

By Senator Hays

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Senate Memorial

1  
2 A memorial to the Congress of the United States,  
3 applying to Congress to call a convention for the sole  
4 purpose of proposing amendments to the Constitution of  
5 the United States which impose fiscal restraints on  
6 the Federal Government, limit the power and  
7 jurisdiction of the Federal Government, and limit the  
8 terms of office for federal officials and members of  
9 Congress.

10  
11 WHEREAS, the Founders of the United States of America  
12 provided in the Constitution of the United States for a limited  
13 Federal Government of express enumerated powers, and

14 WHEREAS, the Tenth Amendment to the Constitution  
15 specifically provides that all powers not delegated to the  
16 Federal Government nor prohibited by the Constitution to the  
17 states are reserved to the states, respectively, or to the  
18 people, and

19 WHEREAS, for many decades, this balance of power was  
20 generally respected and followed by those occupying positions of  
21 authority in the Federal Government, and

22 WHEREAS, as federal power has expanded over the past  
23 decades, federal spending has exponentially increased to the  
24 extent that it is now decidedly out of balance in relation to  
25 actual revenues or when comparing the ratio of accumulated  
26 public debt to the nation's gross domestic product, and

27 WHEREAS, in 2013, the Federal Government's accumulated  
28 public debt exceeded \$17 trillion, which is more than double  
29 that in 2006, and

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30 WHEREAS, projections of federal deficit spending in the  
31 coming decades demonstrate that this power shift and its fiscal  
32 impacts are continuing and pose serious threats to the freedom  
33 and financial security of the American people and future  
34 generations, and

35 WHEREAS, the Founders of the United States of America  
36 provided a procedure in Article V of the Constitution to amend  
37 the Constitution on application of two-thirds of the several  
38 states, calling a convention for proposing amendments that will  
39 be valid to all intents and purposes if ratified by the  
40 legislatures of three-fourths of the several states, or by  
41 conventions in three-fourths thereof, as one or the other mode  
42 of ratification may be proposed by Congress, and

43 WHEREAS, it is a fundamental duty of state legislatures to  
44 support, protect, and defend the liberty of the American people,  
45 including generations yet to come, by asserting their solemn  
46 duty and responsibility under the Constitution to call for a  
47 convention under Article V for proposing amendments to the  
48 Constitution to reverse and correct the ominous path that the  
49 country is now on and to restrain future expansions and abuses  
50 of federal power, NOW, THEREFORE,

51  
52 Be It Resolved by the Legislature of the State of Florida:

53  
54 (1) That the Legislature of the State of Florida does  
55 hereby make application to Congress pursuant to Article V of the  
56 Constitution of the United States to call an Article V  
57 convention for the sole purpose of proposing amendments to the  
58 Constitution of the United States which:

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59 (a) Impose fiscal restraints on the Federal Government.

60 (b) Limit the power and jurisdiction of the Federal  
61 Government.

62 (c) Limit the terms of office for federal officials and  
63 members of Congress.

64 (2) That these three proposed amendment categories are  
65 severable from one another and may be counted individually  
66 toward the required two-thirds number of applications made by  
67 the state legislatures for the calling of an Article V  
68 convention.

69 (3) That this memorial is revoked and withdrawn, nullified,  
70 and superseded to the same effect as if it had never been  
71 passed, and retroactive to the date of passage, if it is used  
72 for the purpose of calling a convention or used in support of  
73 conducting a convention to amend the Constitution of the United  
74 States for any purpose other than imposing fiscal restraints on  
75 the Federal Government, limiting the power and jurisdiction of  
76 the Federal Government, or limiting the terms of office for  
77 federal officials and members of Congress.

78 (4) That this application constitutes a continuing  
79 application in accordance with Article V of the Constitution of  
80 the United States until the legislatures of at least two-thirds  
81 of the several states have made applications on one or more of  
82 the three proposed amendment categories listed above.

83 BE IT FURTHER RESOLVED that copies of this memorial be  
84 dispatched to the President of the United States, to the  
85 President of the United States Senate, to the Speaker of the  
86 United States House of Representatives, and to each member of  
87 the Florida delegation to the United States Congress.