SENATE JOINT RESOLUTION NO. 10

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATORS DYSON, Wilken, Seekins, Wagoner, Huggins, Green, Therriault, Gary Stevens, Stedman

REPRESENTATIVE Lynn

Introduced: 2/28/05
Referred: Judiciary

A RESOLUTION

Supporting the federal marriage amendment.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS traditional marriage is a fundamental social institution, deeply rooted in all societies, that has been tested, reaffirmed, and celebrated as the cornerstone of society for thousands of years; and

WHEREAS the strength and success of a culture and its individuals directly depends on the stability and permanence of its foundations; and

WHEREAS courts across the country have recently issued inconsistent decisions about marriage that are in violation of established legal procedures, unmindful of long-standing traditions, and contrary to the will of the vast majority of the public; and

WHEREAS the Commonwealth of Massachusetts has begun allowing same-sex marriages, thus creating tremendous confusion and legal uncertainty in the remaining states regarding the full faith and credit of those unions in other jurisdictions; and

WHEREAS federal law has been understood for more than 200 years to decree that a marriage is the legal union of a man and a woman as husband and wife and that a spouse is a husband or wife of the opposite sex; and
WHEREAS, more than a century ago, the United States Supreme Court wrote of the "union for life of one man and one woman in the holy estate of matrimony" in Murphy v. Ramsey, 114 U.S. 15, 45 (1885); and

WHEREAS, in 1996, the United States Congress passed and President Clinton signed into the law the Defense Of Marriage Act, defining marriage in federal law as a "legal union between one man and one woman as husband and wife"; and

WHEREAS there are currently 43 states with statutory definitions of marriage as the union between one man and one woman; and

WHEREAS currently 16 states have adopted constitutional amendments that protect the definition of marriage as the union of one man and one woman; and

WHEREAS, in 1996, the Nineteenth Alaska State Legislature amended AS 25.05 to declare that marriage is a union between one man and one woman and to declare that same-sex marriages are prohibited in Alaska; and

WHEREAS, in November 1998, the people of the State of Alaska approved Legislative Resolve 71, Twentieth Alaska State Legislature, to amend art. I of the Constitution of the State of Alaska by adding sec. 25, which states, "to be valid or recognized in this State, a marriage may exist only between one man and one woman";

BE IT RESOLVED that the Alaska State Legislature is committed to continuing to defend, promote, and support the historic role of the family as the basic unit of our society and legal marriage as the union of one man and one woman; and be it

FURTHER RESOLVED that the Alaska State Legislature urges the 109th United States Congress to approve Senate Joint Resolution 1, known as the Marriage Protection Amendment, that proposes to amend the Constitution of the United States by defining the institution of marriage as a union between a man and a woman.

COPIES of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable Richard B. Cheney, Vice-President of the United States and President of the U.S. Senate; the Honorable Bill Frist, Majority Leader of the U.S. Senate; the Honorable Harry Reid, Minority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Tom DeLay, Majority Leader of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; and the Honorable Ted Stevens and the Honorable Lisa
Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.