

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE JOINT
4 RESOLUTION 36

By: Brecheen

5
6 AS INTRODUCED

7 A Joint Resolution stating the findings by the
8 Legislature on federal regulation and the Tenth
9 Amendment; providing historical statements on federal
10 and state government relations; stating non-
11 authorization for United States Department of
12 Education regulation on states; providing medical
13 citation for certain conditions; declaring
14 regulations from the United States Department of
15 Education are void in regard to transgender education
16 and procedure; directing distribution; and declaring
17 an emergency.

18 WHEREAS, the Legislature of Oklahoma makes the following
19 findings: the Tenth Amendment to the Constitution for the United
20 States reads as follows: "The powers not delegated to the United
21 States by the Constitution, nor prohibited by it to the States, are
22 reserved to the States respectively, or to the people."; and

23 WHEREAS, the Tenth Amendment defines the total scope of federal
24 power as being that which is specifically granted by the
25 Constitution for the United States and no more; and

26 WHEREAS, Article VI of the Constitution for the United States
27 provides that federal laws are supreme only when made "in pursuance"
28 of the Constitution for the United States; and

1 WHEREAS, the scope of power defined by the Tenth Amendment means
2 that the Federal Government was created by the states specifically
3 to be an agent of the states and not vice versa; and

4 WHEREAS, the regulation making authority of the United States
5 Department of Education (DOE) is not authorized by any article or
6 amendment of the Constitution for the United States and violates the
7 Constitution's true meaning and intent as given by the founders and
8 ratifiers; and

9 WHEREAS, gender is established at fertilization, governmental
10 regulations notwithstanding; and

11 WHEREAS, American College of Pediatricians made the following
12 statement: "The American College of Pediatricians (ACPed) urges
13 educators and legislators to reject all policies that condition
14 children to accept as normal a life of chemical and surgical
15 impersonation of the opposite sex. Facts - not ideology - determine
16 reality,"

17 ([https://www.acpeds.org/gender-dysphoria-in-childrensummary-
18 points](https://www.acpeds.org/gender-dysphoria-in-childrensummary-points))

19 "Conditioning children into believing [that] a lifetime of
20 chemical and surgical impersonation of the opposite sex is normal
21 and healthful is child abuse."

22 ([http://unitedfamilies.org/bioethics/american-college-
23 ofpediatricians-gender-ideology-harms-children/](http://unitedfamilies.org/bioethics/american-college-ofpediatricians-gender-ideology-harms-children/))

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1 "Endorsing gender discordance as normal via public education and
2 legal policies will confuse children and parents, leading more
3 children to present to 'gender clinics' where they will be given
4 puberty-blocking drugs. This, in turn, virtually ensures that they
5 will 'choose' a lifetime of carcinogenic and otherwise toxic cross-
6 sex hormones, and likely consider unnecessary surgical mutilation of
7 their healthy body parts as young adults."

8 ([https://www.acped.org/gender-dysphoria-in-childrensummary-](https://www.acped.org/gender-dysphoria-in-childrensummary-points)
9 [points](https://www.acped.org/gender-dysphoria-in-childrensummary-points))

10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF
11 REPRESENTATIVES OF THE 1ST SESSION OF THE 56TH OKLAHOMA LEGISLATURE:

12 SECTION 1. Based on the findings in this resolution, all
13 regulations imposed by the United States Department of Education
14 (DOE) concerning transgender education or procedures are void in
15 Oklahoma.

16 SECTION 2. The Secretary of State is hereby directed to
17 distribute copies of this resolution to the Governor.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this resolution shall take
21 effect and be in full force from and after its passage and approval.

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23 56-1-134 MD 1/19/2017 7:42:43 PM
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