

ALASKA LEGISLATURE

1847

HOUSE and SENATE FINANCE COMMITTEE FILES, 1997-1998

To: Senator Leman *cc: Sen Sharp* Date: March 21, 1998 Total Pages 3
 cc: Senate Finance & all Alaska Legislators
 re: Vote *NO* on SJR-42: Your vote for SCR-25 was all you had to do, to let the courts decide.
 (And an article on "Usury"—loaning money at interest -- for your reflection)

Senator Leman:

Bottom line, I'm requesting that since the Senate unanimously passed SCR-25, (asking for a speedy appeal of the lower court decision regarding same-sex marriage) that that's all the Senate needs to do with the marriage issue. Please stop SJR-42 in committee and let the courts do their work. Putting as emotionally charges an issue as SJR-42 to the ballot is unnecessary at this time, and you'll cause too many people too much pain by doing so.

One of the reasons it's so painful to go through anti-gay campaigns is that the Bible is so (mis)-used against us. My branch of the Christian faith doesn't condemn me for who I am (? lesbian), but others still do. That's a given in religious freedom: religious understandings always vary greatly within any given time and across generations of time. Personal religious freedom is a strength of this country. But when politics wields religion as a weapon, people get hurt.

I want to remind you -- a state finance-minded person -- that, in literal text, the Bible condemns "usury:" the loaning of money at (any) interest. In the Bible, usurers are condemned to death -- no ifs, ands or buts about it. Where would capitalism be today, where would the Permanent Fund be, the stock market, etc., if the Bible were still followed regarding usury? Mr. Leman, if the Bible were truly your literal guide, you'd be amending the constitution to attack bankers, brokers, investors, etc., in addition to people currently under your fire.

I've attached an article that explores how biblical understanding of usury has been reevaluated over time, because it's an enlightening, thought-provoking way to evaluate the changing understanding of homosexuality today.

Try to walk in my shoes a moment. Think: what if usurers -- you yourself -- were about to face an 8-month long religiously charged angry campaign? Think about hearing yourself condemned daily for loaning money or participating in the biblically condemned sin of usury. Think about having to listen over and over again to the literalist-driven religious proponents repeat quotes that show you, a usurer, "deserve death." Think how awful that would feel. Imagine yourself wanting such a charged issue left in the courts instead of reverberating in public debates that vilify you in every venue of public and private life. Can you imagine? And imagine, too, knowing that at the end of the campaign you'll risk losing your private financial rights because the population voted to change the constitution and make you the constitutional outcast. Imagine the constitution reading that you, personally, are hereafter to be viewed both biblically -- and civilly -- as the evil one.

... With that feeling in your gut, please vote "no" on SJR-42. You can come out strong against same-sex marriage even as you vote if you must -- but you could do so saying something like "I vote against SJR-42 at this time because the courts have not yet completed their review of the issue; and I've done my part for now by sending it to the courts with my vote on SCR-25." This would save so many of us and our family and friends so much grief. You have no idea.

Please, vote "no" on SJR-42, because your vote on SCR-25 was all that needed to be done.

Sara L. Boesser

Sara Boesser, 9365 View Drive, Juneau, 99801

Attachment: Harvard article: "The Bible Condemned Usurers, Too" by John Corvino, Univ. of Texas Philosophy Dept.

ESSAY

The Bible Condemned Usurers, Too

JOHN CORVINO

GAY rights advocates sometimes suggest that, if the Bible condemns homosexuality, so much the worse for the Bible. Yet that position hardly works for everyone. Many people maintain that the Bible is the true word of God, and not all who do are die-hard homophobes. Some are social liberals who feel torn between their political and their religious convictions. Others are gay and lesbian youths who feel forced to choose between being gay and following God. To tell such people "so much the worse for the Bible" seems counterproductive, even cruel.

But what is the alternative? Is it possible to affirm the truth of the Bible yet deny the anti-gay conclusions the Church has drawn from it for centuries? To answer that question, I want to explore another case where the Church has re-interpreted Scripture: usury. For centuries the Church used the Bible to condemn the lending of money for interest—for any interest, not just excessive interest. Today it has more money in the bank than many major corporations. And its explanation for this shift—that cultural changes render the Biblical prohibitions inapplicable—works just as well for homosexuality as for interest banking.

The Bible condemns usury in no uncertain terms. In the Book of Exodus, God says that "if you lend money to my people, to the poor among you ... you shall not exact interest from them" (Exodus 22:25). Psalm 15 says that those who lend at interest may not abide in the Lord's tent or dwell on his holy hill (1-5). Ezekiel compares usury to adultery, robbery, idolatry, and bribery, and asks whether he who "takes advanced or ac-

crued interest; shall he then live? He shall not. His ... shall surely die; his blood shall be upon him." (Ezek. 18:10-13; see also Deut. 23:19, Lev. 25:35-37, Neh. 5:7-10, Jer. 15:10, Ezek. 22:12, and Luke 6:35.)

The Biblical case against usury does not stand alone. Plato and Aristotle condemned the practice, as did Aristophanes, Cato, Seneca, and Plutarch. So did Saints Anselm, Augustine, Bonaventure, Thomas Aquinas, Jerome, and Ambrose, citing both Scripture and natural law. Numerous Church councils and synods forbade usury: for instance, at the Third Council of Lateran (1179 CE), Pope Alexander III declared that both the Old and New Testaments condemned it and that violators

should be excommunicated. Subsequent popes repeated these sanctions. In 1745, in the encyclical *Vix Perverit*, Benedict XIV pronounced that "any gain which exceeds the amount the creditor gave is illicit and usurious." Protestant opponents of usury included Martin Luther, Philipp Melancthon, and Ulrich Zwingli. Nor is this condemnation unique to the Judeo-Christian tradition: the Koran condemns usury as well (2:275, 3:130). In short, the case against usury, like the case against homosexuality, appears to

Using the Bible's condemnations of homosexuality against contemporary homosexuality is like using its condemnations of usury against contemporary banking.

have strong biblical, philosophical, patristic, ecclesiastical, and theological grounds.

So what happened? Did the Church suddenly realize that it was missing out on something lucrative, and rescind its earlier prohibition? Not surprisingly, Church leaders offer quite a different explanation. According to them, economic conditions have changed substantially since biblical times, such that usury no longer has the same consequences as it did when the prohibitions were issued. Thus, the prohibitions no longer apply. As Father Richard McBrien, former chair of the University of Notre Dame theology department, writes,

John Corvino, who teaches philosophy at the University of Texas at Austin, is currently editing a general anthology on homosexuality.

The teaching on usury changed because certain theologians in the sixteenth century concluded that economic conditions had changed, making the old condemnations obsolete, and that the experience of lay Christians had to be listened to. Thus, Navarrus (d. 1586), a professor at Salamanca in Spain and author of a *Manual for Confessors*, argued that an "infinite number of decent Christians" were engaged in exchange-banking, and he objected to any analysis which would "damn the whole world."

McBrien's example of Navarrus is helpful here, for it shows how the Church's pastoral experience influenced its understanding of Scripture. Faced with otherwise "decent Christians" engaging in a traditionally forbidden practice, the Church re-examined the earlier prohibitions and found that they depended on conditions that no longer held.

Today, are we not in a similar position regarding homosexuality? Even Christian traditionalists have begun to recognize that the stereotype of gays as corrupt, hedonistic, sex-crazed heathens is insupportable. On the contrary, many gay and lesbian relationships appear loving, nurturing, and fulfilling. As Richard B. Hays, a Methodist professor of New Testament at Duke, points out, "There are numerous homosexual Christians whose lives show signs of the presence of God, whose work in ministry is genuine and effective. How is such experiential evidence to be assessed?"

Hays is appealing to a familiar Biblical principle here: "By their fruits ye shall know them" (Matt. 7:20). Surprisingly, however, he ultimately concludes that homosexual relationships are immoral. I suggest that Hays, and countless other theologians like him, have dropped the ball. They notice that many gay and lesbian relationships manifest themselves as good, but cannot reconcile this experiential evidence with the scriptural prohibitions that they've been taught. What they fail to notice is that the Church's history on usury provides a way out of this apparent dilemma.

Consider the first chapter of Paul's letter to the Romans, perhaps the most problematic text for gay and lesbian advocates. Paul writes of Gentiles who have given themselves up to "dishonorable passions. Their women exchanged natural relations for unnatural, and the men likewise gave up natural relations with women and were consumed with passion for one another, men committing shameful acts with men and receiving in their own persons due penalty for their error" (1:26-7).

It seems fairly clear that Paul viewed such acts as a sign and consequence of the Fall. (Some, like John Boswell and William Countryman, have argued that Paul's use of "unnatural"—*para physin*—carries no moral force. My argument does not require this conclusion, but if it is true, so much the better.) Granting that Paul morally condemned such relationships, must contemporary Christians condemn homosexual relationships as well? Not necessarily. Suppose that in Paul's time homosexual relationships were typically exploitative, paganistic, or pederastic—which they were, according to most scholars. If Paul condemned homosexuality because it had such features, but such features are no longer typical, then Paul's condemnation no longer applies. Substantial changes in cultural context have altered the meaning and consequences—and thus the moral value—of homosexual relationships.

In short, using the Bible's condemnations of homosexuality against contemporary homosexuality is like using its condemnations of usury against contemporary banking. This context-

sensitive approach preserves not only the inerrancy of the Bible but also the authenticity of experience. For the religious believer, both are important: surely the Creator of all things reveals himself in lived experience as well as ancient texts.

But does this approach leave any room for mystery or for faith? If we need only consult experiential evidence to determine God's will, of what use is the Bible? I have not suggested that we need *only* consult experiential evidence; I have merely suggested that we need experiential evidence, like Biblical evidence, is an important source of revelation. Nor have I denied that biblical evidence may contradict experiential evidence and thus result in mystery. In this case, however, the contradiction is merely apparent. There is still room for mysteries of faith; this just happens not to be one of them.

The usury analogy also provides a better model for re-interpretation than do the more commonly cited issues of divorce and slavery. The Biblical case against divorce is at least as strong as that against homosexuality; indeed, Jesus forcefully condemns divorce (Matt. 5: 31-32) but never mentions homosexuality. This fact is startling when one considers how many advocates of "traditional Christian values"—Newt Gingrich, Bob Dole, and Phil Gramm, for instance—are divorced. Perhaps they consider divorce a one-time failure as opposed to an inveterate sin (though Jesus, who likened divorce to adultery, apparently disagrees). Or perhaps they accept an argument similar in strategy to the usury argument: divorce during Jesus's time had disastrous social consequences for women that it no longer has; thus, the Biblical condemnations are obsolete. (Fundamentalists might accept the analogy between homosexuality and divorce and then use it against homosexuality, citing both issues as examples of a lax attitude toward God's word.)

Virtually no one wants to uphold the Bible's approval of slavery. Still, the Bible's position appears clear: Leviticus states, "You may acquire slaves from the pagan nations that are around you" (25: 44). St. Paul writes, "Slaves, be obedient to those who are your earthly masters, with fear and trembling, in singleness of heart, as to Christ" (Eph. 6: 5). Are such pronouncements (and many more like them) context-specific in a way that renders them inapplicable today?

Many believers think so. They argue that during biblical times slavery was significantly different from its ante-bellum American form; specifically, Biblical masters were much kinder to their slaves. This argument concedes that cultural context is relevant to interpretation, and thus buttresses the case in favor of homosexuality. But it also concedes that under some certain circumstances human beings may own one another—a repugnant conclusion. Some believers try to avoid this conclusion by noting that according to St. Paul, "there is no longer slave or free" (Gal. 3:28). Yet this response also buttresses the pro-gay case, for the same passage says, "there is no longer male and female." Erase that distinction, and homosexuality becomes a non-issue.

Perhaps the slavery example shows that the revisionist approach—or, at least, the assumption that the Bible is inerrant—inevitably leads to absurdity. Perhaps it is time for gay rights advocates to bite the bullet and say, "Look, the Bible is just wrong sometimes." For those unprepared to make that concession, the Church's stance on usury suggests a useful and coherent alternative.

Dear Senator,

My wife Stacey and I would like to take your time and let you know how deeply we feel about two resolutions that are before you this week.

The first is SJR 37. We fully support SJR 37. Without taking your time in the details we wanted to let you know that we support parental consent before their child has an abortion. We would like to urge you to vote **YES**.

The second is SJR 42. We support this bill stating that marriage as a union that can be entered into only by "one man and one woman". Again we urge you to support this resolution.

Thank you for your hard work in serving us the people of Alaska, and thank you for your time listening to us.

Sincerely,
Steven & Stacey Veldstra
PO Box 251
Homer, AK 99603

**Robert M. and Angela H. Holt
8921 Tempest Circle
Anchorage, Alaska 99507**

March 22, 1998

Re: Senate Joint Resolution 42

Dear Senator,

It is with great urgency that we ask that you support SJR 42.

You can make a difference.

Sincerely,

Bob and Angel Holt

March 22, 1998

To the senators of Alaska,

I'm sorry to be so late to weigh in on an issue that I feel is very important. I fully & wholeheartedly support SJR 42.

One woman, one man marriage is the most basic unit that builds our society. To honor a homosexual union with same status as a one woman, one man union is an act of reprobate.

As a country, as a state & as a society we must reject homosexual marriage, and remember that it is a perversion that goes against common sense, nature & God Himself.

Please support SJR 42 and uphold marriage as an honorable institution one man united with one woman.

Thank you

Most sincerely

Mrs. Kathy Cotton

Mrs. Kathy Cotton

P.O. Box 907

Delta Junction AK 99737

Phone 907 895-1033

Fax 907 895-4219

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March 22, 1998

Dear Senator,

Please vote for Senate Joint Resolution 42. Marriage has been honored throughout history as the union of one man and one woman and should remain that way. Let Alaska stand up as a state who cares about the future of her children and the future of her society by defining marriage in this way! Let us not make the family unit fuzzy by allowing it to be defined by the whim of the court at the time. Please don't allow yourself to be swayed by what may seem politically correct at the time, but instead vote for the traditional values that are the foundation of our thriving society. Please don't lead us down the path of so many societies that have gone before us, ancient Greece and ancient Rome as examples, that condoned homosexual unions on their way to their collapse. Thank you for the sacrifices you make for the good of Alaska and for the thoughtfulness you bring to these weighty matters. I know you have what's best for Alaska and our country in your heart as you serve, therefore, you must vote in favor of S.J.R. 42!

Thank you,

Mrs. Carol A. Simpson
448 Klondike Ave.
Homer, AK 99603

18 March 1998

3118 Chinoak Dr
Fairbanks, AK
99709

Honorable Bert Sharp
State Capitol
Juneau, Alaska 99801-1182

Dear Senator Sharp,

I write to ask you to withhold your support from Senate Joint Resolution No. 42, which is under review by the Senate Finance Committee. Given the political and financial struggles Alaska faces, why is the Senate wasting time and money on attacking the rights of Alaskans? No person should be prevented from marrying the one she or he loves.

As a married woman, I applaud any two people who form a loving, committed, long-term relationship, regardless of their partner's gender. The freedom to marry has long been recognized by the U.S. as one of the vital rights of any individual. The Constitution of Alaska promises that all people are "entitled to equal rights, opportunities, and protection under the law." SJR 42 would gut that promise. Sincerely, Sandra Burtwright

March 18, 1998

Box 83683

Tainbanks

AK 99708

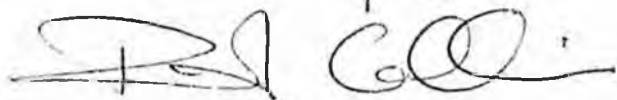
Honorable Bert Sharp
State Capitol
Juneau
AK 99701-1182

Dear Senator Sharp

I am writing to express my concern about senate joint resolution no. 42 which is under review by the senate finance committee. SJR042B is a misguided and divisive venture that attempts to raise one section of Alaskan society up while implicitly putting another section down. Furthermore, it compromises the privacy rights of all citizens. The fact that this section will appear in the Declaration of Rights, which opens with Jefferson's promise of life, liberty and the pursuit of happiness, only adds insult to injury.

I respectfully request that you do not pass this joint resolution forward for a senate vote.

Sincerely yours



Richard Collins

March 18, 1998

Box 83683

Fairbanks, AK
99708

Honorable Bert M. Sharp

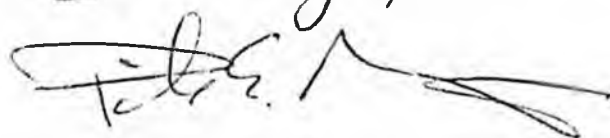
Senate

State Capitol

Juneau, AK 99801

Dear Sir,

I am writing to protest Senate Joint Resolution No. 42. As a voter I am appalled that the Finance Committee has to waste time with a pointless attempt at regulating peoples private lives when so much important business is waiting. Stop wasting the citizens' time and the States money and let this resolution die in committee.

Sincerely,


Patrick E. Marlow

March 23, 1998

Dear Senator Sharp,

This letter regards SJR 42 which proposes an amendment to the constitution to define marriage as a union that can be entered into only by "one man and one woman."

We urge you to support this important bill. Passage of this bill would allow the people of the State of Alaska to decide whether or not they want marriage defined as a union of one man and one woman. Last year, as you are well aware, legislators -- with the general support of their constituents -- passed a bill that would have given marriage just this definition. This bill was passed into law, and now a handful of judges have nullified it.

From both a biblical and historical perspective, we strongly support marriage as the legal union between **one man and one woman**. However, regardless of our views on the subject, we see no reason why the people of Alaska shouldn't be able to vote on a possible amendment to the constitution -- if we are truly living in a democracy and not a governmental system run by a handful of judges!

Again, we urge your support for SJR 42. Thank you for your time and consideration of this important matter.

Sincerely,

Alan and Chris Schuler
4066 Deborah Drive
Juneau, AK 99801
aecrsas@ptialaska.net

20718 Melody Ln
Eagle River AK 99577
March 23, 1998

Dear Senator,

We are faxing to inform you of our
desire to see the AK constitution amended
to define marriage as outlined in SJR 42.

It is obviously the people's desire to
oppose homosexual marriages as indicated in the
veto override of the past. Unfortunately, some
judges seem to have no concern for the
people's desires, which makes the amendment
necessary.

Ralph & Donna Ray

696 8484

696 7474 (fax)

Ray Family 2@aol.com

3/23/97

Dear Senator,

My wife, Michelle
Blanchard, and myself are
wholeheartedly and enthusiastically
behind SJR 42. We hope
you will support this as
well.

Sincerely,
Brian Blanchard

Ph. 1-907-983-2250
Fax. 1-907-983-2691

Jason Nelson
909 1st Street
Douglas, AK 99824
March 20, 1998

Senator Loren Leman
State Capitol, Room 115
Juneau, AK 99801-1182

Dear Senator Leman,

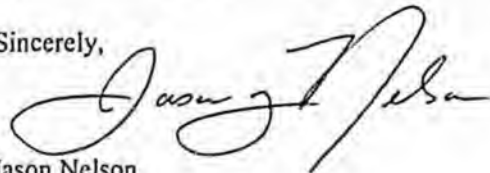
I am currently attending the University of Alaska Southeast here in Juneau. I have lived in Alaska my entire life, and plan to make this state my home when I graduate from college. I have always appreciated the individual freedom we each have as citizens of Alaska, and the way in which we mind our own business and leave our neighbors alone. On a national level, we all enjoy a certain amount of freedom, but Alaska is unique in that it truly respects our choices as individuals. This is reflected in the privacy clause of our constitution.

As an Alaskan Senator, I would expect that you would try and uphold these cherished principles of individuality and privacy that we all enjoy. However, you have clearly demonstrated that you do not value these traditions, and have let the citizens of Alaska know that you are not representing their best interests, but are instead pushing your own moral agenda. This is clearly evident in your continued support of SJR-42. You are attempting to tamper with the constitution of Alaska not to grant equal rights to Alaskan citizens, but to favor one group over another just because you fail to understand the concept of diversity in society. I am curious as to what your intentions are for SJR-42 since the Senate has already unanimously passed SCR-25. I would appreciate a response on this issue as I believe this issue belongs in the courts.

You justify your actions by saying that your limited definition of marriage is necessary in order to protect a breakdown of the family. Well Mr. Leman, when people want to form families, they generally get married. Constitutionally denying some of Alaskan citizens the right to get married, in a way that is healthy and beneficial to them as individuals and to society as a whole, is a first step in causing a breakdown of the family. You have sent a message to Alaskans that if their family is not like yours, then it is not good enough. You are just an individual among many, and your personal beliefs do not apply to the rest of the population. Everyone is different. That is why we have a constitution to protect those differences.

Up until this issue arose, I was never very politically active. Your tyranny has brought me forth not only to speak out for gay and lesbian rights, but for the rights of all Alaskan citizens. I would like to thank you for making same-sex marriage a controversial public issue. In the 1960's, African-Americans had nothing to lose by standing up for their rights as citizens. Their minority status was obvious to everyone around them, all the time, and they were treated accordingly. Homosexual citizens, however, are not obvious in the public eye. They must publicly announce their sexual orientation. This issue has brought a number of gays and lesbians forth, those who up until now kept their homosexuality a secret. They will oppose you at every step of the way Mr. Leman, and in doing so they will let their friends and family know their true selves. You cannot keep the public ignorant about homosexuality any longer. Making same-sex marriage a public issue has made this possible. Once again, for this, I thank you.

Sincerely,



Jason Nelson

cc: All Alaska State Legislators

Box 22686
Juneau, AK 99802
3/19/98

Senator Loren Leman
State Capitol, Room 115
Juneau, AK 99801-1182

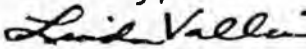
Dear Senator Leman,

As a teacher of young children I occasionally overhear my students justifying their words and actions with the phrase "Its a free country". I used that phrase on the playground, too, when I was a child. As I grew older, I came to understand just how important Freedom is to Americans, and why our founding fathers worked so hard to guarantee certain freedoms for everyone in this country. Likewise, the Alaska state constitution was written to guarantee certain rights and freedoms to all Alaskans.

In these present times, however, it seems that there are increasing attacks on individual rights and freedoms. More and more laws are passed restricting, limiting, and forbidding people from making their own choices on matters ranging from when they can turn on their car's headlights to how they choose to die; from how many trees they can cut on their own property, to whether they have to go through with an unwanted pregnancy.

Alaskans in general have a reputation for being fiercely protective of individual rights and freedoms. So I can't help but wonder why you, a representative of Alaskans, continue to push for SJR-42, a bill which clearly denies individuals rights to both privacy and equality. It seems especially difficult to understand your fervor in rushing this proposed limit to individual rights in light of the fact that the Senate has approved SCR-25, requesting the courts to resolve matters pertaining to whether persons of the same sex can marry.

I am opposed to SJR-42. I am opposed to changes in our constitution which will deny basic rights to certain Alaskans. Leave this matter to the courts, Senator Leman.

Sincerely,

Linda Vallie

cc: all Alaska legislators

JDH

DYNAMIC PROPERTIES

3111 C Street ~ Suite 100 ~ Anchorage, AK 99503 ~ U.S.A.
Phone 907-261-7663 ~ Fax 907-261-7670

March 16, 1998

Senator Loren Leman
State Capitol, Room 115
Juneau, AK 99801-1182

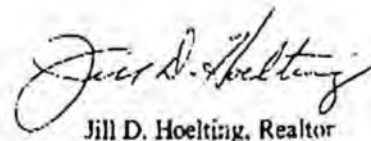
Dear Senator Leman,

As I will be unable to attend the Senate Finance Committee Hearing scheduled for Tuesday, March 24th in Juneau, I want you to be fully aware of my opposition to SJR 42. Same-sex marriages cannot be denied as outlined by the Alaska Constitution. Please check your religion at the door and do your job, which should be the promotion of individual freedom for all.

Senator Leman, I would like your written response to the following:

1. What purpose do you believe SJR 42 serves now that the Senate has unanimously approved SCR 25?
2. What do you think will be gained from legislative action on this issue at this time, since the Senate already has requested the courts to resolve this matter?
3. Why do you support SJR 42, as it only serves to violate both the privacy rights and the inherent equal rights of all citizens of the state of Alaska?

Sincerely,



Jill D. Hoelting, Realtor

cc: All Alaska Legislators

Susan Warner
411 7th St.
Juneau AK 99801

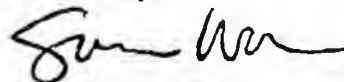
Senator Loren Leman
State Capitol, Room 115
Juneau, Alaska 99801-1182

March 16, 1998

Dear Senator Leman:

I am writing in response to SJR 42. I am happily married to the man that I love. We have a beautiful young daughter. I would like to tell her, when she grows up, that she will be able to marry the person she loves and not the person the government tells her to marry. The privacy of adult relationships should not be intruded on by an oppressive government. Why are you trying to tell my daughter who she can and cannot marry? Please respond to this question. Thank you very much for answering my letter and considering my opinion.

Sincerely,



Susan Warner

c: Alaska State Legislators

Ellen P. Twiname
5306 Caribou Ave.
Anchorage, AK 99508

March 16, 1998

Senator Loran Leman
State Capitol, Room 115
Juneau, AK 99801-1182

Dear Senator Leman:

I am very opposed to SJR 42, and cannot understand what you are trying to accomplish with it. It appears to me to be a hateful and divisive piece of legislation. I would appreciate it if you could answer the following questions:

What purpose do you believe SJR 42 serves, now that the Senate has unanimously approved SCR 25, which urges a speedy appeal of the Brause-Doogan case? Since the Senate has already requested the courts to resolve this matter, what do you think will be gained from legislative action on this issue at this time?

Why do you support and push for SJR 42, as it only serves to violate both the privacy rights and inherent equal rights of all citizens of the State of Alaska?

Given the urgency of this matter, I look forward to your speedy response. Thank you very much.

Sincerely,



cc: All Alaska Legislators



Parents, Families and Friends of Lesbians and Gays

P. O. Box 32245

Juneau, Alaska 99803

March 18, 1998

Senator Loren Leman
Capital Building, Room 115
Juneau, Alaska 99801

Dear Senator Leman,

We live during times that are filled with change. I can understand that change is disturbing to you and other legislators. I can understand that you might be afraid of what your life would be like if things were different than they are now. I also know that throughout history a group of people has been set aside to serve as the scapegoat for the fears and confusion of others, and that right now gays, lesbians, and bisexuals are the people who serve as social scapegoats when our fears increase as change increases.

What I do not understand, however, is how you as a leader in Alaska can even consider that proposing to reduce the most basic rights to privacy for Alaska citizens can be an appropriate response to the changes that are with us all in the late 20th century. Yes, I do understand that you are under a great deal of pressure from national groups who want to keep gays, lesbians, and bisexuals in the scapegoat position they now occupy, and that they put that pressure on you by using moral and religious arguments. But you are an Alaskan who can think for yourself about what is best for Alaskans. Following the national agenda that supports decreased privacy rights and increased discussion that has gays, lesbians, and bisexuals at the center of the discussion makes you seem like a hate-filled person, Senator, and perhaps that is not the case.

I sincerely request that you stop the pressure on your colleagues to move SJR 42 forward on the fast track. If it is not possible for you to do that, please respond and let me know why you can not do that. Why can't you just let it die in committee?

Yours sincerely,

Marsha Buck, Co-chair

CC: All Alaska Legislators

P.O. Box 310
Haines, AK 99827
19 March 1998

Senator Loren Leman
State Capitol, Room 115
Juneau, AK 99801-1182

Dear Mr. Leman:

I am writing in strong opposition to SJR 42, the proposed constitutional amendment related to marriage. I tried to testify via telephone last week at the Judiciary Committee hearing, but was not given the opportunity. I am a 26-year resident of Alaska, married 26 years to the same man, the mother of four children born and raised in Alaska, a former two-term school board member and borough assemblywoman in Haines, and a Christian.

Regarding this proposed constitutional amendment, I sense a bidden agenda. Just what is the purpose of the state regulating marriage? If it is to protect our children, to help ensure that they are raised in stable families, I see no need to legislate against same-sex relationships. If it is addressing the benefits available to those in mutually-contracted long-term relationships such as marriage, again I see no need to discriminate against anyone based on their choice of partner. Surely we would all be enriched by a greater diversity of relationships pledging mutual fidelity, rather than a more limited version, such as proposed here. Promiscuous sexual behavior, with its attendant social problems, would undoubtedly lessen if a greater range of committed relationships existed, and was supported, and if we all made clear how much value to society such relationships have.

But if the underlying driver behind this proposed amendment is the discomfort of some people with the thought of same-sex unions, let's be very clear that's what we're talking about. Let's be perfectly clear that some of us wish to change the state constitution to reflect our personal intolerance. I see no need or reason for such a constitutional change. Thank you.

Very truly yours,

Nancy Nash

Nancy Nash

cc: All Alaska Legislators

Jim Asper and Bridget Smith
137 Sixth Street
Juneau, Alaska 99801

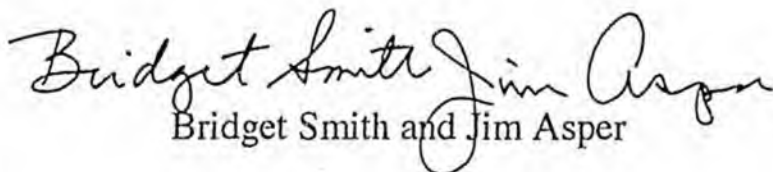
March 23, 1998

Senator Loren Leman
State Capitol
Room 115
Juneau, Alaska 99801-1182

Dear Senator Leman:

We are strongly opposed to SJR 42. We believe that it not only undermines the authority of the court, but it also erodes our individual rights as set forth in the Alaska constitution. We are puzzled as to why you, as an elected official in a democracy, do not consider it a violation of our constitutional freedoms. We would appreciate the favor of a reply.

Sincerely yours,


Bridget Smith and Jim Asper

cc: All Alaska Legislators

March 19, 1998

Senator Loren Leman
State Capitol Room 115
Juneau, Alaska 99801-1162

Dear Senator Leman,

I am writing about Senate Joint Resolution 42 which would amend the Constitution of our state to codify discrimination. Now that SCR 25 has passed, I fail to see why you would continue to pursue this avenue. Why do you seem so afraid of letting the state prove a compelling reason to disallow same sex marriage? During the testimony at the Senate Judicial Committee, there certainly seemed to be those who had plenty to say about why heterosexual unions are better. Why not let them testify to the court if you are so confident of the common good provided by these unions? How can sanctifying any union between two consenting adults be bad for society? The speakers at the Judiciary Committee who spoke for SJR 42, went on and on about how enhancing heterosexual marriages were and how damaging homosexual marriages would be yet they never said WHY. Why? Tell me. Don't just say they are, say WHY. Is this inability to say why the reason you are so unwilling to let the court decide? I think it is because you know in your heart there is no real reason. Your stated reasons are based on stereotypes, a particular morality (yours) and fear. I don't know if you read the paper, but there certainly has been plenty of coverage about different clergy blessing same sex marriages. It would seem that for some churches, same sex marriages are becoming appropriate. It's a happening thing Senator Leman, why send Alaska into the past when we could be forging on into the future, a future of promise for ALL of us.

Please respond, I would like to understand your justifications for this resolution since it affects me, my friends and my family so personally. Thank you.

Jennine Williamson
Jennine Williamson
2454 Killarney Way
Fairbanks, Alaska 99709

P.S. I have both lived in Alaska for 20 years, been with another woman for 11 years. We built our own home, were foster parents, pay taxes, get along with many straight people, etc.

"cc: ALL ALASKAN LEGISLATURES"

Shelley K. Owens

Attorney at Law

175 E. Franklin St.
Suite 312
Juneau, Alaska 99801

Phone: (907) 463-4166
FAX: (907) 463-4122

March 20, 1998

Senator Loren Leman
State Capitol, Room 115
Juneau, AK 99801-1182

RE: SJR 42

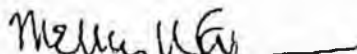
Dear Senator Leman,

I wish to express my opposition to SJR 42. I am greatly concerned at the attack against and erosion of our personal freedoms in Alaska and do not see how increased governmental intervention in the lives of private citizens can be to our benefit.

While the issue has yet to be decided whether the state has a compelling interest to prohibit people of the same gender from marrying, as a family law practitioner, I believe the state would benefit from an expansion of the marital privilege. The family unit has a powerful impact on societal stability and we have witnessed the effects of its decline in recent decades. Society also, however, needs an orderly and equitable process for dividing the assets and allocating the debts of a non-marital partnership. Currently, the law has no consistent and uniform rules for the breakup of non-married partners. Further, the trend in the law is towards increasing recognition of the importance of third parties in a child's life. I believe it is only fair to require that the custodial arrangements of same-gender parents be subjected to judicial scrutiny under the "best interests of the child" test to the same extent as the custodial arrangements as opposite-gender parents.

Alaska has a fine and well-deserved reputation for protecting the personal independence of its citizenry. Passage of SJR 42 would result in a serious erosion of our liberties without any perceptible mitigating benefits.

Sincerely,


Shelley K. Owens

cc: All Alaska Legislators

SUPREME COURT REPORT

Combustible Cases

Will a car crash ruling lead to recognition of gay marriage?

BY DAVID G. SAVAGE

A Supreme Court ruling in a fiery auto accident case that makes it more difficult for companies to silence corporate whistleblowers also could affect the future of the gay rights movement.

Proponents of nationwide recognition of gay marriages were delighted when the justices in *Baker v. General Motors*, No. 96-653, rejected the notion there is a "public policy exception" to the Constitution's full faith and credit clause.

Instead, the Court's January opinion relied on other grounds in holding that a Michigan court injunction did not bar a General Motors whistleblower named Ronald Elwell from testifying in Missouri.

It Ends Well for Elwell

Elwell worked for the General Motors Corp. for nearly 30 years and developed an expertise in fuel lines and fuel pumps. He served as an in-house expert who defended the company from lawsuits. But Elwell's relationship with GM soured in the late 1980s, and disagreements surfaced over terms of his retirement.

Subsequently, he testified about problems in the company's pickup trucks in a Georgia case that resulted in a whopping \$105 million verdict against GM.

Following that testimony, he sued GM for wrongful discharge and other work-related claims. The automaker countersued, alleging Elwell had breached his fiduciary duty by disclosing confidential information.

The two sides agreed on a settlement in 1992 that included an unspecified payment to Elwell and an injunction barring his future testimony "as a witness of any kind ... in any litigation" involving GM.

Was that judgment binding elsewhere under the full faith and credit clause? The 8th U.S. Circuit Court of Appeals in St. Louis said yes. It threw out an \$11.3 million

verdict against GM handed down by a federal jury in Kansas City, Mo. In that case, lawyers for two boys whose 29-year-old mother died in the fiery crash of a Chevy S-10 Blazer had subpoenaed Elwell to testify at the trial. Citing the full faith and credit clause, the appeals court said Elwell's testimo-

other states regarding the time, manner and mechanisms for enforcing judgments," she wrote.

As a practical matter, this may not have great significance since Congress and the states have adopted laws that give interstate recognition to money judgments.

In a concurring opinion, Jus-



Jan Stafford and Maxine Kincora hold a same-sex ceremony in San Francisco in 1996.

ny in Missouri violated the order in Michigan.

The Supreme Court disagreed. "Michigan's power does not reach into a Missouri courtroom," wrote Justice Ruth Bader Ginsburg for a unanimous Court.

"Michigan's judgment cannot reach beyond the Elwell-GM controversy to control proceedings against GM brought in other states, by other parties, asserting claims the merits of which Michigan has not considered."

Ginsburg reasoned that while final judgments are binding on the parties, "enforcement measures do not travel" across state lines. "Full faith and credit does not mean that states must adopt the practices of

Justice Anthony M. Kennedy worried the Court's analysis was not clear and had "a potential for disrupting judgments" in the future.

Congress says states need not sanction gay unions.

The ruling's immediate impact is very clear. Corporations may not use gag orders from one state to block whistleblow-

ers from being called to testify in other states. Had the Court ruled for GM, other companies surely would have followed suit by forcing disgruntled workers to sign nondisclosure agreements in exchange for severance pay.

"The Court has told GM and other companies they're just not going to be able to buy the silence of people who have evidence in important cases," says Jeffrey White of

MOVE FROM ME	Date	3-20-98	# of pages	2
Post-it Fax Note	7671	From	Shelley Owens	
To	L.R. Dodd	Co.		
Co/Dept.		Phone #		
Phone #		Fax #	463-4226	
Fax #	586-4226			

SUPREME COURT REPORT

the Association of Trial Lawyers of America. Public Citizen, the Ralph Nader organization, hails the GM ruling as a "landmark for consumers." Companies "can no longer gag its whistleblowers or smother their revelations," the group says.

Some gay rights advocates also see a long-term impact in the Court's refusal in *Baker* to find a "roving public policy exception" to the principle of full faith and credit.

The constitutional issue has been at the center of the looming debate over marriage between couples of the same sex. If, as expected, the Hawaii Supreme Court declares that such marriages are legal in the 50th state, the move at first glance could legalize gay marriages nationwide.

After all, if legal marriages and divorce decrees in one state are now honored in all others, why not then a legal marriage in Hawaii between two women, or two men?

In about half the states lawmakers have answered the question of "Why not?" by passing new laws that say a marriage consists of a union between one man and one woman. A marriage between persons of the same sex violates public policy, according to these laws. Congress added its voice in 1996 by passing the Defense of Marriage Act. It, too, says states need not sanction same-sex wedlock.

While the justices have not ruled squarely on the question of whether marriages are entitled to full faith and credit, *Baker* cheers Evan Wolfson, director of the marriage project for the Lambda Legal Defense Fund in New York.

"This augurs well for us," he says. "The Court makes clear we live in one country, not 50 separate kingdoms, and if marriage is akin to a judgment, it gets full faith and credit across the country."

But Edward Hartnett, a professor of civil procedure and constitutional law at Seton Hall's law school in Newark, N.J., says Wolfson's optimism may be misplaced. In Hartnett's view, Ginsburg's opinion "studiously avoids making any comment that affects one way or another the constitutionality of the Defense of Marriage Act."

Ginsburg states that courts may not create a public policy exception to full faith and credit, but she does not address whether Congress has the power to do it. That question would arise if the federal act is challenged, Hartnett says.

The Best Policy

Meanwhile, in two other January rulings, the Court endorsed honesty as the only policy for public employees and defendants who falsely deny wrongdoing to investigators.

The Constitution does not include "a right to make false state-

Chief Justice William H. Rehnquist said that when employees are asked about possible wrongdoing, they have two, and only two, legal choices: Tell the truth or say nothing.

The justices backed truth telling once again in *Brogan v. United States*, No. 96-1679, upholding a conviction against a union official for falsely denying to federal agents that he had taken bribes.

A federal statute makes it a crime to make a "false statement" about matters within the jurisdiction of federal agencies. Most lower courts had read an exception into the law under the "exculpatory no" doctrine, holding that a person could not be convicted for simply denying any criminal responsibility to federal agents.

But in a 7-2 decision written by Justice Antonin Scalia, the majority said the plain language of the law did not create such an exception.

"Courts may not create their own limitations on legislation, no matter how alluring the policy arguments for doing so," Scalia wrote.

The Court was equally unwilling to read an exception into the federal bribery statute in *Salinas v. United States*, No. 96-738. The law makes it illegal for an official to "corruptly accept ... anything of value" in connection with a program receiving federal funds.

A Texas county sheriff and his deputy took bribes to allow prostitutes into the jail. They contended they could not be convicted under this statute because the bribes did not affect the jail, which was supported by federal funds.

The justices unanimously rejected that claim, upholding convictions for both bribery and racketeering. Some lawyers thought the Court's fondness for federalism would prompt the justices to limit the law's impact on state and local officials, but the justices are not inclined to find hidden exceptions in criminal laws.



Beverly Garner, mother of two boys, died in this Chevy Blazer accident.

ments," even a mere denial of an accusation that is later proven true, the Court ruled unanimously in *LaChance v. Erickson*, No. 96-1395.

That case reinstated stiff sanctions against five federal employees who were disciplined for wrongdoing ranging from making harassing phone calls to pursuing an improper sexual relationship.

In all five instances, the agency increased the punishments because the workers had falsely denied the charges.

Five years ago, the Court made clear that a defendant who lies on the witness stand can be charged with perjury or face a stiffer sentence. The "right to testify does not include a right to commit perjury," the Court said in *United States v. Dunnigan*, 507 U.S. 87 (1993).

In the case of the five employees, the statements were not given under oath. The Justice Department had argued that allowing them to deny allegations would create a "right to lie."

The Court essentially agreed.

In Baker, Court finds no roving public policy exception to Constitution's full faith and credit clause.

Senator Loren Leman
State Capitol, Room 115
Juneau, AL 99801-1182

March 20, 1998

Dear Senator,

I am writing to you stating my opposition to SJR 42.

What purpose do you believe SJR 42 serves now that the Senate unanimously approved SCR 25, which urges a speedy appeal of the Brause-Doogan case? Since the Senate has already requested the courts to resolve this matter, what do you think will be gained from legislative action on this issue? And why do you support and push for SJR 42, as it only serves to violate both the privacy rights and the inherent equal rights of all citizens of Alaska.

Please stop SJR 42 and let the courts decide.

Sincerely,

A handwritten signature in cursive script that reads "Ann R. Parsons".

The Rev. Dn. Ann R. Parsons
Episcopal Churches of Juneau
PO Box 21453
Juneau, AK 99802-1453

cc: All Alaska Legislators

March 21, 1998

Senator Loren Leman
State Capitol, Room 115
Juneau, AK 99801-1182

Dear Senator Leman:

I am writing to express my opposition to Senate Joint Resolution 42, of which you are primary sponsor.

I am appalled that this Legislature is charging itself with the mission of defining what constitutes a marriage. I believe the constitutional right to privacy in Alaska should be broadened to include the right to marry a same-sex partner, as the courts are now in the midst of determining.

As an Alaskan, I am proud that we have a constitution that defends and protects our individual liberties. I believe that the independent Alaskan spirit prevails today as it did when the constitution was created.

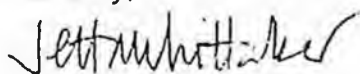
As a Unitarian Universalist, I believe in supporting the inherent dignity and worth of every person. The Unitarian Universalist religion sanctions same-sex marriages. My religion also compels me to speak out against discrimination and for equal rights for all. I cannot stand by and let the conservative few create an environment of hate and hurtful spirit if this amendment moves forward and the issue is put before voters.

As a parent, I observe that my children's best buddies happen to be children of loving same-sex parents. I want my children to live in a world where these children come from happily married parents, regardless of their gender. I cannot understand why you would want anything different.

I urge you to withdraw SJR 42 from further action and let SCR 25, which requests the courts to consider as quickly as possible the issue of same-sex marriages, move ahead.

I await your comments, and watch closely your actions.

Sincerely,



Jetta Whittaker
502 W. 10th St.
Juneau, AK 99801

Cc: All Alaska Legislators

March 22, 1998

Senator Loren Leman:

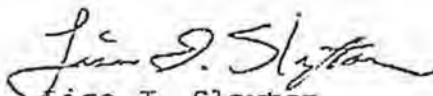
It is with grave concern for the state of Alaska that I write this letter. It has recently come to my attention that there currently over 40 amendments to the state constitution under consideration. I find that utterly mind boggling in light of the fact that there are so many day to day pressing concerns of state that need the direct attention of our legislators. I feel that the interests of the state would be better served if the legislature would direct time and energy toward solving our major problems rather than pursuing what is clearly individual or party agendas.

An amendment that comes to mind immediately as being an absurd waste of time, and more importantly, a threat to individual civil rights, is the amendment stipulating that legal marriage in Alaska shall be between one male and one female, with the option to add changes to the amendment at a later date...here we go again, on that slippery slope of questioning the separation of church and state. I am opposed to our state legislators becoming involved in a fruitless, inevitably damaging controversy such as this. This amendment, while clearly aimed at gays and lesbians, effects EVERYONE. Can "changes" be added at a later date to include the words, "Only one male christian with blond hair and one female christian with blond hair shall be legally married"? That sounds absurd to most thinking people...so does presenting an amendment that denies the legal recognition of a gay or lesbian couple that have been in a committed relationship for 20 years...but, THAT is happening. This amendment is yet another "swipe" at democratic pluralism. It is clearly a threat to individual rights.

If the amendment is pursued and comes up for public vote in the fall, you must know that it will not do so without considerable opposition. I do not want to see the state of Alaska (or it's economy) go through the national scandal that Oregon went through when it's conservative factions tried to pass anti-gay measures..and failed. Please use your time more wisely Mr. Leman. Our state can ill-afford personal or party dictates (government mandated) on individual civil rights and freedom. The public is fed up with the government telling them how their private lives can be lived Mr. Leman. There are more pressing state concerns that effect us all. Move on.

cc: ALL LEGISLATORS

Sincerely,


Lisa J. Slayton

Box 85315

FBX, AK 99708

March 19, 1998

Senator Loren Leman
State Capitol Room 115
Juneau, Alaska 99801-1182

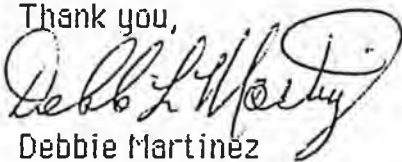
Dear Senator Leman,

I took time out of my day to go testify before the Senate Judiciary Committee regarding SJR 42. I babysit the child of a heterosexual couple, who I brought with me. Along with the 20 or so others waiting to testify, I was dumbfounded when we were not allowed to read our testimony yet 2 people FROM OUT OF STATE were allowed to call in and take up most of the allotted time (which was greatly shortened after we arrived) to testify for your resolution. Only ONE person in Fairbanks, who was supposed to speak for all of us, was allowed to testify. Senator Taylor, when asked why he did not want to allow the rest of us to speak said something to the effect that he's already heard enough, it was getting redundant, we would all say the same thing.

How insulting. How dare he? You people don't want to hear us because WE ARE YOUR FAMILY, YOUR SISTERS, BROTHERS, FATHERS, MOTHERS, CHILDREN, AUNTS, UNCLES, GRANDPARENTS. WE ARE. WE ARE CITIZENS TOO. WE HAVE THE RIGHT TO SPEAK. YOUR JOB IS TO LISTEN. It makes it harder to justify what you are doing when we are seen as the humans we are, just like you.

Senator Leman. Why are you doing this? I don't understand. Come to my house. Have dinner with me and my family. Meet me. Talk with me. Don't assume you know me and make such profound decisions based on your ignorance of who I am, who we are. Please respond to my plea for understanding.

Thank you,



Debbie Martinez
2454 Killarney Way
Fairbanks, Alaska 99709

cc: "ALL ALASKA LEGISLATURES"

Robin Walz
4367 Taku Blvd
Juneau, AK 99801

March 21, 1998

Senator Loren Leman
State Capitol
Room 115
Juneau, AK 99801-1182

Dear Senator Leman,

I am writing to you in relation to SJR 42. Specifically, I am asking you, as author of the resolution, to withdraw it from consideration this legislative session. Your promotion of this resolution seems to me premature at best and most likely altogether unnecessary, as my comments below will explain.

First, I fail to understand why you have introduced this resolution calling for a constitutional amendment to define marriage at this time. The Brause-Doogan case continues to be reviewed within the court system, and no final decision has been rendered. Your premature action may, in fact, contribute to an even further jammed up court system, as potentially SJR 42 will have to be reconciled with issues of the right to privacy at the Alaska state level and civil rights at the federal level. All of this could be avoided by simply postponing SJR 42 until we find out what the courts have to say. Please explain to me, why this resolution, and why now?

For me, the larger issue is that your attempt to define marriage, while simple in articulation, in fact will make nothing simple in practice. It will only make matters more complicated. Myself, I fit your definition of a marriage, without any SJR 42 to say so. My problem is that I know of many other couples and families, in long-lasting, committed, and financially supportive relationships, who do not fit your definition. With life's uncertainties and high cost of living, I don't think we need legislators telling people how to live their lives, which the legal implications of your resolution imply. Ultimately, your resolution won't change anything, it will just make life more difficult for those whose relationships vary from your narrow definition of marriage. Couples already enter into mutually binding legal and financial contracts without official marriage status. And increasingly, successful American corporations -- such as ATT, Disney, Levi-Straus, Starbuck's -- extend employment benefits to all partners and dependents of their employees. This is why SJR 42 changes nothing; a few simple words will not change reality. But you will very likely be making life more difficult for certain minorities, which is the basic meaning of social prejudice.

Therefore, I urge you to withdraw your support for SJR 42, and further I urge you to ask your colleagues to do the same. In case the message does not come to you from them, I have taken the liberty of having copies of this letter sent to them.

Sincerely,



Robin Walz

cc: All Alaska Legislators

March 23, 1998

Senator Loren Leman
State Capitol, Room 115
Juneau, Alaska 99801-1182

Dear Senator Leman:

I am dismayed at your introduction of **SJR 42** and I am **OPPOSED** to it.

Keep the matter in the courts where it belongs, as indicated by support of SCR 25. Don't waste the valuable time of our already busy legislature, who has important work to address like subsistence, etc that already requires much attention.

Are you aware of the **lack of popularity of the stance** you have taken? Shortly after Judge Michalski's decision, Alaska's Superstation ABC's News ran a poll asking viewers "**Should Alaska recognize same sex marriage?**" **62% of the responders voted "Yes"** and only 38% "No". In a national survey also done earlier this month, a clear majority of American voters opposed repealing state nondiscrimination laws that include sexual orientation. 59% U.S. voters oppose repealing these laws, and 35% of these strongly opposed repealing them. So you can see, Senator, that Alaska is not unique in wanting to preserve rights of all Americans. Please answer then, Senator, why you wish to take legislative time and energy in the mean spirit of violating fundamental human rights when Alaskans and Americans do not support you?

Finally, as a physician and former psychologist, I must include the fact that discrimination produces dis-ease, psychological undermining, and destruction of our basic social framework. Finally gays and lesbians are coming to the table, as the last group in our country still left out of the fundamental right and social recognition of marriage. Granting same gender marriage provides an opportunity to heal a group that has been unjustly persecuted for too many years. Let us be part of the solution, not another layer of the problem. What's being asked for here does nothing to undermine or effect the legitimacy of heterosexual marriage. What is being asked for is equal access to a government institution through which couples obtain legal rights that help them care for each other and their families. Some of these nitty-gritty matters include: inheritance rights, health benefits, medical-decision making, hospital visitation, burial rights, bereavement leave, immigration, joint tax returns (which in most situations, with two-working adults, benefits the U.S. funds, not the individuals), pension and survivors' benefits, divorce protection, and crime victims' recovery benefits.

I am counting on you, as I do all our legislators, to represent the interest of *all* Alaskans. With my questions raised above, I expect you to be accountable to your actions, and I request answers to my questions directed to my address below.

Sincerely,



Maureen P. Longworth, M.D.
3099 Nowell Avenue
Juneau, AK 99801
cc: to all Alaskan legislators

Senator Loren Leman
State Capitol, Room 115
Juneau, Alaska, 99801-1182

March 22, 1998

Dear Senator Loren Leman:

I am clearly opposed to SJR 42. Let the Courts decide. Please honor our American system of judicial review for questions of privacy rights and fundamental equal rights.

I have two questions and would appreciate an answer from you:

1) Since the Senate unanimously approved SCR25, what purpose does SJR42 serve?

2) Since SJR42 would violate the privacy rights and basic equal rights of all citizens of the state of Alaska, why are you pursuing this unconstitutional stance?

If you look at the history of marriage laws in Western Civilization, you can see that they have been used to condemn certain groups to second class citizenship. I urge not to be an instrument of that kind of Unamerican thinking.

As Americans, we pride ourselves on being part of a larger American family. The institution of marriage is a conservative one. It is now very interesting that Gay Americans are asking to participate in a very conservative framework which will help protect family units and create social, moral and emotional support systems that benefit the entire society.

All Americans deserve the right to partake of these support systems. All Americans deserve the right to choose participation in the very conservative institution of marriage. Let American history be our lesson, and let's remember that up until the 1960's African Americans were

Committee For Equality

Juneau, Anchorage, Fairbanks

March 21, 1998

Senator Loren Leman
State Capitol, Room 115
Juneau, AK 99801-1182

VIA FAX: 907-465-3810

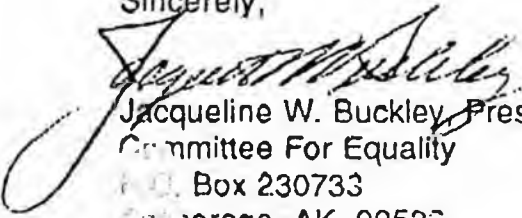
Dear Senator Leman,

As the President of a Statewide organization who's mission is dedicated to the full civil rights of Alaskans, regardless of sexual orientation, I must ask you to explain and to reconsider your sponsorship of SJR-42. It is clear from past civil rights struggles that many groups have suffered at the hands of the majority on the grounds of baseless fears. People of color would never have escaped bondage, indentured service, and slavery had it not been for the unpopular abolitionist movement of the last century. Women would never have attained the right to vote if not for the determined suffragists earlier this century. Early in your own childhood people of color finally gained their legal rights through civil rights acts that took courageous leadership in the face of bigotry. Less than thirty years ago the rights of persons with disabilities to access their world were finally recognized. At that time whole and special human beings were released from institutions that amounted to warehouses of human waste to see the light of day. I worked with mentally challenged persons in the '70's to secure meaningful employment, decent housing and basic skills they would need to become self supporting and productive citizens. This episode of my life taught me the depths of prejudice, and the pain that biases against differences cause.

You are leading a ridiculous charge against a largely productive, tremendously skilled, and mostly invisible component of our citizenship. The Senate has overwhelmingly encouraged a speedy appeal of the Brause case by passage of SJR-25. The courts need time to make their decision. Speed in taking action on SJR-42 serves no purpose other than to encourage targeting of an already oppressed minority. Allowing the courts to do their job before you brandish a constitutional amendment, one which promises a mean-spirited, statewide debate, is putting the cart before the horse. No purpose can be served by circumventing the process and strong arming the legislature with SJR-42.

Our organization requests an explanation from you regarding your reasoning for forcing such a bill through committees when this issue is clearly in the realm of the courts.

Sincerely,



Jacqueline W. Buckley, President and Board Member
Committee For Equality
P.O. Box 230733
Anchorage, AK 99523

cc: All Alaska Legislators

CORRECTION

THE FOLLOWING DOCUMENT(S)
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Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

Senator Loren Lemman
State Capitol, Room 115
Juneau, Alaska, 99801-1182

March 22, 1998

Dear Senator Loren Lemman:

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I have two questions and would appreciate an answer from you:

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2) Since SJR42 would violate the privacy rights and basic equal rights of all citizens of the state of Alaska, why are you pursuing this unconstitutional stance?

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As Americans, we pride ourselves on being part of a larger American family. The institution of marriage is a conservative one. It is now very interesting that Gay Americans are asking to participate in a very conservative framework which will help protect family units and create social, moral and emotional support systems that benefit the entire society.

All Americans deserve the right to partake of these support systems. All Americans deserve the right to choose participation in the very conservative institution of marriage. Let American history be our lesson, and let's remember that up until the 1960's African Americans were

deprived, in some states, of the basic right of being able to marry a non-African American. Now we regard that kind of "local" thinking as barbaric.

Dear Senator Leman, let's scrap SJR-42; let the courts decide this issue; listen to your colleagues and their unanimous decision on SCR 25.

Sincerely,

A handwritten signature in cursive script that reads "Lin G. Davis MA". The signature is written in dark ink and is positioned above the typed name.

Lin G. Davis, MA
3099 Nowell Ave
Juneau, AK 99801

cc all Alaskan legislators

Committee For Equality

Juneau, Anchorage, Fairbanks

March 21, 1998

Senator Loren Leman
State Capitol, Room 115
Juneau, AK 99801-1182

VIA FAX: 907-465-3810

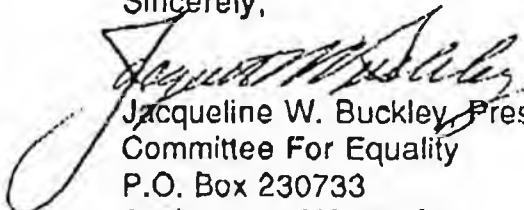
Dear Senator Leman,

As the President of a Statewide organization who's mission is dedicated to the full civil rights of Alaskans, regardless of sexual orientation, I must ask you to explain and to reconsider your sponsorship of SJR-42. It is clear from past civil rights struggles that many groups have suffered at the hands of the majority on the grounds of baseless fears. People of color would never have escaped bondage, indentured service, and slavery had it not been for the unpopular abolitionist movement of the last century. Women would never have attained the right to vote if not for the determined suffragists earlier this century. Early in your own childhood people of color finally gained their legal rights through civil rights acts that took courageous leadership in the face of bigotry. Less than thirty years ago the rights of persons with disabilities to access their world were finally recognized. At that time whole and special human beings were released from institutions that amounted to warehouses of human waste to see the light of day. I worked with mentally challenged persons in the '70's to secure meaningful employment, decent housing and basic skills they would need to become self supporting and productive citizens. This episode of my life taught me the depths of prejudice, and the pain that biases against differences cause.

You are leading a ridiculous charge against a largely productive, tremendously skilled, and mostly invisible component of our citizenship. The Senate has overwhelmingly encouraged a speedy appeal of the Brause case by passage of SJR-25. The courts need time to make their decision. Speed in taking action on SJR-42 serves no purpose other than to encourage targeting of an already oppressed minority. Allowing the courts to do their job before you brandish a constitutional amendment, one which promises a mean-spirited, statewide debate, is putting the cart before the horse. No purpose can be served by circumventing the process and strong arming the legislature with SJR-42.

Our organization requests an explanation from you regarding your reasoning for forcing such a bill through committees when this issue is clearly in the realm of the courts.

Sincerely,



Jacqueline W. Buckley, President and Board Member
Committee For Equality
P.O. Box 230733
Anchorage, AK 99523

cc: All Alaska Legislators



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FAX COVER SHEET

TO: Loren Leman

ATTENTION: all legislators

PHONE #: 586-4226

FAX #: 586-4226

FROM: Patty Kearon

PHONE #: ~~451~~ 451-8132

DATE: 3/23/98 NO. PAGES: 1 (Including this sheet)

COMMENTS:

I am opposing bill S JR 42 which will say that marriage is only recognized as a union between a man and a woman. The reason I am opposed to this bill is because if this passes, then the govt. can regulate who is considered eligible to be married, not just against gays and lesbians but possibly only Christians, whites with whites, no black & white intermarriage etc. where are you going to draw the line then?

c.c. All legislators

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Michael J. Jones
P.O. Box 6185
Sitka, Alaska 99835

The Honorable Bert Sharp
The Alaska State Capitol
Juneau, Alaska 99801

March 12, 1998

Dear Mr. Sharp:

I am writing to express my disappointment in the speed at which SJR-42 was passed on to the Senate Finance Committee on Monday, March 9, 1998, and I hope the Finance Committee will take a more democratic approach to the measure.

SJR-42 -- a proposed amendment to the state constitution defining marriage -- is unprecedented, unwarranted, and unconstitutional. The primary effect of this proposal would be to divide and exclude a segment of the population of the State of Alaska in a manner unparalleled within the constitutions of any of the other 49 states.

Not only does this measure serve to divide and exclude one Alaska minority group, it will also invade the privacy rights of ALL Alaskans. The language of this proposed constitutional amendment paves the way for lawmakers to further regulate Alaskans' personal relationships and personal lives.

It is the responsibility of the members of the Alaska Legislature to guard the state's constitution and to preserve the Bill of Rights described there in. It is not the responsibility of Alaska legislators to alter those rights, and it is irresponsible lawmaking to approve public policy and legislation based on personal views with disregard to public opinion.

Please take notice in the words of the majority of Alaskans who have spoken out in opposition of SJR-42. All Alaskans want the rights of privacy preserved for all Alaskans.

Sincerely -
Michael Jones

Michael J. Jones
P.O. Box 6185
Sitka, Alaska 99835

The Honorable Bert Sharp
The Alaska State Capitol
Juneau, Alaska 99801

March 17, 1998

Dear Mr. Sharp:

I'm finding it difficult to locate any place in the state or federal constitutions where the content of SJR-42 -- a proposed amendment defining marriage -- is welcome. In fact, such a proposal runs exactly counter to both constitutions.

Article 14 of the U.S. Constitution reads: "... No state shall make or enforce any law which shall abridge privileges or immunities of citizens of the United States"

Article 1 Section 1 of the Constitution of the State of Alaska reads: "This constitution is dedicated to the principles ... that all persons are equal and entitled to equal rights, opportunities, and protection under the law"

If tradition is to be the primary defense used by those who support SJR-42, we all need to be reminded that if we continued to follow tradition inter-racial marriage would still be illegal; women, Natives, and people of color would not be permitted to vote; and only white men would be given the privilege of full citizenship in the United States. Those were the established traditions during the time of the Revolutionary War. These traditions have evolved.

Those who argue the point that same-sex marriage is divisive and anti-family are choosing to overlook the obvious: the act of marriage promotes family. Instead of encouraging the promotion of social stability, SJR-42 serves to scorn same-sex couples who seek legal recognition of their unions. It seems odd that in this day, within a society that is growing more violent and increasingly loveless, that two people who seek commitment to each other in a loving relationship are prohibited to do so.

I urge you to consider these points and to oppose SJR-42.

Sincerely,
Michael Jones

ALASKA CIVIL LIBERTIES UNION

An Affiliate of the American Civil Liberties Union

P.O. Box 201844

Anchorage, AK 99520-1844

Phone: 907-258-0044 Fax: 907-258-0288

March 23, 1998

HAND DELIVERED

Senator Bert Sharp
Alaska State Senate
Capitol Building
Juneau, Alaska

Senator Drue Pearce
Alaska State Senate
Capitol Building
Juneau, Alaska

Re: March 24th Hearing on Constitutional Amendment SJR 42

Dear Senators Sharp and Pearce:

Yesterday, the Alaska Civil Liberties Union received word that tomorrow's hearing in the Senate Finance Committee, on SJR 42 (the proposed constitutional amendment restricting marriage) is scheduled for "listen only" teleconference around the state. We are writing to request that you allow testimony via teleconference from any Alaskan community where there are people wishing to speak out on this important measure, or, in the alternative, that SJR 42 be removed from active consideration in the 20th Legislature.

As you are aware, only limited testimony was taken in the Senate Judiciary Committee hearing on SJR 42, the only hearing held to date on this measure. Chairman Taylor indicated at the outset of that hearing that the committee planned to move the bill out that day and that there were other matters on the calendar to which the committee needed to turn its immediate attention. As a result, of the over one hundred and fifteen people who showed up statewide to speak in opposition to the amendment, less than ten were heard. Of approximately five people who showed up statewide to support the constitutional amendment, three (two out-of-state witnesses and the head of the Alaska Christian Coalition) spoke for over 40 minutes of the hour-and-a-half hearing. In response to Senator Ellis' and others' objections to the "artificial limit" set on testimony at the Senate Judiciary hearing, committee member Miller explained the committee's rationale for not hearing the measure fully: "the voters will ultimately decide the issue." We believe the effort to treat a constitutional amendment as not worthy of full hearing in the legislature, simply because the voters of the state will have a chance to rule on it, sets a dangerous precedent.

Alaska is not a state where the constitution can be amended by simple referendum, as Senator Miller's comments would tend to suggest. As we all know, in Alaska, under Article XIII, Section 1, amendments to the constitution must receive a two-thirds vote of the Legislature, before going to the people. Unlike a referendum-only situation, Alaska's Constitution mandates careful consideration of proposed amendments before they are placed

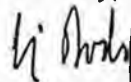
before the voters. Legislative review provides an important check on the "tyranny of the majority" over individual rights that would ensue if amendments could be done solely through public referendum. The two-thirds rule reflects the importance the framers placed on legislative review of constitutional amendments. Because of the two-thirds requirement, each legislator's vote is critical to both those opposing and supporting any amendment. It is therefore imperative that committee members hear the complete arguments of both sides of such a measure before advancing it, and that the floor debates on constitutional amendments be comprehensive and fully informed. As past legislatures have understood, only in this way, can the mandate of the founders, as expressed in Article XIII, Section 1, be honored.

In fairness to the two of you, we realize your committee currently faces deliberations on many other important matters, including subsistence proposals and the state budget. Given the current demands on your committee, perhaps it simply is impossible, during the current session, for you to hear all the people who have important testimony to deliver on SJR 42. If these time pressures are, in fact, the major limiting factor on your committee's ability to teleconference in statewide testimony, there is a better solution. Rather than short-circuiting public input and proper legislative deliberation on this proposed constitutional amendment, you could remove SJR 42 from consideration until the courts have issued a final ruling in the Brause litigation.

The Brause decision is far from becoming law in Alaska. At present, the state has asked the Alaska Supreme Court to review Judge Michalski's Superior Court decision. If the Supreme Court accepts review, it probably will be several months before they have finished deliberations and issued a decision. If the court overturns the Superior Court decision, the matter is closed and there will be no need for SJR 42. If the Supreme Court declines to review Judge Michalski's decision, or accepts it for review and affirms it, the case will be returned to the Superior Court for the hearing on "compelling state interest," the result of which no doubt also will be appealed back up to the Supreme Court, for further briefing and prolonged deliberation. As has been acknowledged by the state's attorney on the case, there is no way the court will be done with the case before the 21st Legislature convenes next January. There simply is no need to hear SJR 42 in the next two months, during which your committee will have no other choice but to short-circuit its consideration in favor of other equally important, but more time-sensitive, measures.

Please consider carefully the above statements and either allot adequate time for Alaskans, statewide, to testify on SJR 42, or pull it from active review in the 20th Legislature. If you have questions about any of the points raised in th... letter, please give me a call at 463-2601. Thank you for your kind consideration of this request.

Sincerely,



Liz Dodd, President
Board of Directors
Alaska Civil Liberties Union

cc: Senator Taylor
Senator Miller

Rick Hoegberg
PO Box 18/1410 Sattley Dr
Fairbanks AK 99710-0018

Monday, March 23rd 1998

Senator Bert M Sharp
Co-Chair, Senate Finance Committee
District P Senator for Fairbanks
FAX 907-465-2070

re SJR-42

Dear Sir.

I understand from friends that SJR-42, in part, purports to advance a State Constitutional Amendment to explicitly forbid homosexual marriage, now that a court has ruled gays are equal before the law.

As one of your constituents, I wish to convey to you my alarm at what I perceive to be a blatant counter-attack on certain members of my community.

While I am not gay, I value the rights of gay people just as dearly as my own. *If* the State is to be involved in sanctioning heterosexual unions, then no logical case can be made against State sanctioned homosexual unions without recourse to religion or bigotry.

Since we have a Republic, not a theocracy or a tyranny, I remind and appeal to your oath to uphold and defend the principles of our Republic. One principle is to maintain a separation between political & religious mores. Another principle is equal treatment before the law for *all* individuals.

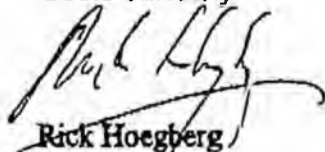
SJR-42 does the opposite: It unites religion with politics, while separating individuals in their treatment before the law. This is how a Republic is subverted into tyranny.

A notorious parallel can be found in the Nazi Third Reich which sponsored legislation that singled out homosexuals for treatment different than that of other individuals. You must know where that led.

SJR-42 embarks on the same path. I am sure not by design, nevertheless it is *the first step on the same path*. This should send a shiver of revulsion down your or my spine far in excess of any personal feelings about homosexuality per se. In the end, all of our rights are only as safe as the rights of those least popular among us.

I hope you will take my letter under due and serious consideration.

Yours Sincerely



Rick Hoegberg

Dear Senator

I am strongly supportive of Senate Joint Resolution 42. Two Points to consider are:-

POINT ONE:-

I am persuaded that Knowles, in his bid for reelection, either perpetrated or condoned the Judge's action approving homosexual marriage to solicit the vote of those of the homosexual aversion.

Both executives, Knowles and Clinton are of the same party, highly motivated to gain the favor of some constituency. Judges are appointed. What better circumstance than to have an appointee take the heat for a controversial issue from which Knowles stands to gain. But talk of low vulgar ethics by any leader!? Using support for a life style that destroys the very constituency from whom Knowles and Clinton seek votes shows nothing but hate and contempt for the very people they would presume to lead!

POINT TWO:-

Constrained by love for both the homosexuals and their lifestyle's many dead victims, I would jump at the opportunity to vote for execution of unrepentant homosexuals. I think homosexuality ought to be recognized for what it is, murder.

The homosexual lifestyle has killed so many loved ones, innocent and otherwise that the resident principle of their execution should be reactivated. Sixty percent of HIV infections come from the homosexual lifestyle.

A Society expects it's leaders to lead, carrying out the responsibilities of government. Many so called hate crimes are not; rather they are manifestations of pent-up frustration at a government failing to carry out it's assigned responsibilities. We have no problem killing babies! Them, we have explicit instructions to bring to someone who's resurrection we will shortly celebrate. Conversely, we have explicit instructions to execute the unrepentant homosexual by the same love for the preservation of his soul, the saving of the lives of innocent victims and the avoidance of regressive taxation of the poor to fund the consequences of an unnecessary, destructive life style.

You are being asked by stopping this bill, to stop a principle assigned to government by the Authority who Fathered the principles upon which both the State and National Constitution were based. At the time my Grandfather, a few greats back, signed the Declaration of Independence; most of those about him recognized that a nation could remain indivisible only as long as it chose to remain 'under God'.

The cost in lives, families and dollars is way out of proportion to any other illness and this a chosen lifestyle. An important principle to remember is that no taxed culture on this planet has ever nor can long survive the economic cost of sin.

School funding is shockingly tied to this issue as well! To think that the teachers' union is also in support of the homosexual lifestyle and teach it's support is a travesty to our children worthy of a cessation of funding. It is both my personal vote and my recommendation that all school funding be rescinded until such teachers and teacher union support for homosexuality be removed in person and in principle.

Sincerely,

Stanley W. Welles

fax: (907) 235-7517

March 23, 1998

Senate

State Capitol

Juneau, Alaska 99801

Ref: Senate Joint Resolution 37

Dear Senator:

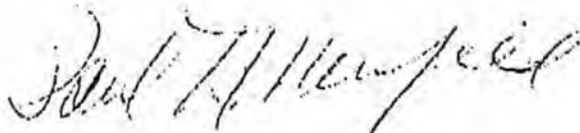
I URGE you to SUPPORT SJR 37 and SJR 42

Paul D. Merrifield
1556 Dogwood Street
Fairbanks, Alaska 99709-4265

Phone: 907-451-0657 work phone: 907-479-8330

email: sfrpaul@mosquitonet.com

Fax: 907-479-0578



Kathy Polk
P.O. Box 32677
Juneau, Alaska 99803
Telephone:(907) 789-0438
Fax (907) 789-6504

Senators Al Adams, Dave Donley, Jim Duncan, Johnny Ellis, Lyda Green, Rick Halford, Lyman Hoffman, Tim Kelly, Loren Leman, Georgianna Lincoln, Jerry Mackie, Mike Miller, Sean Parnell, Drue Pearce, Randy Phillips, Bert Sharp, Robin Taylor, John Togerson, Jerry Ward, Gary Wilken
State Capitol
Juneau, Alaska

RE: SJR 37 AND SJR 42

I am writing to express my opinion on SJR 37 the proposed constitutional amendment to protect Alaska's law requiring parental consent before a minor's abortion. As a mother of 16 year old twin daughters, I support this bill. I encourage you to support this bill.

I try to be the best parent that I can be to look after the interest of my children to protect them from all evil and danger and I do my best to always be there for them. This bill would encourage them to not seek my advice and help and it could damage them both mentally and physically. The state is not willing to help them after the fact of abortion if they had to get one. They would come back to me and I would have to help them. If they got into trouble by getting pregnant I would hope to continue my role as a mother to help them. I would not want them to get a abortion in secret which is what this bill is encouraging. When you vote on this issue I pray that God will soften your heart towards the parents who try to make a difference in their children's lives and that you not make another puddle that the parents must walk through. It is not your responsibility to have my children kill my grandchildren. Again I encourage you to support SJR 37.

I encourage you to support SJR 42. God did not intend for women to marry women and men to marry men, but rather to marry man and woman. We already have too many gays and lesbians in our state and if SJR 42 does not pass then we will become infested with gays from all over the United States. As a result the jobs will become harder to get because of our overpopulated state. Don't forget welfare reform that you want to put into action in this state. If we get all of the gays and lesbians from other states then we will have less jobs to go around. PLEASE SUPPORT SJR 42.

Sincerely


Kathy Polk

March 23, 1998

Dear Senators,

MORALITY IS IMPORTANT! From the under thirty generation who feels every thread of society being ripped apart, leaving only threads of despair and depression, I ask you to vote **FOR Senate Joint Resolution 42.**

"The welfare and prosperity of all countries, communities and I may add individuals depend upon their morals." (Abigail Adams, June 1778). I challenge you to be a true patriot and secure our state in goodness and truth.

Sincerely,

Noël Maxwell, Homer.

Noël Maxwell
3/23/98

to: the Honorable Senators;
Sharp, Pearce, Donley,
Farnell, Phillips,
Torgerson & Adams

Carol Habeger
4942 Steeplehead St
Juneau, AK 99801

Mar. 23, 1998

Dear Senators,

Tomorrow morning you will take up the issue addressed by SJR 42, that of the proposed constitutional amendment defining marriage. I urge you to vote in favor of this amendment defining marriage as a union that can be entered into by "one man and one woman." This issue affects the moral fiber of our future.

History ~~and~~ proves that any society where other unions were openly recognized - that civilization soon ceased to exist. Please support SJR 42.

I want Alaska to continue to thrive & prosper.

Sincerely,
Carol Habeger

SJR 42

Dear Senator Sharp,

Why would we tear down 200 years of foundation? Why would we, in response to the demands of a few extremist, destroy the family institution on which our society is nurtured? Doesn't it seem that to allow marriage to be represented by anything other than the union of one man and one woman would be to mock the heritage on which this nation was made great? Why would we do such a self destructive thing? We have been apathetical about this because it seems so ludicrous. You may assume the testimony you heard against this proposal was the total opposition. The rest of us strongly support it.

Respectfully,
Ruth Abbott
P.O. Box 1434
Delta Junction, Alaska 99737
(907) 895-1909

page 1

This is Monday 3/23/98
att: Senator Bert Sharp
As part of the Senate Finance
Committee. I ask you to support
S.J. Resolution 42 - defining marriage
as a union that can be entered
into by one man and one woman only!

Respectfully Submitted,
Curtis Homme & Naomi A. Homme (Mrs. Curtis)
907-563-6259 - phone #
907-562-3322 - fax #

356 Louise Lane
Fairbanks, AK 99709
907-479-3779

Dear Senator:

We support SJR 42.

Homosexuality is not about mutual love. Homosexuality is about degrading sexual behaviors that often result in the spread of serious venereal diseases and death through AIDS. The homosexual community would have us believe that theirs is simply a relationship of mutual "love" for one another. This is a desensitizing tactic to obscure the real issue: the act of homosexual sex. A loving relationship between two people of the same sex does not become a homosexual relationship until and unless homosexual sex is desired and /or practiced. This is not minority civil rights that are being protected, but a particular sexual behavior.

A primary objective of a domestic partners or homosexual marriage ordinance is for the homosexuals to obtain the same medical, legal, and social benefits that our society provides for the traditional family. This is especially important since homosexuals in general have a disease ridden lifestyle:

According to Roger Magnuson in "Are Gay Rights Right", The Berean League, January 1988,

"San Francisco alone has seen a venereal disease rate 22 times the national average since gay rights laws were passed in our city. There's been a 100% increase in the spread of infectious hepatitis A; a 300% increase in hepatitis B; amoebic colon infections increased 2500%; venereal disease clinics see 75,000 patients every year, of whom 80% are homosexual males; 20% of them carried rectal gonorrhoea" (p. 17).

Figures from the San Francisco Health Department dismayed the doctors, showing the rate for syphilis was "more than twenty times the national average."

"Medical researcher, Dr. J. Gordon Muir, ... went on to describe what is known as the 'Gay Bowel Syndrome,' the name of a group of rare bowel diseases spreading through urban gay communities. They include:

- amebiasis: a parasitic colon disease which causes dysentery and sometimes liver abscesses
- Giardiasis: a parasitic bowel disease which causes diarrhea
- Shigellosis: a bacterial bowel disease which can cause severe dysentery
- Hepatitis A: a viral liver disease spread by fecal contamination."

"It is self evident, that gay sexual practices are an assault upon the ecology of the human body, that the gay communities of America's cities are polluted with disease."
(Dr. Muir)

Our country was founded upon the "laws of Nature and of Nature's God"
(Declaration of Independence).

Nature's God clearly states His condemnation of homosexuality:

"Thou shalt not lie with mankind, as with womankind: it [is] abomination. (Leviticus 18:22)

For the wrath of God is revealed from heaven against all ungodliness and unrighteousness of men, who hold the truth in unrighteousness; ... Because that, when they knew God, they glorified him not as God, neither were thankful; but became vain in their imaginations, and their foolish heart was darkened. Wherefore God also gave them up to uncleanness through the lusts of their own hearts, to dishonour their own bodies between themselves: Who changed the truth of God into a lie, and worshipped and served the creature more than the Creator, who is blessed for ever. Amen. For this cause God gave them up unto vile affections: for even their women did change the natural use into that which is against nature: And likewise also the men, leaving the natural use of the woman, burned in their lust one toward another; men with men working that which is unseemly, and receiving in themselves that recompense of their error which was meet. (Romans:1;18,19,21,24-27)

Homosexuality perverts the obvious way that God created mankind to have sexual relationships within the context of holy matrimony. The family is the basic unit of our society for the reproduction of responsible citizens. A homosexual "family" cannot reproduce, but must recruit new members. How better to recruit than to confuse young people that homosexuality is valid by allowing homosexual "marriage".

Furthermore, the act of homosexual sex is as unnatural a process as someone deciding to eat food only through his nose. Where has simple common sense gone in those who have believed the rhetoric of a small percentage (actually only 3% of the population) who are pushing their unnatural lifestyle.

Please support Senate Joint Resolution 42.

Thank you.

Sincerely,

Leslie Paul Zerbe
Jane S. Zerbe
Carol J. Zerbe

P.S. I am also forwarding a fax with information on this topic.




FAMILY
RESEARCH
COUNCIL

GERY L. BEWER
President

700
Third Street, N.W.
Suite 500
Washington DC
20005
(202) 393-2100
FAX (202) 393-2134
Legislative Hotline
(202) 783-HOME
Order Line
1-800-225-4000
Internet Site
<http://www.frc.org>

ANSWERS TO QUESTIONS ABOUT THE DEFENSE OF MARRIAGE

by
Robert H. Knight

Q: In restricting marriage to one man and one woman, aren't you imposing your beliefs on others?

A: Marriage has been the foundation of civilization for thousands of years in cultures around the world. It is the single most important social institution, and it is the basis for the procreation of children and the heart of family life. Those who are trying to radically redefine it for their own purposes are the ones who are trying to impose their values on the rest of the population. Ordinary people did not pick this fight. They are not the aggressors. They are merely defending the basic morality that has sustained the culture for everyone against a radical attack.

Q: Oh, come on. Whom does it really hurt if a same-sex couple want to get married?

A: When homosexual couples seek state approval and all the benefits that the state reserves for married couples, they impose the law on everyone. According non-marital relationships the same status as marriage would mean that millions of people would be disenfranchised by their own governments. The state would be telling them that their beliefs are no longer valid, and would turn the civil rights laws into a battering ram against them:

- Business men and women would be required to provide "family" health benefits to homosexual couples.
- Children would be taught in schools that homosexual sex is the moral equivalent of marital love.
- Same-sex "marriage" would facilitate the adoption of children by homosexual couples.
- Sex-based distinctions in the law would be removed (as was proposed in the rejected Equal Rights Amendment).

IS96C2HS

Law is not a suggestion, but, as George Washington observed, it is force. Official state sanction of same-sex relationships as "marriage" would bring the full apparatus of the state against those who believe that marriage is between one man and one woman. Traditional morality would, in effect, be outlawed.

Q: But if two people -- any two people -- love each other, why not let them marry?

A: Marriage is not just a matter of feelings. It is the specifically defined legal, social, economic and spiritual union of a man and a woman. The two sexes must be present for it to be marriage. If that definition is radically altered based on the "feelings" of those in other relationships, then the sky is the limit. There is no logical reason for not letting several people marry, or for gutting other requirements, such as minimum age, blood relative status or even the limitation of the relationship to human beings.

Q: Don't morals change? Haven't we heard all these tired phrases used in defense of not letting women vote or even in defense of slavery?

A: Various social movements have succeeded because they were in accord with natural law and the basic precepts of the moral code. Homosexuality has never been considered morally good, and it is a quantum leap from ending slavery to saying that homosexuality must now be considered good, healthy and worthy of state-protected benefits. Homosexuals enjoy all the rights every other citizen already has -- they can vote, own property, etc. -- but they cannot claim special treatment beyond those rights. Anytime they achieve that, they threaten the civil rights of those who disagree with them.

Q: For years, in some Southern states, blacks and whites were prevented from marrying by anti-miscegenation laws. Eventually, the courts overturned these laws. Aren't same-sex couples being similarly discriminated against? Isn't it only a matter of time before these repressive laws are also overturned?

A: As Colin Powell has observed, skin color and sexual behavior are entirely different. The first is a benign, inborn characteristic that has no bearing on conduct or character; the second is behaviorally-based and has everything to do with character, morality and society's basic rules of conduct. If the civil rights laws begin deviating into behavior and away from race, ethnic origin, place of birth or other immutable characteristics, there is no stopping point. New laws would have to be coined almost daily to accommodate the flood of claims based on behavior (smokers, compulsive gamblers, pornography fanatics, sex addicts and pedophiles could all claim new "rights" to protection against discrimination). One non-immutable characteristic that does get protection is religion, because that is enshrined in the Constitution. But there is no constitutional right to engage in sodomy (see *Bowers v. Hardwick*)¹ and demand that the state elevate it into protected status.

Q: But studies show that homosexuals are born that way. How then can you blame them for their condition?

A: Nobody is "blaming" anyone for having homosexual desires. The "genetic" studies that have been publicized have been conducted by self-styled homosexual activists or have been misrepresented in the media. The studies themselves typically have tiny sample sizes, biased selection, and other major methodological flaws, and are not replicated by reputable scientists.² By contrast, 70 years of therapeutic counseling and case studies show a remarkable consistency concerning the origins of the homosexual impulse as an uncompleted gender identity seeking after its own sex to replace what was not fully developed.³ Do homosexuals choose to be gay? Mostly, no, but they can choose their behavior, and they can change their orientation,⁴ as researchers Masters and Johnson showed in their landmark studies⁵ and as numerous examples of successful personal transformation testify.⁶

Q: Isn't the traditional view of marriage religious in nature? And if so, doesn't the restriction of marriage to one man and one woman violate the religious beliefs of those who disagree?

A: Although marriage does indeed arise from religious traditions, most notably the Bible, it is an independently quantifiable good for society. Hence, the state has an interest in preserving and protecting the special status of marriage, regardless of religious beliefs. A society can get along just fine without any homosexuality, but no society can get along without marriage. That is why the state encourages marriage. In 1885, the Supreme Court felt so strongly that marriage was to be protected that it declared it as a requirement for admission of new states to the Union. Any prospective state, the court said, had to have law resting "on the basis of the idea of the family, as consisting in and springing from the union for life of one man and one woman in the holy estate of matrimony; the sure foundation of all that is stable and noble in our civilization, the best guaranty of that reverent morality which is the source of all beneficent progress in social and political improvement."⁷

Q: What about childless couples? Since you say that marriage must be protected partly because of its importance in forming families, does this mean that heterosexual couples who do not have children shouldn't get marriage licenses?

A: Of course not. Although most people marry with the intention of someday starting families, the married couples who do not have children still have the potential for becoming mothers and fathers, either biologically or through adoption. Marriage is a societal good even without children, as husbands and wives serve as role models for children in their neighborhoods. Procreation is an important aspect of society's high regard for marriage, but it is not the only reason marriage is protected. Children do not benefit when homosexuality is presented as a neutral or positive lifestyle choice.

Q: But with the threat of AIDS and other diseases among promiscuous, homosexual men, wouldn't it be a societal good to encourage homosexual monogamy?

A: In cities where homosexual monogamy is already being encouraged, AIDS and other sexually-transmitted diseases are skyrocketing.⁸ It is not "homophobia" that is causing this, but the behavior itself, which is destructive emotionally, physically and morally to individuals, families and societies. That is why it has been discouraged in all successful cultures. Socrates and Plato wrote that homosexuality was harmful to individuals and society and should be discouraged. Even in "steady" homosexual relationships, dangerous sex occurs, since the defining homosexual sex act is patently unhealthy by any standard. State sanction of homosexuality in any form is an invitation to the young to experiment with something that may prove deadly. Any public health benefits available by discouraging promiscuous homosexual activity can be achieved without redefining traditional marriage, which is per se a profoundly important public health measure.

Besides, homosexual literature acknowledges that homosexual "monogamy" is largely fictional. Most homosexual relationships are fleeting. Those that endure more than a few years do so because of an agreement to have outside partners. As *New Republic* editor Andrew Sullivan, a homosexual, writes in his book *Virtually Normal*, "the openness of the contract" of homosexual "marriage" reflects "greater understanding of the need for extramarital outlets between two men than between a man and a woman." In other words, the homosexual concept of "monogamy" is non-monogamous. Homosexual activist Michelangelo Signorile frankly admits that the goal of homosexual activists is to "fight for same-sex marriage and its benefits and then, once granted, redefine the institution of marriage completely, to demand the right to marry not as a way of adhering to society's moral codes but rather to debunk a myth and radically alter an archaic institution...."

Q: Don't most people want homosexuals to be treated fairly?

A: Yes. Most people have no ill will toward homosexuals, but this does not mean that a tiny segment of the population (less than 2 percent) should be allowed to radically redefine society's moral code. Even in liberal Hawaii, recent polls show that more than 70 percent of residents oppose same-sex "marriage," and national polls show that about two-thirds of respondents oppose same-sex "marriage." This is not about tolerance, but about a tiny group seeking to use the law to impose its version of morality on everyone else.

Q: Still, don't homosexuals suffer discrimination when they can't marry?

A: No. Homosexuals have precisely the same right to marry as anyone else. Marriage is the bringing together of the two sexes. That is the whole point. To enter marriage, you must meet its qualifications. Any attempt to get around the rules that everyone else plays by is an attempt to have special rights, not equal rights. Eliminating an entire sex from

the picture and then calling it "marriage" is not a mere expansion of an institution, but rather the destruction of a principle.

Q: What about domestic partnerships? If you won't go along with same-sex "marriage," why not at least allow committed same-sex couples to get some benefits?

A: The state should never be in the business of encouraging unhealthy behavior by granting special benefits for it. A homosexual life does not offer the richness of the complementary relationship that men and women find in marriage and family life. People should not be written off as if they can do no better than be mired in an unhealthy, unnatural behavior. The more that homosexuality is encouraged, the more damage will be wrought among individuals, families and society. This is not compassion but its opposite: a ruthless social Darwinism that devalues people as impulse-driven incorrigibles. Each human soul is of inestimable worth, and homosexuals are no different from anyone else. They deserve the truth, not an officially sanctioned lie.

3/22/96

Robert H. Knight is director of cultural studies at the Family Research Council, a Washington, D.C.-based research and educational organization.

ENDNOTES

¹ *Bowers v. Hardwick* 478 U.S. 186, 190 (1986). In rejecting the claim, the Court said, "Nor are we inclined to take a more expansive view of our authority to discover new fundamental rights imbedded in the Due Process Clause. The Court is most vulnerable and comes nearest to illegitimacy when it deals with judge-made constitutional law having little or no cognizable roots in the language or design of the Constitution.... There should be, therefore, great resistance to expand the substantive reach of those Clauses, particularly if it requires redefining the category of rights deemed to be fundamental."

² See, for instance, William Byne and Bruce Parsons, "Human Sexual Orientation: The Biological Theories Reappraised," *Archives of General Psychiatry*, Vol. 50, March 1993, pp. 228-239.

³ See Elizabeth R. Moberly, *Psychoanalysis: The Early Development of Gender Identity* (London: Routledge & Kegan Paul Limited, 1983); Joseph Nicolosi, Ph.D., *Reparative Therapy of Male Homosexuality* (Northvale, New Jersey: Jason Aronson Inc., 1991); and Charles W. Socarides, M.D., *Homosexuality: A Freedom Too Far* (Phoenix: Adam Margrave Books, 1995).

⁴ E. Mansell Partison, M.D., and Myrna Loy Partison, "Ex-Gays: Religiously Mediated Change in Homosexuals," *American Journal of Psychiatry*, 137:12, December 1980. "All subjects manifested major before-after changes. Corollary evidence suggests that the phenomenon of substantiated change in sexual orientation without explicit treatment and/or long-term psychotherapy may be much more common than previously thought." (P. 1553.)

⁵ Mark F. Schwartz and William H. Masters, "The Masters and Johnson Treatment Program for Dissatisfied Homosexual Men," *American Journal of Psychiatry*, 141, 1984, pp. 173-181.

⁶ For example, Stella Allen, "Uncovering the Real Me," *Exodus International Update*, February 1996, Richard A. Cohen, M.A., "TCM Testimony of the Month," *Transformation Press*, No. 19, February 1996, p. 3.

⁷ *Murphy v. Ramsay* 114 U.S. 15, 45 (1885).

* Survey from the Centers for Disease Control reported by Associated Press, "HIV Found in 7 Percent of Gay Young Men; Education Falls to Halt Spread," *The Washington Times*, February 11, 1996, p. A-3;
Michael Warner, "Why Gay Men Are Having Risky Sex," *Village Voice*, New York, January 31, 1995, Vol. XL, No. 5.
* Quoted in *Our* magazine, December/January 1994, p. 161.

To - JUDICIARY COMMITTEE

FAX # 907-465-2187

FROM - GIL + MILDRED MERONEY
SKAGWAY, ALASKA

3/24/98

MESSAGE -

WE ARE IN TOTAL SUPPORT OF
SJR #2 DEFINING MARRIAGE AS A UNION
BETWEEN 1 MAN AND 1 WOMAN. WE URGE
YOUR SUPPORT. THANK YOU.

To:

Annabara:

Al Adams

Dave Donley

Jim Linnell

Johnny Ellis

Lynn Carson

Steve Halford

Lynn Hoffman

Tim Kelly

Sean Linnell

Marguerite Javala

Denny Mackin

Mike Miller

Sean Farrell

Diana Pearce

Larry Phillips

Bert Sharp

Robert Taylor

John Ferguson

Jimmy Ward

Carly Wilke

3-23-98

I support S.J.R. 42 and believe that the only valid marriage should be between one man and one woman.

Sincerely,
Chausse M. M. M.

I support S.J.R. 37 and believe a child needs to have consent of their parents in order to have an abortion. I am totally against abortion for any reason. Perhaps this resolution would cause the parents to have the child go to term with the baby and then if necessary, the child could be given up for adoption. There is not enough babies to adopt out anymore because of abortion. There is a lot of great people out there that would make wonderful parents if they could only adopt in this country!

Sincerely,
Chausse M. M. M.

TO - THE FINANCE COMMITTEE

SJR 42

FROM - GIL + MILDRED MERONEY
SKAGWAY, ALASKA

COMMITTEE MEMBERS: -

WE URGE YOUR SUPPORT OF SJR
42 REGARDING MARRIAGE AS A UNION
OF 1 MAN + 1 WOMAN. PLEASE DO NOT
LET PRESSURE AFFECT OUR WAY OF
LIFE AND CONDUCT.

SINCERELY YOURS

Gil + Mildred Meroney

Susi Gregg Fowler
603 West 12th Street
Juneau, Alaska 99801
907-586-3279

March 24, 1998

Senate Finance Committee Members
Capitol Building
Juneau, Alaska 99801

Re: SJR 42

Dear Senate Finance Committee Members:

Thank you for the opportunity to testify. I'm here today in solidarity with those who are lesbians and gays and whose relationships, whose loves, whose families, matter to me, are important to me. You don't even know all the people you know who are gay or lesbian, but I guarantee you know some whether you're aware of it or not. Alas for all of us, we still live in a climate in which many people are afraid to be open about their sexual orientation, are afraid of harrassment at work, afraid of ridicule and hate. And it is my grave fear that if SJR 42 is passed, that climate is going to get worse.

I'm lucky enough to be in a marriage of 23 years. I say luck for a couple reasons. First, I fell in love in a socially acceptable way. Society celebrates the commitment and affection my partner and I have for each other. Second, even with the approval of society, commitment and love are sometimes just plain, hard work — I've been lucky we've made it thus far. I know plenty of people as loving and hopeful about their relationships as I whose marriages have ended. I stand in awe of the gay and lesbian couples I know who have nurtured and strengthened their commitments to each other in the absence of a wider community of caring and support. They have much to teach me, to teach us, about love in the face of adversity. And what I know is that their relationships are as important, as sacred, as mine.

I don't want to see these brave and loving souls paraded in the press, demonized on talk shows and campaign trails. That's what I see happening if SJR 42 is passed. These are our friends, co-workers, teachers. What happens to them affects all of us. Alaska must not become known as a place where fear and misunderstanding reign. My grandparents were proud to be part of a place where there was room for all kinds of people. That's the Alaska I hope we'll be passing on to my children. Please reject SJR 42. Thank you.

Sincerely,


Susi Gregg Fowler

When my Presbyterian son married his partner, the service was held in a Quaker church. The Catholic Priest presiding began the service by answering the question, "Why am I performing this ceremony?". In a world increasingly filled with violence, bitterness, control, mean-spiritedness and cruelty, it is inherent on all of us to do everything we can to promote love. I hope none of you, in the name of protecting the family, would reject a son or daughter upon learning that, in addition to all their other wonderful qualities, he or she is gay. Families come in all colors, sizes, ethnic configurations. To define families as only mothers, fathers, and children excludes. It tells our school children in single parent families, remarried multi-parent families, adopted, widowed, divorced, multi-racial, mixed religion, that there is something "*wrong*" with them. It hurts families.

Acceptance and inclusion do not mandate agreement. They allow individual freedom and choice -- beliefs Americans have always prized. I cannot see how the state has any compelling interest to discourage caring, kindness, commitment and love. I hope and pray you will not pass this resolution that defines families so narrowly, and hurts the many families of this state.

Pamela Northrip
2810 Fritz Cove Rd.
Juneau, Ak 99801

P.O. Box 936
Haines Ak 99827
March 24 1998

Senate Finance Committee
Fax 907-465-3617 Or 2187

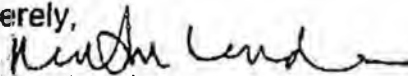
Dear Committee Members,

I tried to testify via teleconference this morning but discovered testimony on SJR-42 was by invitation only.

I am strongly opposed to the proposed constitutional amendment to define marriage. I hope that one senator's vindictiveness towards a group of people won't be sanctioned by the rest of you. It's wrong, and the motivation is not what is good for Alaskans, rather it seeks to punish and further alienate people who otherwise would contribute to the strength of our families, communities and state.

As a happily married heterosexual and mother of four I support the institution of marriage as a building block for a tolerant and strong society, something Alaskans have always valued. This Lenten season I am reminded that as a Christian it is my duty is to love my neighbor as myself. SJR-42 doesn't meet that standard. Please don't change the Constitution to shut good people out.

Sincerely,


Heather Lende

907-766-2852

**Southeast Alaska Gay and Lesbian Alliance
PO Box 21542
Juneau, AK**

Friday, March 20, 1998

Senator Loren Leman
Alaska State Capital
Juneau, AK 99801

Dear Senator Leman:

As Chairperson of the Southeast Alaska Gay and Lesbian Alliance (SEAGLA), I wish to express my opposition, and that of all SEAGLA members, to Senate Joint Resolution 42. This resolution provides for a constitutional amendment limiting a marriage contract to one man and one woman. As such, the amendment effectively refuses state recognition to the marriages of gays and lesbians.

SEAGLA feels the proposed amendment will ignite a vicious public debate similar to those in other states whose citizens have voted on gay/lesbian ballot propositions. Too often, the hateful rhetoric sounded in these debates has led to numerous hate crimes, including murder.

The Senate recently passed SCR 25 which encourages the Alaska Supreme Court to swiftly resolve the lawsuit which recognizes the right of gay marriage. Please respond to the following question: why adopt SJR 42 when the Senate, with the passage of SCR 25, recognizes that the matter of gay marriage should rightfully be settled by the courts.

Sincerely,



Daniel Collison, Chairperson
Southeast Alaska Gay and Lesbian Alliance

cc: all Alaska legislators

FROM; RICHARD & WANDA CLINE

TO; SENATOR BERT SHARP

I WOULD LIKE TO EXPRESS MY SUPPORT FOR SJR 42, I BELIEVE WE NEED A CONSTITUTIONAL AMENDMENT DEFINING MARRIAGE AS A UNION THAT CAN BE ENTERED INTO BY ONLY "ONLY ONE MAN AND ONE WOMAN".

PLEASE SUPPORT SJR 42

THANK YOU,

Wanda Cline
Richard A Cline



Fax # 405-2070

FROM; RICHARD & WANDA CLINE

TO; AL ADAMS

I WOULD LIKE TO EXPRESS MY SUPPORT FOR SJR 42, I BELIEVE WE NEED A CONSTITUTIONAL AMENDMENT DEFINING MARRIAGE AS A UNION THAT CAN BE ENTERED INTO BY ONLY "ONE MAN AND ONE WOMAN".

PLEASE SUPPORT SJR 42

THANK YOU,

Wanda Cline
Richard A Cline



FAX # 465-2070

March 23, 1998

Dear Senator:

Please support SJR 42.

Traditional definitions of marriage as the union of one man and one woman is important to the very fiber of our society as a whole and specifically to the State of Alaska.

Please do not allow a vocal minority to sway your opinion on this issue.

Thank you,

A handwritten signature in cursive script, appearing to read "Marlin Bricker". The signature is written in dark ink and is positioned above the typed name and address.

Marlin and Ann Bricker
4231 Ptarmigan
Juneau, Alaska 99801

MAR-24-98 TUE 11:52 AM ANC LEGIS INFO OFC

FAX NO. 907 258 1261

P. 01



TELECOPY COVER SHEET

Anchorage Legislative Information Office

Office - (907) 561-7007

Fax - (907) 562-4376

TO: Sen Finance Cmte / Sen Pearce

ATTN: _____ FAX: 465-3872 PHONE: _____

FROM: Anch TC PHONE: _____

INSTRUCTIONS: Written (7) on SJR 42 from TC on
3/24

SENT: Date 3/24 Time _____

DISPOSAL OF ORIGINAL: Discard _____ Hold for Pickup _____

NUMBER OF PAGES: 15 (counting cover sheet)

TRANSMITTED BY: Jean



Alaska State Legislature

Please enter into the record my testimony to the SENATE FINANCE COMMITTEE
 committee name
 committee on SJR-42 CONSTITUTIONAL, dated 3-24-98
 bill/subject
 AMENDMENT RE: MARRIAGE

I AM EXTREMELY OPPOSED TO SJR-42. I BELIEVE IT IS NOT THE BUSINESS OF OUR GOVERNMENT TO RESTRICT THE RIGHTS OF CERTAIN GROUPS OF PEOPLE, BUT TO PROTECT THOSE RIGHTS SO THAT EVERYONE IS PROTECTED EQUALLY. OUR CONSTITUTION IS FINE THE WAY IT IS, DON'T MESS WITH IT. LET THE JUDICIAL PROCESS TAKE ITS COURSE,

Signed:

Testifier

MYSELF

Representing (Optional)

5306 CARIBOU AVE ANCHORAGE AK 99508

Address

907-338-5343

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the SENATE FINANCE
 committee name
 committee on SJR 42, dated 3/24/98
 bill/subject

I STRONGLY URGE THE MEMBERS OF THIS COMMITTEE TO REJECT SJR 42, THE CONSTITUTIONAL AMENDMENT RE: MARRIAGE. THIS RESOLUTION PROMOTES SEPARATE, AND, ULTIMATELY, UNFAIR TREATMENT OF A MINORITY GROUP OF CITIZENS. ONE TESTIFIER SAID, "THE RIGHTS OF THE MINORITY ARE AS IMPORTANT AS THE OPINIONS OF THE MAJORITY." IF WE WERE TO ONLY LISTEN TO THE MAJORITY, THEN I'M SURE THAT SEGREGATION WOULD BE LEGAL TODAY. THERE WAS MUCH RESISTANCE TO DESEGREGATION WHEN THE SUPREME COURT (U.S.) PASSED DOWN ITS DECISION, YET TODAY WE VIEW IT AS FAIR, EVEN AS A GIVEN. THE CONSTITUTION'S PURPOSE IS TO ENSURE OUR RIGHTS AS ALASKANS AND AS U.S. CITIZENS. THEREFORE, DO NOT VIOLATE (OR CONDONE SUCH TREATMENT) THE RIGHTS OF THIS MINORITY GROUP OF CITIZENS.

Signed: Trang Duong (TRANG DUONG) THANK YOU
 Testifier

Representing (Optional)

P.O. BOX 202710, ANCHORAGE, AK 99520

Address

907 / 263-2055

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
 committee name
 committee on SJR 42, dated 3/24/98
 bill/subject

The legis. comm. has no business
 interfering into people's private lives by try to
 amend the state constitution. Leave the
 constitution alone. It is just fine. The right
 to privacy should be protected.

Signed: Norman J. Schlitter

Testifier

PFLAG / Anchorage
 Representing (Optional)

2521 Benbow Dr Anch, AK 99504
 Address

333-0116
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
 committee name
 committee on STR 4.2, dated 3/24/98
 bill/subject

I am writing to urge you to vote against STR 4.2 changing
 the Constitution to make it harder to pass a law legalizing
 marriage for all Alaskans. I feel people should not
 be discriminated against because of their sexual orientation.
 From the states perspective, marriage is a legal contract that
 includes many benefits such as Tax breaks, insurance coverage for spouses +
 "family" status in times of medical need. The state has no right to
 take a moral stand on this. Gays + lesbians are
 law abiding citizens who contribute to their communities +
 should not be treated like they are outlaws or a lesser
 class citizens. The Constitution protects All citizens
 to equal rights - lets keep it that way.

Signed: [Signature]
 Testifier

Representing (Optional)

7240 Duval Circle Anchorage AK 99507
 Address

907-522-3953
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Finance Committee
 committee name
 committee on SS1242, dated 3/24/98
 bill/subject

I want to testify in opposition to this bill which would change our constitution in a negative manner. I would like to see our legislators concentrate their attention on matters to do with the good of our state rather than trying to inflict their personal religious beliefs on us all. People who have been sharing their lives, accepting responsibility for each other financially & socially should be given ~~the~~ the same benefits as any legally married couple.

Signed: Deborah Vanduff
 Testifier

Representing (Optional)

1014 W. 10th #4 Anch AK 99501

Address

(907) 278-1182

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Finance Committee
committee name
 commi'tee on SJR 42, dated 3/24/98
bill/subject

Dear Senator Pearce and committee members,

I have lived in Alaska most of my adult life. I am a business owner and employ over 20 Alaskans. The reason I am writing today is to voice my opposition to SJR 42.

I believe it is wrong to amend the Constitution and limit the freedoms of my Alaskans. On behalf of myself and my family I urge you to drop SJR 42.

Signed: Amy Young
Testifier

Sincerely,
 Amy Young

Representing (Optional)

218 E. 10th Ave, ANCHORAGE, AK 99501

Address

907.258.9925

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the SENATE FINANCE (4e)
committee name
 committee on SJR-42, dated 24 March 98
bill/subject

I Am opposed To The proposed Constitutional Amendment To Define Marriage In ALASKA As A Commitment Between 1 Man + 1 Woman.

My PARTNER & I HAVE LIVED IN ALASKA FOR 22 YEARS & HAVE BEEN TOGETHER 29 YEARS (3/21/69). WE ARE ECONOMICALLY & SPIRITUALLY INVOLVED IN OUR COMMUNITY.

WE ARE BOTH MEMBERS OF OUR CHURCH & I SERVE ON MY CHURCH BOARD AS WELL AS BEING CHURCH TREASURER. THOSE OF YOU WHO CONTINUE ATTEMPTS TO STEREOTYPE & DEMEAN THOSE WHO ARE DIFFERENT WILL ONLY CREATE DIVISIVENESS WITHIN OUR STATE.

Signed: Dan Carter
Testifier

Self
Representing (Optional)
P.O. Box 210072 Anchorage AK 99521
Address
274-9226
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate ~~Justice~~ ^{Finance} Committee
 committee name
 committee on SJR 42, dated March 24, 1998
 bill/subject

I oppose the bill SJR 42 recommending an admendment to Alaska's constitution be placed on the ballot. There are broad issues involved with this action when a majority can vote to change such a fundamental document. I personally believe gay relationships are as deserving of recognition in our civil law as heterosexual relationships. Each religion can chose to support or oppose such marriages but the secular law of the land should provide equal treatment of all people, and civil recognition does not force anyone to alter their religious views. I wish our legislators would seek to find common ground, to understand the difficulties gay people face and work on legislation of mutual benefit to all our citizens.

Signed: Beit Mead
 Testifier

Representing (Optional)
9731 St. Lawrence Circle Eagle River, AK
 Address 99577
907-694-7528
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senat. Finance
 committee name
 committee on 5142, dated 3/24/98
 bill/subject

See Attached statement +

Also, I protest the fact that this committee has not allowed presentation of oral testimony. Rightly or wrongly, it feels like you do not have the courage to hear what I have to say in person.

Signed: *Ellen M. Dennis*
 Testifier

Self and as Past President of PFLAG S. Central
 Representing (Optional)

1010 W 10th Ave, Anchorage 99501
 Address

254-0133
 Phone No.

March 24, 1998

Testimony by Elliott T. Dennis, 1010 W 10th Ave., Anchorage 99501; 258-0133

Regarding amending constitution to outlaw gay marriages.

Good Morning:

Amending the constitution to outlaw gay marriages is a bad idea and I urge you to vote against this legislation. The reasons are simple.

1. The sole purpose of the legislation is to legalize discrimination against an unpopular minority in our society; gay and lesbian couples.
2. Our constitution was enacted to protect all of us, the popular and the unpopular. The constitution protects the minority from tyranny by the majority. It is, if you will, a safety net for our society.
3. This effort to amend the constitution, as well as the absence of laws protecting the individual rights of gays and lesbians, is reminiscent of the persecution of Christians by the Jews, Romans and others; the pilgrims would not have come to North America, if they had been protected from persecution by the majority.
4. Discrimination against gay couples is unconstitutional under our current constitution, unless the state can show a compelling reason for unequal treatment. This fact should cause each of you to question what is so wrong with a gay marriage if the state can not explain what compelling reason exists for discriminating.
5. Discrimination against individuals who are our family members, friends, neighbors and co-workers should cause us great pauses; these individuals hold down jobs, pay taxes, maintain loving relationships, contribute to our society and vote. Why should they be treated differently????
6. Discrimination, which harms an individual gay person, harms the family, friends and neighbors of each victim; their pain becomes the pain of all.



Alaska State Legislature

Please enter into the record my testimony to the Finance Committee
committee name
 committee on SJR 42, dated 3/24/98.
bill/subject

I oppose. SJR 42. I also vigorously oppose your decision not to take testimony by teleconference. Only one person in Anchorage was permitted to testify in Judiciary, and NO ONE in Anchorage will be heard by your committee. Is this responsible review of such a weighty issue as a constitutional amendment? We need an opportunity to speak.

Signed: Allin Merdel
Testifier

Representing (Optional)
8530 BANNO Cir A/A 99507
Address
243-7826
Phone No.

ALASKA CIVIL LIBERTIES UNION

An Affiliate of the American Civil Liberties Union

P. O. Box 201844 Anchorage, AK 99520-1844

Phone: 907-258-0044 Fax: 907-258-0288 E-Mail: akclu@alaska.net

TESTIMONY

To: Senate Finance Committee
From: Jennifer Rudinger, Executive Director
Date: Tuesday, March 24, 1998
Re: SJR 42

Good morning, Co-Chairs and Members of the Committee:

My name is Jennifer Rudinger, and I am the Executive Director of the Alaska Civil Liberties Union. The AkCLU is a non-partisan organization dedicated to preserving and defending the principles of individual liberty guaranteed in the U.S. Bill of Rights and in our strong Alaska State Constitution. I have come here today on behalf of over 800 card-carrying members of the AkCLU to urge you *not* to pass SJR 42 out of this committee.

Putting this amendment on the ballot for a vote is a bad idea. This amendment takes the most intimate, personal, private decisions an individual makes in his or her lifetime -- the choice of to whom one publicly declares allegiance for life -- and subjects this right of personal choice to a majority vote. A recent TV poll indicated that 62% of Alaskans favor same-sex marriage, and we can argue about the accuracy of polls and what the majority believes, but all of this is besides the point. The point is that the role of government should be to carefully balance the rights of the majority with rights of the minority, and where, as in this case, allowing personal autonomy and individual liberty will not hurt or disadvantage the rights of the majority, the individual must be free to exercise his or her rights. There is simply no public interest at stake here for the legislature to protect. What this amendment really attempts to do is legislate morality and impose certain religious views on every citizen of Alaska. This is a frightening prospect indeed. It is antithetical to the spirit of freedom and individuality which lies at the foundation of America and of Alaska.

Our founding fathers fled religious persecution and warned of their fears of a tyranny of the majority when they were forming the United States of America. James Madison wrote that "...measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority." The right to marry should not be subject to majority rule. In 1967, the Supreme Court declared

AkCLU Testimony on SJR 42
Page Two

that interracial marriages could not be lawfully banned under the Equal Protection Clause. An ugly debate fueled by hatred and ignorance surrounded this decision. This measure hasn't even gotten to the ballot yet, and we are already hearing the same hateful, ignorant rhetoric that we heard in 1967. Please don't open up Alaska to that same public intolerance and hatred that this country has struggled so hard to overcome since the *Loving* decision.

Please feel free to contact me if you have any further questions. Thank you for your careful consideration of this matter.

Volume 19, Number 4, April 1998

DRAFT

Panel Discussion

Tues., April 7

University of Alaska: How can it best serve the people of Alaska?

Commonwealth North welcomes University of Alaska Board of Regents members Michael P. Kelly, Chancy Croft and Joseph R. Henri (a CWN member) to our April FORUM. As the U of A faces a critical crossroad, we will ask each of them to share their vision for the university system. Budget cuts and organizational plans have dominated recent university debates. Our goal is to focus on the bigger picture - how the U of A fits into Alaska from an overall point of view. What should we, as Alaskans, expect from our university? How should it fit into our lives, our economy, and our future?

3
FVI

Mr. Kelly of Fairbanks, is Board president; Mr. Henri is from Anchorage; both were appointed in 1991 by Governor Hickel. Mr. Croft of Anchorage, is treasurer, and was appointed in 1995 by Governor Knowles.

This is your April FORUM and is scheduled for 7 a.m. at the Hotel Captain Cook Ballroom. The cost for guests, \$25.

General Larry D. Welch

Fri., April 24

**President & CEO, Institute for Defense Analyses
*Alaska & the future of national defense***

General Welch, President and CEO of The Institute for Defense Analyses (IDA), will join Commonwealth North to discuss the United States' defense plans, and how Alaska fits into the most likely defense scenarios over the next ten to twenty years.

IDA is a federally funded research and development center established to assist the Office of the Secretary of Defense, the Joint Staff, Unified Commands, and Defense Agencies in addressing national security issues. It is known by many as the Pentagon's "think tank."

In addition to his post at IDA, General Welch is Chair of the Security Policy Advisory Commission, to which he was appointed in 1996 by President Clinton. General Welch served four years as U.S. Air Force Chief of Staff and two years as Commander in Chief, Strategic Air Command. General Welch retired from active duty July, 1990 after serving in the military since 1951.

This is an EXTRA EVENT and is scheduled for 7 a.m. at the Anchorage Hilton Chart Room (upstairs). The cost for members, \$20; cost for guests, \$25.

To RSVP for all events fax 276-6350 or phone 276-1414 ext. 1.
Absent 24-hour advance cancellation, you will be billed based on your RSVP.
NOTICE: The charge for guest meals is now \$25, effective 2/1/98.

Post-It* Fax Note	7671	Date	3/24	# of pages	2
To	Kalbaring	From	Gilman		
Co/Dept.	St. Anne Hospital	Co.	(USA)		
Phone #		Phone #	2589522		
Fax #	4105-3872	Fax #			