

1 HJR766
2 120971-1
3 By Representatives Hall, Baker (L), Buskey, Howard, Holmes,
4 Knight, McClammy, Newton (D), Rogers, Bandy, England, Jackson,
5 McCampbell, Mitchell, Boyd, Coleman, Hilliard, Kennedy,
6 McAdory, Moore (M), Robinson (O), Salaam, Scott, Thomas (J),
7 Fields, Warren and Gordon
8 RFD: Rules
9 First Read: 30-MAR-10

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8 URGING GOVERNOR BOB RILEY AND ATTORNEY GENERAL TROY
9 KING NOT TO PURSUE LITIGATION AGAINST THE UNITED STATES
10 GOVERNMENT TO PREVENT IMPLEMENTATION OF COMPREHENSIVE HEALTH
11 CARE REFORM LEGISLATION.

12
13 WHEREAS, we note with dismay that certain officials
14 of the State of Alabama, including Governor Bob Riley and
15 Attorney General Troy King, have endorsed the efforts of
16 various states pursuing litigation in the federal courts to
17 prevent the implementation of comprehensive health care reform
18 legislation recently approved by the Congress of the United
19 States and President Barack Obama; and

20 WHEREAS, in these trying economic times, millions of
21 Americans are counting on their representatives to reform the
22 American health care system so as to ensure that all Americans
23 have access to adequate and affordable health care; the
24 legislation in question provides precisely that access; and

25 WHEREAS, we wholeheartedly oppose any efforts to
26 overturn such legislation, which was passed by Congress and

1 signed by the President, as prescribed by the United States
2 Constitution; and

3 WHEREAS, while proponents of litigation as a
4 countermeasure to legislation in the matter of health care
5 cite the 10th Amendment to the United States Constitution as
6 their sole defense, the supremacy clause in Article 6 of the
7 Constitution clearly should take precedence in this case,
8 affirming the legislation as the "supreme law of the land";
9 and

10 WHEREAS, these purely partisan and backward-looking
11 lawsuits seek to countermand the democratic process by
12 achieving victory through the litigation process where it
13 could not be achieved by the ordinary legislative process
14 through duly elected representatives of the people of the
15 United States of America; now therefore,

16 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
17 HOUSES THEREOF CONCURRING, That we hereby urge and exhort
18 Governor Bob Riley and Attorney General Troy King to resist
19 any efforts to engage in antidemocratic lawsuits and to allow
20 Americans to enjoy the fruits of comprehensive health care
21 reform legislation without interference from the courts.

22 BE IT FURTHER RESOLVED, That copies of this
23 resolution shall be provided to the Governor and the Attorney
24 General, so that they may be made aware the will of the
25 Alabama House of Representatives in the matter of
26 comprehensive health care reform legislation.