

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

862S0738

HOUSE CONCURRENT RESOLUTION NO. 1004

Introduced by: Representatives Steele, Abdallah, Boomgarden, Brunner, Carson, Deelstra, Greenfield, Hansen (Jon), Hickey, Hoffman, Hubbel, Hunt, Jensen, Kirkeby, Kopp, Liss, Miller, Moser, Munsterman, Nelson (Stace), Novstrup (David), Olson (Betty), Rozum, Russell, Schaefer, Sly, Tulson, Turbiville, Van Gerpen, Vanneman, Verchio, White, and Wick and Senators Begalka, Garnos, Holien, Lederman, Maher, Novstrup (Al), Rampelberg, and Rhoden

1 A CONCURRENT RESOLUTION, Making certain legislative findings about the
2 constitutionality of the federal health care system.

3 WHEREAS, the Legislature finds that no authority exists in the United States Constitution
4 to justify the enactment of any federal statute which interferes with the right of any person or
5 entity to choose their personal physician, private health care system, or private health care
6 coverage; and

7 WHEREAS, the Legislature further finds that no authority exists in the United States
8 Constitution to justify the enactment of any federal statute which imposes any penalty, tax, fee,
9 or fine, of any type, for declining to purchase health care coverage or participate in any
10 particular health care system or plan:

11 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
12 sixth Legislature of the State of South Dakota, the Senate concurring therein, the Legislature
13 finds that in the absence of such specific authority, and in conjunction with the unenumerated



1 and reserved powers retained by the people and the states pursuant to the ninth and tenth
2 amendments, all such federal legislation is inherently unconstitutional.