

THE HOUSE OF REPRESENTATIVES
Monday, April 12, 2010

Committee Substitute for
ENGROSSED
Senate Joint
Resolution No. 64

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE JOINT RESOLUTION NO. 64 - By: COFFEE AND JOLLEY of the Senate and BENGE, FAUGHT, WESSELHOFT, OWNBEY, MURPHEY AND TREBILCOCK of the House.

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

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

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

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

10 WHEREAS, the special treatment afforded to the States of Louisiana, designated by
11 many the "Louisiana Purchase", Connecticut and Tennessee under the Medicaid program

1 is inconsistent with the protections afforded by the United States Constitution against
2 arbitrary legislation.

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

6 THAT the Oklahoma Legislature directs the Oklahoma Attorney General to file a
7 lawsuit against the United States Congress, the President of the United States of
8 America, and the Secretary of the United States Department of Health and Human
9 Services to prevent the provisions of federal health care legislation from taking effect.

10 THAT the Secretary of State shall distribute a copy of this resolution to the
11 Oklahoma Attorney General, the Speaker of the United States House of Representatives,
12 the Minority Leader of the United States House of Representatives, the Majority Leader
13 of the United States Senate, the Minority Leader of the United States Senate, the
14 President of the United States of America, and the United States Secretary of Health and
15 Human Services.

16 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04-08-10 - DO PASS, As
17 Amended and Coauthored.