

1 ENGROSSED HOUSE
JOINT
2 RESOLUTION NO. 1009

By: Kern, Thompson, Osborn,
Derby and Enns of the House

3
4 and

5 Newberry of the Senate

6
7 A Joint Resolution strongly opposing the federal
8 Freedom of Choice Act; and directing distribution.

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10 WHEREAS, Barack Obama, President of the United States, has
11 promised that one of the top priorities of his new Administration is
12 to sign into law the "Freedom of Choice Act" which purports to
13 classify abortion as a fundamental right equal in stature to the
14 right to free speech and the right to vote, rights that, unlike
15 abortion, are specifically enumerated in the United States
16 Constitution; and

17 WHEREAS, the federal Freedom of Choice Act would invalidate any
18 statute, ordinance, regulation, administrative order, decision,
19 policy, practice, or other action of any federal, state, or local
20 government or governmental official that would deny or interfere
21 with a woman's right to choose abortion, or that would discriminate
22 against the exercise of the right in the regulation or provision of
23 benefits, facilities, services, or information; and

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1 WHEREAS, the federal Freedom of Choice Act would nullify any
2 federal or state law enacted, adopted, or implemented before, on, or
3 after the date of its enactment and would effectively prevent the
4 State of Oklahoma from enacting similar protective measures in the
5 future; and

6 WHEREAS, the federal Freedom of Choice Act would invalidate more
7 than 550 federal and state abortion-related laws, laws supported by
8 the majority of the American public; and

9 WHEREAS, the Freedom of Choice Act will not make abortion safe
10 or rare, but will instead actively promote and subsidize abortion
11 with state and federal tax dollars and do nothing to ensure its
12 safety; and

13 WHEREAS, the federal Freedom of Choice Act could be passed as a
14 whole by Congress or, alternatively implemented piecemeal through
15 legislation, Executive Orders, or other policy determinations made
16 by the new Administration.

17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
18 AND THE SENATE OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

19 THAT the Legislature strongly opposes the federal Freedom of
20 Choice Act and urges United States Congress to summarily reject it.

21 THAT the Legislature strongly opposes the federal Freedom of
22 Choice Act because it seeks to circumvent the states' general
23 legislative authority as guaranteed by the Tenth Amendment to the
24 U.S. Constitution.

1 THAT the Legislature strongly opposes the federal Freedom of
2 Choice Act because it seeks to undermine the right and
3 responsibility of the states and the people to debate, vote on, and
4 determine abortion policy.

5 THAT the Legislature strongly opposes the federal Freedom of
6 Choice Act because the protection of women's health through state
7 regulations on abortion is a compelling state interest that should
8 not be nullified by Congress.

9 THAT the Legislature strongly opposes the federal Freedom of
10 Choice Act because its enactment would nullify laws in the State of
11 Oklahoma, laws that the Legislature and the people of Oklahoma
12 strongly support.

13 THAT the Secretary of State of Oklahoma transmit a copy of this
14 resolution to the Governor, to the President of the United States,
15 and to the President of the Senate and the Speaker of the House of
16 Representatives of the United States Congress.

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1 Passed the House of Representatives the 12th day of March, 2009.

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4 Presiding Officer of the House of
Representatives

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6 Passed the Senate the ____ day of _____, 2009.

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9 Presiding Officer of the Senate