

By Senator Baxley

12-00704-20

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Senate Memorial

A memorial to the Congress of the United States, urging Congress to propose to the states an amendment to the Constitution of the United States, for submission to the several states, which would require that a federal regulation be adopted by a majority vote of both houses of Congress if the proposed federal regulation is opposed by a specified percentage of the membership of either house.

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

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

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

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

WHEREAS, the United States Senate is considering the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2019, S. 92, to require that Congress approve major new federal regulations before they may take effect, and

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30 WHEREAS, even if enacted, the law may be repealed or not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

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

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

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

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

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