

November 09, 2021

Joint Technical Corrections Committee
House Bill No. 1510

Chairs Weisz, Lee and Committee members:

Let the record reflect my support for House Bill No. 1510 ("HB 1510"), with further amendment requested (detailed below), and as introduced by Representatives Paulson, Meier, Steiner, Thomas, and Senators Clemens, Lemm, and Luick.

Further amendment requested - strike Section 3, 12-02.7-03 Exceptions in its entirety. None of us should be willing to sacrifice a specific subset of the population for the convenience of the rest. History is replete with examples of how this provides a breeding ground for evil.

Should a disparity between Medicare/Medicaid regulations compliance and the provisions of HB 1510 occur, the state law imposes a higher standard for the protection of civil rights than would the administrative agency regulation. While Article VI, Clause 2 of the United States Constitution is widely presumed to grant primacy to the federal government over state governments, the clause states:

*"This **constitution**, and the **Laws** of the United States which shall be made **in Pursuance thereof**; and all **Treaties** made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."* (emphases mine).

Medicare/Medicaid regulations are not laws. There can therefore be no conflict between state and federal law under the "Supremacy clause" should HB 1510 pass and contradict future Medicare/Medicaid compliance regulations. If one is to grant these administrative regulations *pari-passu* standing with law under the premise of Chevron deference doctrine, then Article VI, Clause 2 would **still** require these pseudo "laws" to be made in Pursuance thereof with the Constitution. The Fourth Amendment to the United States Constitution reads:

*"The right of the people to be **secure in their persons**, houses, papers, and effects, against **unreasonable searches and seizures**, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized."* (emphases mine).

An executive order and/or administrative agency regulation requiring a medical procedure be done to a person absent their informed consent not only violates the Nuremberg Codes, but it violates the 4th Amendment. In violating the 4th Amendment, these actions would also fail the provisions of Article VI, Clause 2, when argued through the lens of Chevron deference doctrine.

The Tenth Amendment to the United States Constitution states:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

I challenge any person to show me the enumerated power reserved to the national government within the Constitution that allows forced medical experimentation on the citizenry against, and without, informed consent. It does not exist, and as such, the national government has no supremacy over the State or the People in this regard.

This is a fight worth having. Be bold.

Respectfully,