

By Senator Hays

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1 Senate Memorial

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.

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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:

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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.