment to the Constitution of the United States, for  
 41 submission to the several states for ratification, entitled the  
 42 "Regulation Freedom Amendment," as follows:

43  
 44 "Whenever one-quarter of the Members of the United  
 45 States House or the United States Senate transmit to  
 46 the President their written declaration of opposition  
 47 to a proposed federal regulation, it shall require a  
 48 majority vote of the House and Senate to adopt that  
 49 regulation."

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51 BE IT FURTHER RESOLVED that copies of this memorial be  
52 dispatched to the President of the United States, to the  
53 President of the United States Senate, to the Speaker of the  
54 United States House of Representatives, and to each member of  
55 the Florida delegation to the United States Congress.