

**HOUSE CONCURRENT RESOLUTION NO. 3038**

Introduced by

Representatives Hoverson, Bellew, Jones, B. Koppelman, Magrum, Monson, Paulson, M. Ruby, Schauer

Senator O. Larsen

1 A concurrent resolution urging North Dakota courts to refrain from referencing the United States  
2 Supreme Court decision in Roe v. Wade, 410 U.S. 113 (1973), or its holding in any decision or  
3 order.

4 **WHEREAS**, the decision by the United States Supreme Court in Roe v. Wade, 410 U.S.  
5 113 (1973), according to the Ninth and Tenth Amendments to the United States Constitution and  
6 the enumerated powers clause of Article 1, Section 8 of the United States Constitution, is  
7 outside the United States Supreme Court's constitutional jurisdiction; and

8 **WHEREAS**, the United States Supreme Court has overstepped its boundaries regarding  
9 the rights belonging to the states;

10 **WHEREAS**, because the United States Supreme Court overstepped its boundaries in its  
11 decision in Roe v. Wade, North Dakota courts should refrain from referencing the case or its  
12 holding;

13 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**  
14 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

15 That the Sixty-sixth Legislative Assembly urges North Dakota courts to refrain from  
16 referencing the United States Supreme Court decision in Roe v. Wade, 410 U.S. 113 (1973), or  
17 its holding in any decision or order; and

18 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution  
19 to the chief justice of the North Dakota Supreme Court to disperse to the other members of the  
20 Supreme Court and to each of the North Dakota district court judges.