

HOUSE JOINT RESOLUTION NO. 21

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE LYNN

Introduced: 4/25/05

Referred: Judiciary

A RESOLUTION

1 **Supporting the reliance of courts on the Constitution of the United States.**

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

3 **WHEREAS** the Declaration of Independence announced that one of the chief causes
4 of the American Revolution was that King George III had "combined with others to subject us
5 to a jurisdiction foreign to our constitution and unacknowledged by our laws"; and

6 **WHEREAS** the United States Supreme Court has recently relied on or consulted the
7 judgments, laws, or pronouncements of foreign jurisdictions to support the court's
8 interpretations of the laws of the United States; and

9 **WHEREAS** the ability of the people of this state and all other states to live their lives
10 within clear legal boundaries is the foundation of the rule of law; and

11 **WHEREAS** it is the appropriate judicial role to faithfully interpret the expression of
12 the popular will through the Constitution of the United States and laws enacted by the duly
13 elected representatives of the American people in this state and the other 49 states, under our
14 system of checks and balances; and

15 **WHEREAS** people of this state and all other states should not have to look for
16 guidance on how to live their lives from the often contradictory decisions of any of hundreds

1 of foreign jurisdictions, some of which are hostile to the cultures, military actions, and
2 domestic and foreign policies of the United States; and

3 **WHEREAS** local, state, and federal judicial consideration by courts in the United
4 States of foreign judgments, laws, and policies, or of pronouncements, threatens the
5 sovereignty of this state and the United States and the separation of powers at all
6 governmental levels;

7 **BE IT RESOLVED** that the Alaska State Legislature supports the reliance of the
8 courts of this state and the United States in making judicial interpretations regarding the
9 meaning of the Constitution of the State of Alaska or the Constitution of the United States that
10 are based in whole or in part on the constitutions of this state and the United States, and not
11 on the judgments, laws, policies, cultures, or pronouncements of any foreign institution,
12 organization, group, including the United Nations, or other international organizations, or
13 what is sometimes termed "the world community."

14 **COPIES** of this resolution shall be sent to the United States Supreme Court;
15 Honorable Alberto Gonzales, Attorney General of the United States; the members of the U.S.
16 Senate Committee on the Judiciary; the members of the U.S. House Committee on the
17 Judiciary; the Alaska Supreme Court; the Honorable Frank H. Murkowski, Governor of
18 Alaska; the Honorable David Marquez, Alaska Attorney General; the Alaska Judicial
19 Council; the American Bar Association; the Alaska Bar Association; and the Honorable Ted
20 Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young,
21 U.S. Representative, members of the Alaska delegation in Congress.