

By: Senator(s) Hewes, Brown, King, Kirby,
Moffatt, Nunnelee, Ross, Clarke, Gollott,
Doxey, Chamberlin

To: Rules

SENATE CONCURRENT RESOLUTION NO. 519

1 A CONCURRENT RESOLUTION MEMORIALIZING THE UNITED STATES
2 CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED
3 STATES TO PROVIDE A FEDERAL DEFINITION OF MARRIAGE AND TO SUBMIT
4 SUCH CONSTITUTIONAL AMENDMENT TO THE SEVERAL STATES FOR PROPER
5 RATIFICATION.

6 WHEREAS, during the First Session of the 108th United States
7 Congress, House Joint Resolution No. 56 and Senate Joint
8 Resolution No. 26 were introduced with strong bi-partisan support,
9 giving voice to the deeply held convictions of the vast majority
10 of the American people; and

11 WHEREAS, the proposed amendment provides in substance that
12 marriage in the United States shall consist only of the union of a
13 man and a woman, and that the United States Constitution, nor the
14 Constitution of any state, nor state or federal law, shall be
15 construed to require that marital status or the legal incidents
16 thereof be conferred upon unmarried couples or groups; and

17 WHEREAS, in addition to simply stating that marriage in the
18 United States consists of the union of a male and female, the
19 proposed amendment ensures that the democratic process at the
20 state level will continue to determine the allocation of benefits
21 associated with marriage; and

22 WHEREAS, state legislatures will also retain the power to
23 authorize or prohibit civil unions and domestic partnerships
24 within their respective boundaries; and

25 WHEREAS, the majority of the efforts to undermine the legal
26 status of marriage are predicated upon constitutional law,
27 specifically the Equal Protection and Full Faith and Credit
28 clauses of the United States Constitution; and

29 WHEREAS, certain parties are thus manipulating the federal
30 court system to overcome public opinion with respect to marriage,
31 with the openly admitted goal of eventually imposing same-sex
32 "marriage" and civil unions on every state in the nation; and

33 WHEREAS, this Legislature strongly believes that the proposed
34 amendment is a reasonable response to this attack on our nation's
35 values and its Constitution; and

36 WHEREAS, the proposed amendment precludes the courts from
37 distorting existing constitutional or statutory law into a
38 requirement that marital status or the legal incidents thereof be
39 reallocated pursuant to a judicial decree; however, it has no
40 impact at all on benefits offered by private businesses and
41 corporations; and

42 WHEREAS, the decision to seek a constitutional remedy is both
43 significant and necessary; and

44 WHEREAS, the American people historically have been reluctant
45 to amend the United States Constitution except for the most
46 compelling reasons; although this Legislature shares that view,
47 the rite of matrimony as it has been understood and practiced
48 since time immemorial is so deeply a part of American tradition
49 and our collective values that it requires constitutional status:

50 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF
51 MISSISSIPPI, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, That
52 this Legislature memorializes the Congress of the United States to
53 propose language in substantially the following form as an
54 amendment to the Constitution of the United States and submit such
55 amendment to the several states for proper ratification: Marriage
56 in the United States shall consist only of the union of a man and
57 a woman. Neither this Constitution, nor the Constitution of any
58 state, nor state or federal law, shall be construed to require
59 that marital status or the legal incidents thereof be conferred
60 upon unmarried couples or groups.

61 BE IT FURTHER RESOLVED, That copies of this resolution be
62 provided to the President and the Secretary of the United States
63 Senate, the Speaker and Clerk of the United States House of
64 Representatives, and to each member of the Mississippi
65 Congressional delegation.