

IN THE SENATE

SENATE JOINT MEMORIAL NO. 106

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

1 TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS  
2 ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE  
3 OF IDAHO IN THE CONGRESS OF THE UNITED STATES.  
4

5 We, your Memorialists, the Senate and the House of Representatives of  
6 the State of Idaho assembled in the Second Regular Session of the Sixtieth  
7 Idaho Legislature, do hereby respectfully represent that:

8 WHEREAS, the Tenth Amendment to the United States Constitution states  
9 that, "The powers not delegated to the United States by the Constitution, nor  
10 prohibited by it to the States, are reserved to the States respectively, or  
11 to the people"; and

12 WHEREAS, the states primarily regulate today's health insurance market  
13 and provide aggressive oversight of all aspects of this market and enforce  
14 consumer protection as well as ensure a local, responsive presence for con-  
15 sumers; and

16 WHEREAS, states like Idaho are working hard to create public-private  
17 health care partnerships and facilitate local solutions; and

18 WHEREAS, the Congress of the United States has passed legislation that  
19 will impose restrictions on the states' ability to regulate health plans and  
20 will require citizens to acquire health care insurance coverage; and

21 WHEREAS, the creation of a new federal system of regulation for health  
22 insurance would be inefficient, unnecessary, not cost-effective and an ad-  
23 ditional burden on states; and

24 WHEREAS, the legislation passed by the Congress will impose a legacy of  
25 untold debt on our children and grandchildren; and

26 WHEREAS, it is in the interest of the citizens of the State of Idaho to  
27 have an amendment to the Constitution of the United States prohibiting the  
28 Congress from making any law that would require citizens to enroll in, par-  
29 ticipate in or secure health care insurance and that would penalize any citi-  
30 zen who declines to purchase or participate in any health care insurance pro-  
31 gram.

32 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-  
33 sion of the Sixtieth Idaho Legislature, the Senate and the House of Repre-  
34 sentatives concurring therein, that the Idaho Legislature urges Congress to  
35 take action forthwith to amend the United States Constitution by adding a  
36 Twenty-eighth Amendment as follows:

37 The Congress shall make no law requiring citizens of the United States  
38 to enroll in, participate in or secure health care insurance or to pe-  
39 nalize any citizen who declines to purchase or participate in any health  
40 care insurance program.

41 BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is  
42 hereby authorized and directed to forward a copy of this Memorial to the  
43 President of the Senate and the Speaker of the House of Representatives of

1 Congress, the congressional delegation representing the State of Idaho in  
2 the Congress of the United States and the presiding officers of both houses  
3 of the Legislature of each of our sister states in the Union.