

1 INTERIM RESOLUTION 2013-004

2
3 REQUESTING THE ARKANSAS LEGISLATIVE COUNCIL EXPRESS ITS SUPPORT
4 OF AMENDMENT 83 TO THE ARKANSAS CONSTITUTION DEFINING MARRIAGE AS
5 CONSISTING ONLY OF THE UNION OF ONE MAN AND ONE WOMAN.
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7 WHEREAS, Amendment 83 to the Arkansas Constitution provides that
8 marriage consists only of the union of one man and one woman; and
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10 WHEREAS, marriage between one man and one woman is the building block
11 upon which our society is based; and
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13 WHEREAS, at the November 2004 general election, the people of the state
14 of Arkansas overwhelmingly approved Amendment 83 by a vote of 75% to 25%; and
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16 WHEREAS, certain provisions of Arkansas law also provide that marriage
17 shall be only between a man and a woman and that marriage licenses shall not
18 be issued to persons of the same sex (Arkansas Code §§ 9-11-107, 9-11-109, 9-
19 11-208); and
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21 WHEREAS, the power to regulate marriage is a power reserved to the
22 people that lies within the domain of state legislatures and not with the
23 courts; and
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25 WHEREAS, on May 9, 2014, Pulaski County Circuit Court Judge Chris
26 Piazza declared that Amendment 83 and certain similar statutes were
27 unconstitutional; and
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29 WHEREAS, Judge Piazza's decision is in direct contradiction to his oath
30 to uphold the Arkansas Constitution and the overall right of the State of
31 Arkansas to declare policy on such matters; and
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33 WHEREAS, Judge Piazza's decision disregards the clear wishes of the
34 state's electorate when approving Amendment 83; and
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1 WHEREAS, the decision also fails to acknowledge the longstanding
2 precedent of the United States Supreme Court that individual states have the
3 authority to define marriage within their states, as evidenced by
4 Hollingsworth v. Perry, 133 S.Ct. 2652 (2013); and
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6 WHEREAS, while the Arkansas Legislative Council recognizes that
7 families take many forms, the institution of marriage itself is sacred and
8 must be upheld between one man and one woman; and
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10 WHEREAS, Judge Piazza has overstepped his judicial authority and the
11 Arkansas Legislative Council should take all possible actions to correct this
12 overreach and ensure that this erroneous decision does not negatively impact
13 the state and its citizens,
14

15 NOW THEREFORE,

16 BE IT RESOLVED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE EIGHTY-NINTH
17 GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 THAT the Arkansas Legislative Council affirms its support for Amendment
20 83 and its declaration that marriage consists of only the union of one man
21 and one woman.
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23 BE IT FURTHER RESOLVED THAT the Arkansas Legislative Council views the
24 actions of Pulaski County Circuit Judge Chris Piazza as an abuse of his
25 judicial authority.
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27 BE IT FURTHER RESOLVED THAT the Arkansas Legislative Council encourages
28 the Arkansas Supreme Court to uphold Amendment 83 which represents the will
29 of the people of Arkansas and to find that all marriages entered into after
30 Judge Piazza's decision that would otherwise have been prohibited by
31 Amendment 83 are null and void.
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33 BE IT FURTHER RESOLVED THAT the Arkansas Legislative Council encourages
34 the Attorney General to vigorously defend Amendment 83 with the full weight
35 and power of his office.
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1 BE IT FURTHER RESOLVED THAT the Arkansas Legislative Council shall
2 explore legislative remedies to prevent the Arkansas Constitution and the
3 will of the people of this state from being negated by judicial activism
4 which violates the separation of powers ensured in our form of government.
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6 Respectfully submitted,
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10 Senator Jason Rapert
11 District 35
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15 Senator Cecile Bledsoe
16 District 3
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20 Senator Ronald Caldwell
21 District 23
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25 Senator Alan Clark
26 District 13
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30 Senator John Cooper
31 District 21
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35 Senator Jonathan Dismang
36 District 28

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4 Senator Jane English
5 District 34
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9 Senator Jake Files
10 District 8
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14 Senator Jim Hendren
15 District 2
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19 Senator Bart Hester
20 District 1
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24 Senator Jimmy Hickey
25 District 11
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29 Senator Bruce Holland
30 District 9
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34 Senator Missy Irvin
35 District 18
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3 Senator Bryan King
4 District 5
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8 Senator David J. Sanders
9 District 15
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13 Senator Gary Stubblefield
14 District 6
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18 Senator Eddie Joe Williams
19 District 29
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23 Senator Jon Woods
24 District 7
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28 Representative Randy Alexander
29 District 88
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33 Representative Bob Ballinger
34 District 97
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2 Representative Scott Baltz
3 District 61
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7 Representative Nate Bell
8 District 20
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12 Representative Ken Bragg
13 District 15
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17 Representative David L. Branscum
18 District 83
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22 Representative John Burris
23 District 98
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27 Representative Les "Skip" Carnine
28 District 90
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32 Representative John Catlett
33 District 73
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1 Representative Ann V. Clemmer
2 District 23

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6 Representative Bruce Cozart

7 District 24

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11 Representative Robert E. Dale

12 District 68

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16 Representative Gary Deffenbaugh

17 District 79

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21 Representative Jody Dickinson

22 District 47

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26 Representative Jim Dotson

27 District 93

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31 Representative Charlotte Vining Douglas

32 District 75

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36 Representative Jon S. Eubanks

1 District 74
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5 Representative Joe Farrer
6 District 44
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10 Representative Charlene Fite
11 District 80
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15 Representative Jeremy Gillam
16 District 45
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20 Representative Justin T. Harris
21 District 81
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25 Representative Mike Holcomb
26 District 10
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30 Representative Douglas House
31 District 40
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35 Representative John K. Hutchison
36 District 52

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4 Representative Sheilla E. Lampkin
5 District 9
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9 Representative Homer Lenderman
10 District 53
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14 Representative Kelley Linck
15 District 99
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19 Representative Andy Mayberry
20 District 27
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24 Representative James McLean
25 District 63
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29 Representative David Meeks
30 District 70
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34 Representative Stephen Meeks
35 District 67
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3 Representative Josh Miller
4 District 66
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8 Representative John Payton
9 District 64
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13 Representative Terry Rice
14 District 21
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18 Representative Tommy Thompson
19 District 65
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23 Representative Jeff Wardlaw
24 District 8
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28 Representative Bruce Westerman
29 District 22
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33 Representative Tommy Wren
34 District 62
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1 By: MBM/KFW

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