

**SENATE RESOLUTION NO. 3**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIRST LEGISLATURE - FIRST SESSION**

**BY SENATOR DONLEY**

**Introduced: 5/12/99**

**Referred: Rules**

**A RESOLUTION**

**1 Relating to the need for a final opinion in Bess v. Ulmer.**

**2 BE IT RESOLVED BY THE SENATE:**

**3 WHEREAS** the Alaska Supreme Court issued a preliminary opinion and order on  
**4** September 22, 1998, in Bess v. Ulmer, S-08811, S-08812, S-08821, dealing with the limitation  
**5** on the power of the legislature to propose amendments to the state constitution that are  
**6** revisions, and indicated that a final opinion would be coming; and

**7 WHEREAS** AS 22.05.140(b) demonstrates the state policy of encouraging prompt  
**8** decisions by the Alaska Supreme Court; and

**9 WHEREAS** the legislature needs a final opinion in Bess v. Ulmer to provide further  
**10** guidance on the court's opinion regarding the extent of the legislature's powers to propose  
**11** amendments to the state constitution so that it may effectively carry out its duties; and

**12 WHEREAS** a final opinion in Bess v. Ulmer is necessary to facilitate a petition for  
**13** rehearing;

**14 BE IT RESOLVED** that the Alaska State Senate requests the Alaska Supreme Court  
**15** to issue a final opinion in Bess v. Ulmer.