



Written by [Joe Wolverton, II, J.D.](#) on March 19, 2010

## States in Tumult Over National Healthcare Bill

In the aftermath of the killing of Julius Caesar, Mark Antony tried to assume the tyrannical power seized by his mentor. Cicero, the famed Roman friend of liberty, opposed Antony's various attempts to aggregate all power into his own hands. Time and time again, Cicero rose in the Senate and the in the Forum to denounce Antony and catalog his crimes against the republic.



Cicero called Antony's voracious appetite for power "audacious" (sound familiar?), and he pleaded skillfully and passionately for the people and lawmakers of Rome to resist Antony's dictatorial schemes. In fact, Antony's attacks on the people and freedom of the ancient republic were on such a scale that Cicero admonished the Roman Senate to proclaim that Rome was in a "tumult" and to urge the people to take up arms in its defense.

"Tumult" derives from the Latin word "tumeo," which is translated as "to swell." In our own American Republic, our institutions of liberty are under attack, as well, and there is a swell of resistance growing in the country as state executives and lawmakers pass laws in defense of their own sovereignty and in defiance of federal power grabs, particularly as contained in the sweeping healthcare bill set for passage by the House of Representatives.

Idaho is the latest state to manifest its official intent to disregard the national healthcare bill and its slate of violations of the Tenth Amendment. This past Wednesday, Governor C.L. "Butch" Otter signed into law legislation that requires the Idaho Attorney General to sue the federal government if any agencies or officers thereof attempt to compel Idahoans to purchase a health insurance policy.

The law, known as the Idaho Health Freedom Act, is designed to not only protect the citizens of Idaho from unconstitutional mandates that they must purchase a qualifying insurance plan, but to protect the borders of the state of Idaho from encroachment by the national government or its agents.

"The ivory tower folks will tell you, 'No, they're not going anywhere,'" he told reporters. "But I'll tell you what, you get 36 states, that's a critical mass. That's a constitutional mass," proclaimed Governor Otter during a press conference held at his office in Boise. Obviously, Governor Otter recognizes the tumult created by President Obama and his march toward health care "reform" and he is ready to answer with a bold stance in defense of the right of his state to govern itself.

According to surveys of state legislatures conducted by the Tenth Amendment Center and others, at least 37 states have filed or prefiled similar bills. Idaho is the first, however, to have the measure signed



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into law by the governor.

While Idaho earns the distinction of being the first to have a sovereignty defense bill signed into law by its governor, Virginia was technically the first state to pass such measures into law as three similar bills — S.B. 283, 311, and 417 — became law there without the governor's signature. The laws in the Old Dominion state:

No resident of this Commonwealth, regardless of whether he has or is eligible for health insurance coverage under any policy or program provided by or through his employer, or a plan sponsored by the Commonwealth or the federal government, shall be required to obtain or maintain a policy of individual insurance coverage.

No provision of this title shall render a resident of this Commonwealth liable for any penalty, assessment, fee, or fine as a result of his failure to procure or obtain health insurance coverage.

Two Republican Attorneys General running for governor in their respective states indicated Friday that they would sue the national government in federal court if the proposed healthcare legislation passes.

Attorney General Henry McMaster of South Carolina and Attorney General Bill McCollum of Florida announced Friday that if the Obama Administration seeks to enforce the mandates currently contained in the health care bill, then it better be ready to defend the move in court.

McMaster told reporters that he and McCollum initiated a telephone conference call with other Attorneys General around the country on Thursday and they are confident that many of their colleagues will join suit in their bid to obstruct federal fiddling in matters of state sovereignty

"Like all of these people, I swore an oath to uphold and defend the U.S. Constitution and the constitution of South Carolina," said McMaster. "It is difficult to understand how the president and the Congress can believe that this is constitutional. It is harmful, and that's why we're going to kill it."

With the resolve of so many state elected officials firmly fixed on boldly checking the latest attempt by Congress and the President to assume power not delegated to them by the Constitution, there is hope that this modern-day tumult may be quelled and peace, liberty, and constitutional balance will be restored to our beloved republic.

*Photo of Idaho Gov. C.L. "Butch" Otter: AP Images*



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