

HM 501

2020

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

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

29 WHEREAS, even if enacted, the law may be repealed or not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