

REFERENCE TITLE: proposing regulation freedom amendment; Congress

State of Arizona  
Senate  
Fifty-second Legislature  
First Regular Session  
2015

## SCM 1005

Introduced by

Senators Barto, Allen, Farnsworth D, Kavanagh, Lesko, Shooter, Smith,  
Ward: Burges, Dial, Driggs, Griffin, Pierce, Yee; Representatives Finchem,  
Lawrence, Pratt, Thorpe, Weninger

### A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS TO PROPOSE THE REGULATION FREEDOM AMENDMENT  
TO THE UNITED STATES CONSTITUTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, the growth and abuse of federal regulatory authority threaten  
4 our constitutional liberties, including those guaranteed by the Bill of  
5 Rights in the First, Second, Fourth and Fifth Amendments of the United States  
6 Constitution; and

7 Whereas, federal regulators must be more accountable to elected  
8 representatives of the people, not immune from such accountability; and

9 Whereas, the Declaration of Independence decried the imposition by the  
10 central government of "an absolute tyranny over these states" and a central  
11 government that "erected a multitude of New Offices and sent hither Swarms of  
12 Officers to harass our People and eat out their Substance"; and

13 Whereas, states too often find themselves in a similar position today;  
14 and

15 Whereas, the United States House of Representatives has passed with  
16 bipartisan support the Regulations from the Executive in Need of Scrutiny  
17 (REINS) Act to require that Congress approve major new federal regulations  
18 before they can take effect; and

19 Whereas, the President of the United States has unfortunately shown no  
20 inclination to sign the REINS Act if it were to pass both houses of Congress;  
21 and

22 Whereas, even if enacted, a law may be repealed or waived by a future  
23 Congress and President; and

24 Whereas, an amendment to the United States Constitution does not  
25 require the President's approval and cannot be waived by a future Congress  
26 and President.

27 Wherefore your memorialist, the Senate of the State of Arizona, the House of  
28 Representatives concurring, prays:

29 1. That the United States Congress vote to propose the Regulation  
30 Freedom Amendment to the United States Constitution as follows:

31 Whenever one-quarter of the Members of the United States House  
32 or the United States Senate transmit to the President their  
33 written declaration of opposition to a proposed federal  
34 regulation, it shall require a majority vote of the House and  
35 Senate to adopt that regulation.

36 2. That the Secretary of State of the State of Arizona transmit copies  
37 of this Memorial to each Member of Congress, the Speaker of the House of  
38 Representatives of every state legislature in America and the President of  
39 the Senate of every state legislature in America.