

IN THE HOUSE OF REPRESENTATIVES

HOUSE RESOLUTION NO. 19

BY STATE AFFAIRS COMMITTEE

A HOUSE RESOLUTION

1  
2 STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND URGING THE SUPREME  
3 COURT TO REVERSE ITS JURISPRUDENCE ON ABORTION AND INSTEAD RECOGNIZE  
4 THE AUTHORITY OF THE STATE OF IDAHO TO APPLY STATE LAWS TO PROTECT EVERY  
5 HUMAN BEING FROM FERTILIZATION TO NATURAL DEATH.

6 Be It Resolved by the House of Representatives of the State of Idaho:

7 WHEREAS, the Supreme Court of the United States (hereafter referred to  
8 as the "Federal Court") is an integral component of our country's federal  
9 system and of our republican form of government; and

10 WHEREAS, Article VI of the United States Constitution designates the  
11 Constitution itself, not the opinions of the Federal Court, as the supreme  
12 law of the land; and

13 WHEREAS, the Federal Court is not only bound by the text of the Constitu-  
14 tion, but it is also bound by the limits on human civil authority revealed by  
15 God; and

16 WHEREAS, only decisions by the Federal Court that are consistent with  
17 the Constitution are the supreme law of the land and therefore binding on the  
18 states; and

19 WHEREAS, the Federal Court's egregious decision in *Roe v. Wade* in 1973  
20 is an affront to God and finds no basis in the text of the Constitution; and

21 WHEREAS, preborn persons are entitled to the equal protection of the  
22 laws under the Fourteenth Amendment to the United States Constitution; and

23 WHEREAS, Idaho's courts and prosecutors have long recognized equal pro-  
24 tection by enforcing the state's criminal murder laws and imposing prison  
25 sentences for the murder of preborn persons; and

26 WHEREAS, 31 children are killed every week, and over 1,500 a year, in  
27 abortions in just three cities in Idaho: Boise, Meridian, and Twin Falls;  
28 and

29 WHEREAS, the Idaho legislature has conformed Idaho Code to *Roe v. Wade*  
30 and has patiently endured 49 years waiting for the Federal Court to change  
31 its judicial precedent set in *Roe v. Wade* and has abided by the Federal  
32 Court's unconstitutional opinions while over 73,000 children have been  
33 aborted in this state; and

34 WHEREAS, regardless of which president has appointed the Federal  
35 Court's justices, the Federal Court has asserted in at least 40 opinions over  
36 the decades that children killed in abortions have no constitutional right  
37 to life; and

38 WHEREAS, the last such unconstitutional abortion opinion of the Federal  
39 Court was as recent as the June 29, 2020, decision in *June Medical Services*  
40 *L.L.C. v. Russo*; and

41 WHEREAS, the Federal Court will, once again, issue another opinion on  
42 murder by abortion in the summer of 2022 in *Dobbs v. Jackson Women's Health*  
43 *Organization*; and

1           WHEREAS, the legislators in the Idaho House of Representatives are  
2 oath-bound to follow the decisions of the Federal Court only insofar as the  
3 Federal Court follows the Constitution; and

4           WHEREAS, the ongoing killing of children in abortions in Idaho is an  
5 emergency and is contrary to the right to life, safety, and equal protection  
6 of all persons regardless of age, size, ability, or location declared in  
7 Article I of the Idaho Constitution.

8           NOW, THEREFORE, BE IT RESOLVED by the members of the House of Represen-  
9 tatives, assembled in the Second Regular Session of the Sixty-sixth Idaho  
10 Legislature, that the Idaho House of Representatives urges the Supreme Court  
11 of the United States to reverse its longstanding jurisprudence on abortion  
12 and instead recognize the authority of the State of Idaho to apply state laws  
13 equally, without exception, to protect every human being from fertilization  
14 to natural death.

15           BE IT FURTHER RESOLVED that if the Federal Court does not reverse course  
16 and recognize this state's authority over murder, that the Idaho House of  
17 Representatives will no longer just patiently endure the unconstitutional  
18 opinions of the Federal Court on this subject but will examine and pursue its  
19 constitutional authority under Article VI and the Tenth and the Fourteenth  
20 Amendments to the United States Constitution to outlaw all murder by abor-  
21 tion in the state's jurisdiction.