

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE JOINT
6 RESOLUTION NO. 64

By: Coffee and Jolley of the
Senate

7 and

Benge of the House

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10 COMMITTEE SUBSTITUTE

11 A Joint Resolution directing the Attorney General to
12 file certain lawsuit; and directing distribution.

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15 WHEREAS, the Congress of the United States has enacted the
16 Patient Protection and Affordable Care Act (PPACA), key provisions
17 of which mandate that individual citizens of the United States
18 purchase health insurance for themselves and their dependents or
19 face a civil penalty; and

20 WHEREAS, the federal government bases its authority to enact and
21 enforce this mandate on the Commerce Clause, one of the enumerated
22 powers granted to Congress pursuant to Section 8 of Article I of the
23 United States Constitution; and

1 WHEREAS, never in our history has the United States Supreme
2 Court held that the Commerce Clause can be used to require citizens
3 to buy goods or services; and

4 WHEREAS, the special treatment afforded to the States of
5 Louisiana, designated by many the "Louisiana Purchase", Connecticut
6 and Tennessee under the Medicaid program is inconsistent with the
7 protections afforded by the United States Constitution against
8 arbitrary legislation.

9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF
10 REPRESENTATIVES OF THE 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

11 THAT the Oklahoma Legislature directs the Oklahoma Attorney
12 General to file a lawsuit against the United States Congress, the
13 President of the United States of America, and the Secretary of the
14 United States Department of Health and Human Services to prevent the
15 provisions of federal health care legislation from taking effect.

16 THAT the Secretary of State shall distribute a copy of this
17 resolution to the Oklahoma Attorney General, the Speaker of the
18 United States House of Representatives, the Minority Leader of the
19 United States House of Representatives, the Majority Leader of the
20 United States Senate, the Minority Leader of the United States
21 Senate, the President of the United States of America, and the
22 United States Secretary of Health and Human Services.

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