1	State of Arkansas	As Engrossed:	H3/25/13	
2	89th General Assembly			
3	Regular Session, 2013		HR 1049	
4				
5	By: Representative Dotson			
6				
7	HOUSE RESOLUTION			
8	AFFIRMING TRADITIONAL MARRIAGE AS DEFINED IN			
9	AMENDMENT 83 TO THE CONSTITUTION OF THE STATE OF			
10	ARKANSAS	AND FEDERAL DEFENSE	OF MARRIAGE ACT AND	
11	SUPPORTII	NG THE FEDERAL DEFENSE	E OF MARRIAGE ACT.	
12				
13				
14		Subtit	le	
15	AFF	IRMING TRADITIONAL MA	RRIAGE AS DEFINED	
16	IN .	AMENDMENT 83 TO THE C	ONSTITUTION OF	
17	THE	STATE OF ARKANSAS AN	D FEDERAL DEFENSE	
18	OF .	MARRIAGE ACT AND SUPP	ORTING THE	
19	FED.	ERAL DEFENSE OF MARRI	AGE ACT.	
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21				
22	WHEREAS, marria	age is a fundamental a	social institution that has been	
23	tested and reaffirmed	d over thousands of ye	ears; and	
24				
25	WHEREAS, histor	rically marriage has h	been reflected in our law and the	
26	law of all jurisdict:	ions in the United Sta	ates as the union of a man and a	
27	woman, and the every	day meaning of marria	ge and the legal meaning of marriage	
28	has always been defined as the legal union of a man and a woman as husband			
29	and wife; and			
30				
31	WHEREAS, famil:	ies consisting of the	legal union of one man and one	
32	woman for the purpose of bearing and raising children remains the basic unit			
33	of our civil society,	; and		
34				
35	WHEREAS, in 199	96, Congress overwhelm	mingly passed, and President Bill	
36	Clinton signed, the l	Defense of Marriage A	ct under which Congress exercised	

1	its rights under the effects clause of Section 1 of Article IV of the United		
2	States Constitution; and		
3			
4	WHEREAS, Section 2(a) of the Defense of Marriage Act clearly spells out		
5	that "No State, territory, or possession of the United States, or Indian		
6	tribe, shall be required to give effect to any public act, record, or		
7	judicial proceeding of any other State, territory, possession, or tribe		
8	respecting a relationship between persons of the same sex that is treated as		
9	a marriage under the laws of such other State, territory, possession, or		
10	tribe, or a right or claim arising from such relationship."; and		
11			
12	WHEREAS, Section 3 of the Defense of Marriage Act, defining marriage,		
13	states that "the word 'marriage' means only a legal union between one man and		
14	one woman as husband and wife, and the word 'spouse' refers only to a person		
15	of the opposite sex who is a husband or a wife."; and		
16			
17	WHEREAS, the Supreme Court of the United States will hear oral		
18	arguments in U.S. v. Windsor on March 27, 2013, asking whether the Defense of		
19	Marriage Act — passed under the effects clause of Section 1 of Article IV of		
20	the United States Constitution - violates the Fifth Amendment of the United		
21	States Constitution; and		
22			
23	WHEREAS, in February, the Justice Department of President Barack Obama		
24	filed a brief with the Supreme Court of the United States, asking the Supreme		
25	Court to invalidate Section 3 of the Defense of Marriage Act; and		
26			
27	WHEREAS, on November 2, 2004, 753,770 Arkansans voted to pass Proposed		
28	Constitutional Amendment No.3 to the Constitution of the State of Arkansas,		
29	representing 74.95% of the votes cast; and		
30			
31	WHEREAS, the total amount of votes cast in favor of Proposed		
32	Constitutional Amendment No.3 was higher than the total amount of votes cast		
33	for the re-election of President George W. Bush; and		
34			
35	WHEREAS, Proposed Constitutional Amendment No.3 became Amendment 83 to		
36	the Constitution of the State of Arkansas; and		

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2	WHEREAS, Section 1 of Amendment 83 reads, "Marriage consists only of
3	the union of one man and one woman."; and
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5	WHEREAS, Section 2 of Amendment 83 reads, "Legal status for unmarried
6	persons which is identical or substantially similar to marital status shall
7	not be valid or recognized in Arkansas, except that the legislature may
8	recognize a common law marriage from another state between a man and a
9	woman.",
10	
11	NOW THEREFORE,
12	BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL
13	ASSEMBLY OF THE STATE OF ARKANSAS:
14	
15	THAT the House of Representatives reaffirms its support for traditional
16	marriage as the union of one man and one woman, as expressed in Amendment 83
17	of the Constitution of the State of Arkansas and the Defense of Marriage Act.
18	
19	BE IT FURTHER RESOLVED that the chief clerk of the House of Representatives
20	distribute a copy of this resolution to the President of the United States,
21	the Vice President of the United States, the President Pro Tempore of the
22	United States Senate, the Speaker of the United States House of
23	Representatives, the Chief Justice and Associate Justices of the United
24	States Supreme Court, the chief executive officer of each legislative chamber
25	for each of the fifty (50) state legislatures within the United States, and
26	each member of the Arkansas Congressional Delegation.
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28	/s/Dotson
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