

If this doesn't take the cake!

The Tennessee Board of Education now finds it necessary to limit the number of bake sales a school may hold to no more than 30 per year. The reason? The federal Healthy, Hunger-Free Kids Act of 2010. That's right. Federal regulations promulgated pursuant to that law restrict the freedom of your local PTA, booster club or athletic team to conduct bake sales in neighborhood schools.

This is the same law that has resulted in reports of school lunches being thrown away in disturbing quantities because students refuse to eat them. One columnist jokingly renamed it the "Healthy, Hunger-Free Landfills Act."

There's talk of congressional action to remedy this situation, but more than that will likely be necessary. Federal encroachment across the board is choking the life out of everything in this country, from the economy to the environment.

The increase in federal intrusion into our daily lives, the costly unfunded mandates and administrative overreach, are as dramatic as they are devastating to our economic growth.

Fortune reports that the Small Business Administration Office of Advocacy estimates the cost of federal regulations at an astonishing \$1.75 trillion, with costs for small businesses topping \$10,500 per employee each year. The number of regulators is up 13 percent since our current president took office, while private-sector employment shrank by 5.6 percent.

Enough is enough. Relief from such excessive regulation is essential if we are to survive and prosper together as a nation. A simple idea could set all Americans free from irresponsible federal regulatory intrusion.

Adopted by statute or, if necessary, by constitutional amendment, the Regulation Freedom Act could help get the federal government off our backs and out of our schools (and kitchens): "Whenever one quarter of the Members of the U.S. House or the U.S. Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House and Senate to adopt that regulation."

Efforts have been made in Washington to enact a similar law. The REINS Act was passed by the U.S. House in 2013 but got hung up in the Senate. Regrettably, there's little hope for future passage.

It is time for the states to act if Congress will not.

Why do states have this power? Because when the founding founders drafted the Constitution they provided that if two-thirds of the states sent a resolution to Congress calling for a constitutional convention, Congress must convene one. As part of our system of checks and balances they provided a mechanism in which the states could collectively act when Congress would not. Three times in American history, starting with the Bill of Rights, states have forced Congress to propose amendments to the U.S. Constitution. Congress passed those amendments in order to avoid a convention that would be more powerful than Congress.

There is concern among many that if such a convention were held that the entire constitution would be at risk of being amended. However, several states, including Florida, Georgia, Indiana and Tennessee, have already acted to strengthen their bargaining power with Congress by passing "faithful delegate" laws that allow states to control delegates to a convention and thus allow states to limit a Convention to a particular issue.

If state legislators and legislative leaders in two-thirds, that is 34, of the states can reach agreement on an amendment, they would make history by convening a constitutional convention, sending a "wake up call" to Congress, regulators and voters alike.

Congress would have every incentive to propose the amendment or at least break the current deadlock and pass legislation to rein in regulators.

Regulators might reconsider some of their worst proposed regulations to avoid losing their power.

And voters would have a clear choice: either elect supporters of a Regulation Freedom Amendment to Congress to permanently end "regulation without representation" or continue to allow unaccountable regulators to dictate to the American people from Washington.

Polls show that by a 2-1 margin voters favor a Regulation Freedom Amendment to require that major new federal regulations be approved by Congress.

If some legislators aren't listening, voters have other options in the next election.

We filed a resolution in the Tennessee Senate this year that now has bipartisan support calling upon Congress to propose the Regulation Freedom Amendment, and we intend to pursue it when the 109th General Assembly convenes in January 2015.

We are urging fellow legislators in other states who also want to curb the appetite of federal regulators to do the same.

A runaway federal government is upon us, and we are paying a higher price each day that passes without action. A Regulation Freedom Amendment will put the appetite of federal regulators on a diet.

Anything less is half baked.
