

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

COMMITTEE SUBSTITUTE
FOR HOUSE
RESOLUTION NO. 1055

By: Davis, Adair, Adkins,
Begley, Benge, Beutler,
Bryant, Calvey, Case,
Claunch, Coleman, Corn,
Dank, Deutschendorf,
Dunegan, Easley, Ervin,
Erwin, Ferguson, Frame,
Gilbert, Graves, Gray,
Greenwood, Hastings,
Hefner, Hiett, Hilliard,
Hutchison, Ingmire, Jones,
Kinnamon, Liotta, Maddux,
Matlock, McCarter, Miller,
Mitchell, Morgan, Nance,
Newport, Ostrander, Paulk,
Perry, Pettigrew, Phillips,
Piatt, Plunk, Pope (Clay),
Pope (Tim), Reese, Rice,
Roggow, Seikel, Smith
(Dale), Smith (Hopper),
Stites, Sullivan (John),
Sullivan (Leonard), Thomas,
Thornbrugh, Turner, Tyler,
Vaughn, Weaver, Webb,
Wells, Wilt, Winchester,
Worthen and Wright

COMMITTEE SUBSTITUTE

A Resolution recognizing the efforts of the Oklahoma Attorney General on states' rights issues; stating disagreement and nonsupport to the position of the Attorney General in the Boy Scouts of America & Monmouth Council v. Dale case; supporting the Boy Scouts of America in the Boy Scouts of America & Monmouth Council v. Dale case; and requesting the Attorney General attempt to withdraw the support of such case; and directing distribution.

WHEREAS, Oklahoma's Attorney General has joined the State of New York and eight other states in filing an amicus curiae brief in the case of Boy Scouts of America & Monmouth Council v. Dale; and

WHEREAS, the amicus curiae brief addresses state sovereignty and states' rights to advance compelling state interest in outlawing

discrimination even if the protection provided by state law is greater than what is required by the United States Constitution; and

WHEREAS, this amicus brief focuses on the issue of a state's right to enact and interpret its own laws on matters of state interest as the state deems proper; and

WHEREAS, during his term of office, the current Attorney General has joined in 68 amicus briefs concerning Tenth and Eleventh Amendment states' rights issues; and

WHEREAS, the current case before the Supreme Court does involve complex and competing issues which are of interest to all citizens of the United States.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 47TH OKLAHOMA LEGISLATURE:

THAT the Oklahoma House of Representatives recognizes the efforts of the Oklahoma Attorney General to preserve states' rights in matters of state concern and to fight against federal preemption in states' right matters, but does not agree with or support the intervention of the Attorney General in the Boy Scouts of America & Monmouth Council v. Dale case.

THAT the Oklahoma House of Representatives hereby supports the Boy Scouts of America in that organization's assertion that the First Amendment to the United States Constitution affords the Boy Scouts the right to determine qualifications of scout leaders and to exclude persons who do not possess those qualifications, and requests the Attorney General of Oklahoma to attempt to withdraw the support of this state for the amicus curiae brief filed in the Boy Scouts of America & Monmouth Council v. Dale case.

THAT a copy of this resolution be distributed to Attorney General Drew Edmondson and to the Clerk of the United States Supreme Court.

47-2-9277 MCD 6/11/15