



Greg Folley

2024 Florida State Legislators

Questionnaire: Please share your understanding of the US Constitution.

- 1) **Does the Federal government have the "right" or the "authority" to take away your individual rights? YES or NO. Explain.**

No. Our rights are God-given. Government is a construct to protect rights, not granted sovereign power to take those rights away.

- 2) **Where do our individual rights come from?**

God

- 3) **What is the role of government in the lives of "free citizens?"**

To safeguard our liberties, and to provide for public safety, a process for settling private disputes and upholding the rights of contract, to provide for free and fair commerce between and within our states and communities, to safeguard private property, and to protect our borders and provide for the common defense

- 4) **What is the US Constitutional role of the State Legislator?**

State legislators are tasked in the federal constitution with oversight over federal elections. This initially included the selection of US Senators, which was intended as a natural control against federal overreach against state prerogatives. They must always jealously guard those prerogatives against federal overreach, but are otherwise empowered by their own citizenry to govern their respective states as that state constitution determines.

- 5) **What was the legal compact (contract) between the 13 "Independent Nation States" that created the Federal Government?**

In the first instance, this was the Articles of Confederation, adopted by the former colonies in 1781. This was widely deemed ineffective and was followed shortly thereafter by the adoption of the Constitution in 1787.

- 6) **Does the Supremacy Clause in Article VI of the US Constitution give the Federal Government and the Supreme Court the ultimate power to determine the constitutionality of any law passed by Congress?**

Not the ultimate power. In Marbury vs. Madison, the Supreme Court created the principle of judicial review, arrogating to itself the power to review and declare acts of Congress unconstitutional. The Supremacy Clause in the Constitution applies not to one branch of the federal government vs. another, but rather

provides that federal laws and treaties take precedence over conflicting state laws.

7) What are the basic differences between Keynesian economic theory and Austrian economic theory? How has this affected our State? What is your basic economic philosophy?

Keynesian theory = government interventionist policy

Austrian theory = free markets

As our federal government has become more socialistic in general, economic action has followed suit. Our federal government is eaten up with Keynesian theory, and our job in the states is to push back to a true free market system.

8) Do the States have the authority to limit the federal government to its constitutional boundaries? Why or Why not?

In theory, the states do have that authority. Unfortunately, we need to reform the current system that has tipped the balance of power in favor of a centralized federal system.

9) Would you support a congressional law that defines the General Welfare Clause based on the "Original Intent of our Founders?" YES or NO.

I would support this law, but the answer to this issue is not necessarily a new law but electing Congressmen and Senators who will fully embrace the original intent of our founders.

10) Why does the Bill of Rights include the 9th and 10th Amendments? Explain each and why they are both part of the US Constitution.

The Constitution was meant to be a framework for self-defense and providing for inter-state commerce – not a book of implementing statutes. The framers knew that the inclination of subsequent Congressional leaders would be to tread on the rights of the states and the people in the states. Thus, it was important to codify that any of the delegated powers in the Constitution were not intended to stamp out the power of the people and the states in the governance of this great country. In reality, those amendments were there to protect freedom and the self-determination of the states.

The Ninth Amendment states that the enumeration of certain rights in the Constitution shall not be construed to deny or disparage other rights retained by

the people. So, the listing of specific rights in the Constitution should not be deemed an exhaustive list, and individuals possess rights not explicitly mentioned.

The Tenth Amendment declares that the powers not specifically delegated to the federal government by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, and to the people. This amendment has been largely ignored by the federal government and the Supreme Court in particular as the power of the federal government has grown far beyond the scope and size ever intended it by the Founders.

11) What does the “well-regulated militia” phrase mean in the Second Amendment?

States should have a ready force for self-defense, and gun ownership should be a part of that mandate.

12) What does “shall not be infringed” mean in the 2nd Amendment?

Just that. No laws.

13) In your opinion, what are 2 current examples of the most egregious Federal overreach to Constitutional powers and what is your proposed remedy to each?

The best two examples of over-reach are the regulatory powers of the Department of Education and the Environmental Protection Agency. The DOE needs to be eliminated. The EPA should be required to have every rule ratified by the US Congress before it is permitted to take effect.

My hope and expectation is that the Supreme Court this term will overrule the Chevron deference doctrine, which gave huge powers to administrative agencies to determine their own mandates under federal law and to create new law with scant or no congressional authority to do so. By eliminating Chevron deference to federal agencies, the Court will deal a major blow to the administrative state and will expand the liberties of citizens vis-à-vis the federal government to a very substantial degree.

14) What formal training have you had to study the US Constitution?

I am an attorney, educated at Notre Dame law school. There I studied Jurisprudence and Constitutional Law under Professor Charles E. Rice, a renowned conservative constitutional scholar.

15) Many believe the US Constitution is a living, breathing document. What is your view and why?

My view is that it is a framework of governance set forth on principles of universal truth and in that sense is not a living, breathing document, but a foundation set in granite for perpetuity.

Like Justice Antonin Scalia, I am a textualist, which means that I support interpreting laws based solely on the text of the statute or Constitutional provision, rather than on the spirit of the times or the intent of legislators which might be inconsistent with the actual text. And, like Scalia, I am also a believer in originalism, which holds that words in the Constitution or in a statute should be construed using the meaning of the words as commonly used and understood at the time of enactment.

16) Do you support Article 1, section 8 of Florida's Constitution, including the exception that makes it unique to most of the 50 states? Explain.

Article 1, Section 8 (a) reiterates the right to keep and bear arms included in the Second Amendment to the federal constitution, with a large exception allowing for regulation of the manner of bearing arms. Subsections 8(b), (c) and (d) provide a waiting period for the purchase of handguns which I believe to be unique among state constitutions. I think the entirety of Section 8 should be repealed, except for the first phrase in subsection (a), which reads as follows: "The right of the people to keep and bear arms in defense of themselves and of the lawful authority of the state shall not be infringed."

17) Describe what guides your moral compass.

God, the Scriptures, and our Judeo-Christian heritage.

18) Name three primary principles from the US Constitution that will guide you as our state representative? Explain.

The right to life.

The right to freedom.

The right to private property.

19) What is your understanding of "State Sovereignty?"

State sovereignty has limits, but by definition reflects an independence and strength of self-determination that has been undermined by the current view of a strong, centralized federal government.

20) In your opinion what is the most important clause in the Declaration of Independence, Constitution and Bill of Rights?

Declaration: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

Constitution: "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution of the United States of America."

Bill of Rights (also part of Constitution, of course): "Amendment I – Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

These provisions were all based on a common belief in a Creator from Whom all our rights are derived, which makes them inalienable and not subject to abridgement by men. This founding premise makes the foundation of American government, and its focus on the preservation of God-given liberties, unique in all the world.

21) Would you support the repeal of the 17th Amendment? Why or Why not?

Sure. If we had one shot at repealing an amendment to the Constitution, I would rather focus on repealing the 16th, but putting our state legislators back in charge of designating our Senators would better reflect the original intent of our framers, and would serve as a natural constraint on the tendency of Congress, particularly the Senate, to enact legislation which impinges on the rights and sovereignty of the states.

22) Have you read these primary source documents from our nation's founding?

1100 Charter of Liberties ☒, Magna Carta ☒, The Petition of Right of 1628 ☒,
The Grand Remonstrance ☒, Bill of Rights of 1689 ☒, US Declaration and
Constitution ☒
The Original Federalists Papers ☒ The Original Anti-Federalist Papers ☒

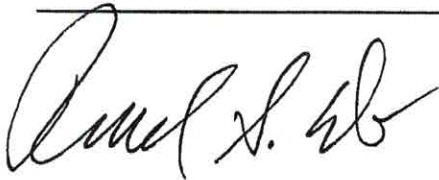
23) Do you agree to have your answers published for public review?

Yes. I am running a fully transparent campaign and do not mind any of my answers being publicly reviewed.



____ Your signature validated by a Notary Public attests to you personally answering these questions and that they accurately portray your personal views to the best of your ability. Date signed 13 April 2024

____ Seal and Signature of Notary

 4-13-24

