

INTERIM RESOLUTION 2013-004

REQUESTING THE ARKANSAS LEGISLATIVE COUNCIL EXPRESS ITS SUPPORT
OF AMENDMENT 83 TO THE ARKANSAS CONSTITUTION DEFINING MARRIAGE AS
CONSISTING ONLY OF THE UNION OF ONE MAN AND ONE WOMAN.

WHEREAS, Amendment 83 to the Arkansas Constitution provides that
marriage consists only of the union of one man and one woman; and

WHEREAS, marriage between one man and one woman is the building block
upon which our society is based; and

WHEREAS, at the November 2004 general election, the people of the state
of Arkansas overwhelmingly approved Amendment 83 by a vote of 75% to 25%; and

WHEREAS, certain provisions of Arkansas law also provide that marriage
shall be only between a man and a woman and that marriage licenses shall not
be issued to persons of the same sex (Arkansas Code §§ 9-11-107, 9-11-109, 9-
11-208); and

WHEREAS, the power to regulate marriage is a power reserved to the
people that lies within the domain of state legislatures and not with the
courts; and

WHEREAS, on May 9, 2014, Pulaski County Circuit Court Judge Chris
Piazza declared that Amendment 83 and certain similar statutes were
unconstitutional; and

WHEREAS, Judge Piazza's decision is in direct contradiction to his oath
to uphold the Arkansas Constitution and the overall right of the State of
Arkansas to declare policy on such matters; and

WHEREAS, Judge Piazza's decision disregards the clear wishes of the
state's electorate when approving Amendment 83; and

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,
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15 NOW THEREFORE,
16 BE IT RESOLVED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE EIGHTY-NINTH
17 GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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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13 Respectfully submitted,
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17 Senator Cecile Bledsoe

18 District 3
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20 Respectfully submitted,
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24 Senator Ronald Caldwell

25 District 23
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27 Respectfully submitted,
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31 Senator Alan Clark

32 District 13
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34 Respectfully submitted,
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Senator John Cooper

District 21

Respectfully submitted,

Senator Jonathan Dismang

District 28

Respectfully submitted,

Senator Jane English

District 34

Respectfully submitted,

Senator Jake Files

District 8

Respectfully submitted,

Senator Jim Hendren

District 2

Respectfully submitted,

1 Senator Bart Hester

2 District 1

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4 Respectfully submitted,

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8 Senator Jimmy Hickey

9 District 11

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11 Respectfully submitted,

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15 Senator Bruce Holland

16 District 9

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18 Respectfully submitted,

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22 Senator Missy Irvin

23 District 18

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25 Respectfully submitted,

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29 Representative Fonda Hawthorne

30 District 4

31

32 Respectfully submitted,

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36 Representative Mark Lowery

1 District 39

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3 Respectfully submitted,

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7 Representative Richard Womack

8 District 18

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12 By: MBM/KFW

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