



2009 ASSEMBLY JOINT RESOLUTION 138

April 22, 2010 - Introduced by Representatives VOS, DAVIS, PRIDEMORE, SUDER, PETERSEN, MEYER, NYGREN, KESTELL, TOWNSEND, KERKMAN, TAUCHEN, KRAMER, KNODL, GUNDERSON, LEMAHIEU, STRACHOTA, HONADEL, LOTHIAN, KLEEFISCH, SPANBAUER, BALLWEG, NASS, ZIEGELBAUER, NEWCOMER, ROTH, ZIPPERER, HUEBSCH, RHOADES and J. OTT, cosponsored by Senators LEIBHAM, LAZICH, KAPANKE, DARLING, GROTHMAN, A. LASEE, HOPPER, SCHULTZ and KANAVAS. Referred to Committee on Health and Healthcare Reform.

1 **To create** section 27 of article I of the constitution; **relating to:** the right of the
2 people to contract privately for health care services and health care coverage,
3 and prohibiting requiring a person to obtain or maintain health insurance
4 coverage or to participate in any health care system or plan (first
5 consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, provides that the people have the right to enter into private contracts with health care providers for health care services and to purchase private health care coverage, and prohibits enactment of any law that requires any person to obtain or maintain health insurance coverage or to participate in any health care system or plan.

A constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

6 **Resolved by the assembly, the senate concurring, That:**

7 **SECTION 1.** Section 27 of article I of the constitution is created to read:

1 [Article I] Section 27 The people have the right to enter into private contracts
2 with health care providers for health care services and to purchase private health
3 care coverage. The legislature may not require any person to obtain or maintain
4 health insurance coverage or to participate in any health care system or plan.

5 **SECTION 2. Numbering of new provisions.** If another constitutional
6 amendment ratified by the people creates the number of any provision created in this
7 joint resolution, the chief of the legislative reference bureau shall determine the
8 sequencing and the numbering of the provisions whose numbers conflict.

9 ***Be it further resolved, That*** this proposed amendment be referred to the
10 legislature to be chosen at the next general election and that it be published for 3
11 months previous to the time of holding such election.

12 (END)