

Idaho Code and Constitutional Guarantees

Pursuant to 46-1008 (2): "No state of disaster emergency may continue for longer than thirty (30) days unless the governor finds that it should be continued for another thirty (30) days or any part thereof. "The Governor has written extensions to the State of Emergency for 9 months, far longer than the statutorily allowable 60 days.

Does this make all orders based on an 'emergency' void after the 60th day?

The Idaho Constitution details certain human rights, which are protected in our Republic:

INALIENABLE RIGHTS OF MAN. All men are by nature free and equal and have certain inalienable rights, among which are enjoying and defending life and liberty; acquiring, possessing, and protecting property; pursuing happiness, and securing safety.

POLITICAL POWER INHERENT IN THE PEOPLE. All political power is inherent in the people. Government is instituted for their equal protection and benefit...

GUARANTY OF RELIGIOUS LIBERTY. The exercise and enjoyment of religious faith and worship shall forever be guaranteed; and no person shall be denied any civil or political right, privilege, or capacity on account of his religious opinions..... No person shall be required to attend or support any ministry or place of worship, religious sect or denomination, or pay tithes against his consent; nor shall any preference be given by law to any religious denomination or mode of worship...

RIGHT OF ASSEMBLY. The people shall have the right to assemble in a peaceable manner, to consult for their common good; to instruct their representatives, and to petition the legislature for the redress of grievances.

UNREASONABLE SEARCHES AND SEIZURES PROHIBITED. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated...

RESERVED RIGHTS NOT IMPAIRED. This enumeration of rights shall not be construed to impair or deny other rights retained by the people.

Idaho Code 39-9003 Health Freedom Act:(2) It is hereby declared that the public policy of the state of Idaho, consistent with our constitutionally recognized and inalienable rights of liberty, is that every person within the state of Idaho is and shall be free to choose or decline to choose any mode of securing health care services without penalty or threat of penalty.(3) The policy stated herein shall not be applied to impair any right of contract related to the provision of health care services to any person or group.

Idaho Code 39-9004:

ENFORCEMENT.(1) No public official, employee, or agent of the state of Idaho or any of its political subdivisions, shall act to impose, collect, enforce, or effectuate any penalty in the state of Idaho that violates the public policy set forth in section 39-9003(2), Idaho Code.

The attorney general shall take such action as is provided in section 67-1401(15), Idaho Code, in the defense or prosecution of rights protected under this act.