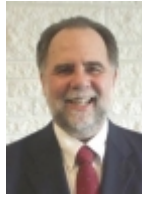




Idaho House First to Nullify ObamaCare

On Wednesday, February 16, the Idaho House became the first state legislative body to pass a measure to nullify the entire ObamaCare law within a state. The measure, HB117, was sent to the state Senate by a vote of 49-20. Only seven Republicans voted against the bill along with all of the House Democrats.



The [Associated Press reported](#): “Idaho’s bill declares the federal Patient Protection and Affordable Care Act unconstitutional and forbids enforcement of penalties against residents. It also prohibits Idaho state and local governments from enforcing the federal law and also bars them from taking federal money or using their own resources to put the measure into effect.”

According to the bill’s sponsor, Rep. Vito Barbieri (picture, above): “The bottom line is, we’re directing the state agencies to stop spending time and money.”

Here are a couple of the key sections of this excellent bill:

(1) Section 3, Article I, of the Constitution of the state of Idaho provides that “The state of Idaho is an inseparable part of the American Union, and the Constitution of the United States is the supreme law of the land.” The Constitution of the United States sets forth enumerated powers to the federal government created thereby, and reserves all other powers to the people and the states pursuant to the Ninth and Tenth Amendments to that Constitution....

(6) Implementation of an unconstitutional law is contrary to the Legislature’s obligation to uphold the Constitution of the United States of America, Section 3, Article I, of the Constitution of the state of Idaho. The Legislature of the state of Idaho, therefore, on behalf of the citizens of this state and to secure the blessings of liberty, hereby asserts its legitimate authority to interpose between said citizens and the federal government, when it has exceeded its constitutional authority and declares that the state shall not participate in and considers void and of no effect the PPACA [Patient Protection and Affordable Care Act, popularly known as ObamaCare]....

Notice that this bill explicitly refers to the enumerated powers given to the federal government by the Constitution and to how all other powers are reserved to the people and the states by the Ninth and Tenth Amendments. Furthermore, the Legislature of the state of Idaho “asserts its legitimate authority to interpose between said citizens and the federal government, when it has exceeded its constitutional authority.” Therefore, if HB117 would be passed by the state Senate and signed by Governor Butch Otter, Idaho would be asserting in a legally binding way that it would “not participate in and considers void and of no effect” the ObamaCare law.

Meanwhile there are at least eleven other states which have introduced ObamaCare nullification measures. Here they are with their corresponding bill numbers (with links to full-text): Texas ([HB297](#)), Montana ([SB161](#)), Wyoming ([HB0035](#)), Oregon ([SB498](#)), Indiana ([SB505](#)), Maine ([LD58](#)), Nebraska ([LB515](#)), Oklahoma ([HB1276](#)), New Hampshire ([HB26](#)), South Dakota ([HB1165](#)), and North Dakota ([SB2309](#)).

If you live in Idaho, use the “Contact your state legislators” link provided below to email your state



Written by [Larry Greenley](#) on February 24, 2011

senators in support of HB117. If you live in one of the eleven states listed in the previous paragraph, please use the same link to email your state legislators in support of the specific ObamaCare nullification bill already introduced in your state. All others, please use the link to email your state legislators in support of introducing and passing a bill to nullify the entire ObamaCare law in your state.

[Contact your state legislators](#) (in all 50 states) by email in support of nullifying the entire ObamaCare law in your state. Copies of your emails are automatically sent to your state's governor, lieutenant governor, and attorney general.

For more information about stopping ObamaCare, go to <http://www.JBS.org/StopObamaCare>.

This article first appeared on February 18 at www.JBS.org. It is being reprinted here with permission

UPDATE, February 24 Important Idaho Senate hearing tomorrow, February 25:

Idaho State Senator Monte Pearce, sponsor of the Idaho legislation to nullify Obamacare, is interviewed by Elizabeth Allan Hodge of Legislative Watch in [this YouTube video](#). Sen. Pearce explains that the Obama administration is already hiring thousands of new IRS agents to enforce the new Obamacare legislation and has issued thousands of pages of related regulations, even though a federal judge has declared the legislation unconstitutional. This is why it is important for the states to act now, to prevent this massive, unconstitutional program from being fastened upon their citizens. Sen. Pearce explains the principle of state interposition, which is the basis for Idaho's nullification bill, H.B. 117. The senator calls on Idaho citizens to come to the state capitol in Boise tomorrow, Friday, February 25, to voice their support in written or spoken testimony, at the Senate hearing, in the Senate Auditorium.



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