

House Resolution 9 - Introduced

HOUSE RESOLUTION NO. 9

BY WATTS

1 A Resolution requesting the Attorney General of the
2 State of Iowa to join with other states that have
3 filed suit challenging the constitutionality of the
4 federal Patient Protection and Affordable Care Act,
5 as amended by the federal Health Care and Education
6 Reconciliation Act of 2010.

7 WHEREAS, the United States Constitution establishes
8 a limited federal government, as expressed in the Bill
9 of Rights, that protects the freedom of individuals and
10 the rights of states; and

11 WHEREAS, the United States Congress is urged
12 to enact legislation that respects and recognizes
13 the rights of individuals, families, groups, and
14 communities to make decisions about their health care
15 insurance and treatment options; and

16 WHEREAS, the "individual mandate" provision included
17 in the federal Patient Protection and Affordable Care
18 Act, Pub. L. No. 111-148, as amended by the federal
19 Health Care and Education Reconciliation Act of 2010,
20 Pub. L. No. 111-152, requires all individuals to
21 purchase health insurance products and services; and

22 WHEREAS, such individual mandates are contrary to
23 the rights of a free and prosperous people and deny
24 individuals the right to make one of the most basic
25 health care decisions for themselves and their loved
26 ones; and

27 WHEREAS, the United States Supreme Court has
28 recognized each individual's freedom to refuse health

1 care treatment; and

2 WHEREAS, On January 19, 2010, Florida Attorney
3 General Bill McCollum sent to congressional leaders an
4 analysis in which he outlined the unconstitutionality
5 of the individual health care mandates; and

6 WHEREAS, according to Attorney General McCollum's
7 analysis, the United States Congress does not possess
8 the constitutional authority to compel individuals
9 under threat of government fines or taxes to purchase
10 an unwanted product or service simply as a condition of
11 living in this country; and

12 WHEREAS, with the legislation now passed, Attorney
13 General McCollum has filed suit to challenge the
14 constitutionality of that provision; and

15 WHEREAS, currently numerous other states including
16 Alabama, Colorado, Idaho, Michigan, Nebraska,
17 Pennsylvania, South Carolina, South Dakota, North
18 Dakota, Texas, Utah, Washington, Louisiana, Indiana,
19 Arizona, and Nevada have joined in the suit; NOW
20 THEREFORE,

21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
22 the House of Representatives requests that the Attorney
23 General of the State of Iowa bring an action in the
24 United States District Court challenging the federal
25 Patient Protection and Affordable Care Act, Pub.
26 L. No. 111-148, as amended by the federal Health
27 Care and Education Reconciliation Act of 2010, Pub.
28 L. No. 111-152, in order to protect the rights and
29 freedoms that have been guaranteed to Iowans under the
30 Constitution of the United States of America.