

HM 1191

2016

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 entitled the
5 "Regulation Freedom Amendment," which would require a
6 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 House of Representatives has
26 passed with bipartisan support the Regulations from the

HM 1191

2016

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, the President of the United States has
 31 unfortunately shown no inclination to sign the REINS Act if it
 32 were passed by both houses of Congress, and

33 WHEREAS, even if enacted, the law may be repealed or not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

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

38
 39 Be It Resolved by the Legislature of the State of Florida:

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

45
 46 "Whenever one-quarter of the Members of the United
 47 States House or the United States Senate transmit to
 48 the President their written declaration of opposition
 49 to a proposed federal regulation, it shall require a
 50 majority vote of the House and Senate to adopt that
 51 regulation."
 52

HM 1191

2016

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