

STATE OF ALASKA THE LEGISLATURE

1994

Source
CSHCR 24(JUD) am

Legislative
Resolve No.
33



Supporting the governor's decision to authorize a suit against the United States government for violating the Alaska Statehood Act and the Alaska Statehood Compact.

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

WHEREAS, when the Territory of Alaska became a state, its citizens ratified a compact with the federal government known as the Alaska Statehood Compact, which is embodied in the Alaska Statehood Act that was passed by the Congress; and

WHEREAS compacts such as the Alaska Statehood Act are properly viewed as contracts between sovereigns that may not be unilaterally altered by either party; and

WHEREAS the principle that the controlling terms of statehood acts may not be altered unilaterally has been consistently upheld by the United States Supreme Court in *Cooper v. Roberts*, 59 U.S. (18 How.) 173 (1855); *Beecher v. Wetherby*, 95 U.S. (5 Otto) 517 (1877); and *Stearns v. Minnesota ex. rel. Marr*, 179 U.S. 223 (1900); and

WHEREAS there are sufficient grounds for believing that the federal government has violated this principle by unilaterally altering or attempting to alter important terms of the Alaska Statehood Act and the Alaska Statehood Compact;

BE IT RESOLVED that the Alaska State Legislature strongly supports the governor

in his efforts to protect against federal violations of the Alaska Statehood Act and the Alaska Statehood Compact and towards that end strongly supports his decision to file suit against the federal government in *Alaska v. United States*, United States Court of Federal Claims (Bruggnik), 90-454-L Civ., *State v. Brown*, United States District Court (Sedwick), A92-364 Civ. and *State v. United States*, United States Court of Federal Claims.