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# Wisconsin Briefs

*from the Legislative Reference Bureau*

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Brief 05-4

January 2005

## CONSTITUTIONAL AMENDMENTS GIVEN “FIRST CONSIDERATION” APPROVAL BY THE 2003 WISCONSIN LEGISLATURE

### INTRODUCTION

Two proposals to amend the Wisconsin Constitution were adopted on first consideration by the 2003 Wisconsin Legislature and are eligible for second consideration by the 2005 Legislature. They relate to: 1) lengthening the term of office for certain county offices from 2 years to 4 years; and 2) providing that only a marriage between one man and one woman shall be recognized in Wisconsin, and that a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be recognized.

| Sections Affected   | Resolutions  | Subject   |
|---|--|---|
| Article VI, Sec. 4 (1), (3) and (4); Article VII, Sec. 12 | 2003 Assembly Joint Resolution 10 (Enrolled Joint Resolution 12) | Authorizing a 4-year term of office for certain county officers                         |
| Article XIII, Sec. 13                                     | 2003 Assembly Joint Resolution 66 (Enrolled Joint Resolution 29) | Providing that only a marriage between one man and one woman be recognized in Wisconsin |

Legislative passage of a constitutional amendment on “first consideration” is the first step in the amending process. According to Article XII, Section 1, of the Wisconsin Constitution, amendments must be adopted by two successive legislatures and ratified by the electorate.

On first consideration, a proposed change is offered as a joint resolution that does not have to be submitted to the governor for approval. If the resolution is adopted by both houses, the resolution must be published for three consecutive months prior to the next general election. Then, a second joint resolution embodying the identical constitutional text must be offered on “second consideration” in the next legislature, and the wording of the proposed amendment must be approved without change. The second joint resolution specifies the wording of the ballot question(s) and sets the date for submitting the question(s) to the people at a statewide election. (The portions of the joint resolution relating to the ballot question and date can be amended.)

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## I. 4-YEAR TERM FOR CERTAIN COUNTY OFFICERS

### A. Analysis

This proposed constitutional amendment, approved on first consideration by the 2003 Legislature, requires counties to elect county clerks and treasurers every 4 years, and changes the terms of office from 2 years to 4 years for district attorneys, coroners, elected surveyors, registers of deeds, county clerks, and clerks of circuit court. For clerks of circuit court and coroners, the first elections to 4-year terms will be held concurrently with the first gubernatorial election following ratification, which is when the constitution provides that sheriffs are to be first elected to 4-year terms. For district attorneys, elected surveyors, registers of deeds, treasurers, and county clerks, the first elections to 4-year terms will be held concurrently with the first presidential election following ratification.

The proposal does not change the times for holding regular elections for any county offices, and does not affect the terms of office of elected county chief executive officers (they already serve 4-year terms), or the terms of office of county supervisors or sheriffs.

### B. Text

**SECTION 1.** Section 4 (1) of article VI of the constitution is renumbered section 4 (1) (a) of article VI and amended to read:

[Article VI] Section 4 (1) (a) Except as provided in pars. (b) and (c) and sub. (2), coroners, registers of deeds, district attorneys, and all other elected county officers, except judicial officers, sheriffs, and chief executive officers, shall be chosen by the electors of the respective counties once in every 2 years.

**SECTION 2.** Section 4 (1) (b) and (c) of article VI of the constitution are created to read:

[Article VI] Section 4 (1) (b) Beginning with the first general election at which the governor is elected which occurs after the ratification of this paragraph, sheriffs shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years and coroners in counties in which there is a coroner shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years.

(c) Beginning with the first general election at which the president is elected which occurs after the ratification of this paragraph, district attorneys, registers of deeds, county clerks, and treasurers shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years and surveyors in counties in which the office of surveyor is filled by election shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years.

**SECTION 3.** Section 4 (3) (c) of article VI of the constitution is amended so as in effect to repeal said paragraph:

~~[Article VI] Section 4 (3) (c) Beginning with the first general election at which the governor is elected which occurs after the ratification of this paragraph, sheriffs shall be chosen by the electors of the respective counties once in every 4 years.~~

**SECTION 4.** Section 4 (4) of article VI of the constitution is amended to read:

[Article VI] Section 4 (4) The governor may remove any elected county officer mentioned in this section except a county clerk, treasurer, or surveyor, giving to the officer a copy of the charges and an opportunity of being heard.

**SECTION 5.** Section 12 of article VII of the constitution is renumbered section 12 (1) of article VII and amended to read:

[Article VII] Section 12 (1) There shall be a clerk of the circuit court chosen in each county organized for judicial purposes by the qualified electors thereof, who, except as provided in sub. (2), shall hold his office for two years, subject to removal as shall be provided by law; ~~in~~.

(3) In case of a vacancy, the judge of the circuit court ~~shall have power to~~ may appoint a clerk until the vacancy ~~shall be~~ is filled by an election; ~~the~~.

(4) The clerk ~~thus elected or appointed~~ of circuit court shall give such security as the legislature ~~may require~~ requires by law.

(5) The supreme court shall appoint its own clerk, and may appoint a clerk of the circuit court ~~may be appointed a~~ to be the clerk of the supreme court.

**SECTION 6.** Section 12 (2) of article VII of the constitution is created to read:

[Article VII] Section 12 (2) Beginning with the first general election at which the governor is elected which occurs after the ratification of this subsection, a clerk of circuit court shall be chosen by the electors of each county, for the term of 4 years, subject to removal as provided by law.

### C. Background

Wisconsin's elected county officers were given a 2-year term of office in the 1848 Wisconsin Constitution. The idea of increasing the terms of office for county officers from 2 to 4 years has proven to be remarkably enduring. Proponents of the change believe that a 4-year term will make the offices more professional and less political. Opponents believe that the greater accountability of the 2-year term is valuable. First proposed as a constitutional amendment in 1911, it has been introduced at least once in each decade since. Eleven joint resolutions were offered on the subject between the 1911 and 1969 sessions of the legislature, including four during the 1940s.

Interest in the increased term waxed after 1970, when the term of office for state constitutional officers was increased from 2 to 4 years. Between the 1971 and 1993 sessions, 22 joint resolutions were offered on the subject. Many of these passed one house, but none was adopted by both houses on first consideration. From 1995 to the present, six more joint resolutions were offered.

At times during the last 30 years, joint resolutions dealing with increasing the terms of sheriffs to 4 years were introduced separately from resolutions dealing with all county officers. This effort was ultimately successful. 1995 AJR-37 [Enrolled JR-23] was adopted on first consideration, and 1997 SJR-43 [Enrolled JR-18] was adopted on second consideration. The amendment was approved by the voters in November 1998 with 1,161,942 voting "Yes" and 412,508 voting "No." In November 2002, sheriffs were elected to 4-year terms for the first time.

In 1995, a separate joint resolution providing for 4-year terms for district attorneys was introduced for the first time, SJR-30. It was adopted on first consideration. During the following session, 1997 AJR-43 was adopted, but because the joint resolution was amended, it reverted to first consideration status. In 1999, the assembly adopted AJR-3 on second consideration, but the senate failed to concur in the action. There have been no subsequent attempts to lengthen the term of district attorneys separate from other county officers.

In the 2001 session, AJR-13, providing a 4-year term for all county officers, passed the assembly by a vote of 78-18, but failed in the senate. SJR-17, a similar joint resolution, also failed in the senate.

#### D. Legislative Action

The legislative history of 2003 Assembly Joint Resolution 10, as recorded in the *Bulletin of Proceedings*, is excerpted below:

##### Assembly Joint Resolution 10

To amend so as in effect to repeal section 4 (3) (c) of article VI; to renumber and amend section 4 (1) of article VI and section 12 of article VII; to amend section 4 (4) of article VI; and to create section 4 (1) (b) and (c) of article VI and section 12 (2) of article VII of the constitution; relating to: 4-year terms of office for certain county officers (first consideration).

2003

- 01-28. A. Introduced by Representatives **M. Williams, Krawczyk, Foti, Kerkman, Rhoades, Musser, Albers, Olsen, Hundertmark, Krusick, Seratti, M. Lehman, Pettis, Jeskewitz, Vrakas, Powers, Gunderson, McCormick, Towns, Ladwig, Kreibich, Bies, Wieckert, Grothman, Gielow, Underheim, Friske, Lassa, Ainsworth, Nischke, Gronemus, Ott, Van Roy, Turner, Gottlieb, Freese, Hahn, Johnsrud, Schooff, Weber, A. Williams and Townsend**; cosponsored by Senators **Brown, Stepp, Breske, Harsdorf, Lazich, Risser, A. Lasee, Roessler, Welch, Kedzie, Schultz and Hansen**.
- 01-28. A. Read first time and referred to committee on State Affairs . . . . . 30
- 03-04. A. Public hearing held.
- 04-01. A. Executive action taken.
- 04-08. A. Report adoption recommended by committee on State Affairs, Ayes 7, Noes 1 . . . 152
- 04-08. A. Referred to committee on Rules . . . . . 152
- 05-01. A. Placed on calendar 5-6-2003 by committee on Rules.
- 05-06. A. Read a second time . . . . . 194

- 05-06. A. Ordered to a third reading . . . . . 194
- 05-06. A. Rules suspended . . . . . 194
- 05-06. A. Read a third time and **adopted**, Ayes 81, Noes 17 . . . . . 194
- 05-06. A. Ordered immediately messaged . . . . . 194
- 05-08. S. Received from Assembly . . . . . 178
- 05-08. S. Read and referred to committee on Homeland Security, Veterans and Military Affairs and Government Reform 179
- 05-28. S. Executive action taken.
- 05-29. S. Report concurrence recommended by committee on Homeland Security, Veterans and Military Affairs and Government Reform, Ayes 5, Noes 0 . . . . . 200
- 05-29. S. Available for scheduling.
- 06-23. S. Placed on calendar 6-24-2003 by committee on Senate Organization.
- 06-24. S. Read a second time . . . . . 253
- 06-24. S. Ordered to a third reading . . . . . 253
- 06-24. S. Rules suspended . . . . . 253
- 06-24. S. Senator Zien added as a cosponsor . . . . . 253
- 06-24. S. Senator Panzer added as a cosponsor . . . . . 253
- 06-24. S. Senator Darling added as a cosponsor . . . . . 253
- 06-24. S. Read a third time and **concurred in**, Ayes 28, Noes 5 . . . . . 253
- 06-24. S. Ordered immediately messaged . . . . . 254
- 06-24. A. Received from Senate concurred in . . . . . 284
- 06-27. A. Report correctly enrolled . . . . . 294
- 07-25. A. Deposited in the office of the Secretary of State . . . . . 312
- 07-25. A. Published 7-30-2003, 8-03-2004, 9-07-2004, 10-05-2004 . . . . . 312

## II. MARRIAGE BETWEEN ONE MAN AND ONE WOMAN

### A. Analysis

This proposed constitutional amendment provides that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state and that a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state.

### B. Text

**SECTION 1.** Section 13 of article XIII of the constitution is created to read:

[Article XIII] Section 13. Only a marriage between one man and one woman shall be valid or recognized as a marriage in this state. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state.

### C. Background

The issue of same-sex marriage has come into prominence in recent years because of several court decisions using state constitutional requirements mandating equality to require that same-sex couples be recognized by state governments, either through existing marriage laws, or through the creation of “civil union” statutes.

#### State and Provincial Actions

Among the earliest cases dealing with same-sex marriage was *Baehr v. Lewin* (852 P. 2nd 44), a 1993 Hawaii case in which the state Supreme Court required that the legislature justify its distinction between opposite-sex and same-sex couples. During litigation, Hawaii passed a constitutional amendment giving the legislature the authority to limit marriage to opposite-sex couples. The court later ruled that the adoption of the 1998 amendment decided the issue without further action by the legislature.

In a 1999 Vermont case, *Baker v. State* (744 A. 2nd 864), the state Supreme Court found that denying same-sex couples the “benefits and protections that flow from marriage,” violated the state constitution. The court gave the legislature the task of deciding how this would be accomplished, requiring only that “[W]hatever system is chosen . . . must conform with the constitutional imperative to afford all Vermonters the common benefits, protection, and security of the law.” In response, the legislature passed 2000 Act 91, creating a civil union framework open to same-sex couples.

Two cases in 2003 took the issue a step further by requiring that marriage itself be available to same-sex couples. In *Halpern v. Toronto* (172 O.A.C. 276), the Ontario Court of Appeals ordered the City of Toronto to issue marriage licenses to same-sex couples. The court ruled that the common law definition of marriage prevailing in Ontario, which specified that marriage was “between one man and one woman” was in violation of the Canadian Charter of Rights and Freedoms. The court stated that “same-sex couples and their children should be able to benefit from the same stabilizing institution as their opposite-sex counterparts,” and created a new definition of marriage as “the voluntary union for life of two persons to the exclusion of all others.” The province of Ontario has declined to appeal the decision.

In November, the Supreme Judicial Court of Massachusetts ruled that the state could not deny same-sex couples a marriage license. *Goodridge v. Dept. of Public Health* (SJC-08860) found that “civil marriage is an evolving paradigm.” In language strikingly similar to that used by the Ontario court five months earlier, the court found that current marriage laws were in violation of principles of liberty and equality found in the Massachusetts Constitution, declaring that “We construe civil marriage to mean the voluntary union of two persons as spouses, to the exclusion of all others.” The court gave the legislature 180 days to remedy the situation. Legislation to create a civil union statute similar to Vermont’s was unsuccessful, and on May 17, 2004, the court ordered the state to begin issuing marriage licenses to same-sex couples.

A relevant federal case was also decided in 2003. In *Lawrence v. Texas* (123 S. Ct. 2472), the U.S. Supreme Court ruled that state laws prohibiting sodomy were in violation of the due process clause of the U.S. Constitution’s XIVth Amendment. The Court specifically declined to extend its ruling to include the issue of same-sex marriage. Nevertheless, some of its language placing homosexual acts outside the realm of state regulation, specifically: “The state cannot demean their existence by making their private sexual conduct a crime . . .”, raises the question of whether this logic may in the future be extended to overturn state laws regarding marriage.

The emergence of this issue in some states has led others to examine the status of marriage and to enact legislation defining marriage as a union between a man and a woman. This has largely been driven by the concern that Article IV, Section 1 of the U.S. Constitution, requiring that “Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state” may compel every state to recognize same-sex marriages contracted in other states. According to the National Conference of State Legislatures, as of November 2004, 43 states had passed laws or constitutional provisions declaring marriage to be between a man and a woman.

In response to this concern, Congress in 1996 passed Public Law 104-199, the Defense of Marriage Act. The act states that no state can be required to recognize a same-sex marriage contracted in another state. The act also defines marriage as a “legal union between one man and one woman” and spouse as “a person of the opposite sex who is a husband or a wife.” It is not clear whether this statutory remedy would actually shield states from the constitutional requirements of the “full faith and credit” clause.

The increased interest in the issue of same-sex marriage is reflected in the fact that a number of states have held ballot referenda on the subject. Since August 2004, 13 states (Arkansas, Georgia, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, North Dakota, Ohio, Oklahoma, Oregon, and Utah) have placed the question before their voters. While the ballot questions were not identical, all had the effect of defining marriage as between one man and one woman. Each of these measures was approved by the voters, with the largest majority being in Mississippi (86%) and the smallest in Michigan (58.6%). In nine of the 13 states, the question was approved by more than two-thirds of those voting.

### **The Issue in Wisconsin**

The issue of defining marriage is not a new one in Wisconsin. Beginning in the 1971 session of the legislature, and continuing through the 1977 session, 10 bills were introduced permitting either same-sex marriage, polygamy, or group marriages. Most of these bills were introduced by Representative Lloyd A. Barbee of Milwaukee. None of them emerged from committee, although three received public hearings.

The issue was resurrected in Wisconsin about the same time it became a prominent issue nationally. In 1995, a bill was introduced by Representative Lorraine Seratti to prohibit same-sex marriage. It was the first of its kind in at least 100 years. Over the next three sessions, four other, similar bills were introduced. None became law. In 2001, Representative Frank Boyle introduced a bill permitting same-sex domestic partnerships. In 1997, James Doyle, then Attorney General, issued an informal opinion advising that the prevailing marriage law, Section 765.001 (2), Wisconsin Statutes, which stated that “marriage is a legal relationship between 2 equal persons, a husband and wife,” was already sufficiently clear to make same-sex marriage illegal in Wisconsin.

During the 2003-04 session, Representative Boyle introduced AB-955, providing a domestic partnership law for Wisconsin. Representative Mark Pocan introduced a bill authorizing same-sex marriages. Neither bill passed. Bills requiring that marriage be between one man and one woman were introduced by Representative Mark Gundrum (AB-475) and Senator Scott Fitzgerald (SB-233). On October 21, 2003, Attorney General Peggy Lautenschlager reiterated Doyle’s 1997 opinion that current law already prohibited same-sex marriage. AB-475 passed the assembly 68-29 on October 23, and the senate 22-10 on November 5. The bill was vetoed by Governor Doyle on November 10, and an assembly override attempt fell short of the required two-thirds vote, 63-33, on November 12.

Assembly Joint Resolution 66, which, as a constitutional amendment, does not require action by the governor, was offered on February 9, 2004.

### D. Legislative Action

The legislative history of 2003 Assembly Joint Resolution 66, as recorded in the *Bulletin of Proceedings*, is excerpted below:

#### BILL HISTORY FOR ASSEMBLY JOINT RESOLUTION 66

|  |   |
|--|---|
| <p>To create section 13 of article XIII of the constitution; relating to: providing that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state (first consideration).</p> <p>2004</p> <p>02-09. A. Introduced by Representatives <b>Gundrum, W. Wood, Vukmir, Nischke, Weber, Krawczyk, Suder, J. Fitzgerald, Towns, Owens, Ladwig, McCormick, Hundertmark, M. Williams, Seratti, Van Roy, Grothman, Bies, LeMahieu, Honadel, Pettis, Nass, Ott, Vrakas, F. Lasee, Hahn, Kestell, Lothian, Hines, Olsen, Gottlieb, Townsend, Gunderson, Kreibich, Petrowski, D. Meyer and Huebsch;</b> cosponsored by Senators <b>S. Fitzgerald, Stepp, Roessler, Lazich, Leibham, Zien, Kanavas and Schultz.</b></p> <p>02-09. A. Read first time and referred to committee on Judiciary . . . . . 690</p> <p>02-11. A. Representative Gard added as a coauthor 699</p> <p>02-11. A. Representative Albers added as a coauthor 699</p> <p>02-12. A. Public hearing held.</p> <p>02-24. A. Executive action taken.</p> <p>02-25. A. Report adoption recommended by committee on Judiciary, Ayes 6, Noes 1 . . . . . 734</p> <p>02-25. A. Referred to committee on Rules . . . . . 734</p> | <p>03-02. A. Made a special order of business at 9:00 A.M. on 3-4-2004 pursuant to AR 35 . . . . . 779</p> <p>03-04. A. Read a second time . . . . . 792</p> <p>03-04. A. Refused to reject, Ayes 28, Noes 69 . . . . . 792</p> <p>03-04. A. Assembly amendment 1 offered by Representatives Cullen and Molepske . . . . . 792</p> <p>03-04. A. Assembly amendment 1 laid on table, Ayes 61, Noes 36 . . . . . 792</p> <p>03-04. A. Assembly amendment 2 offered by Representative Colon . . . . . 792</p> <p>03-04. A. Assembly amendment 2 withdrawn and returned to author . . . . . 792</p> <p>03-04. A. Assembly amendment 3 offered by Representative Colon . . . . . 792</p> <p>03-04. A. Point of order that Assembly amendment 3 not germane well taken . . . . . 792</p> <p>03-04. A. Decision of the Chair appealed . . . . . 792</p> <p>03-04. A. Decision of the Chair upheld, Ayes 59, Noes 38 . . . . . 792</p> <p>03-04. A. Call of the Assembly lifted, Ayes 70, Noes 26 794</p> <p>03-04. A. Call of the Assembly lifted, Ayes 65, Noes 32 794</p> <p>03-04. A. Refused to refer to joint committee on Finance, Ayes 35, Noes 62 . . . . . 794</p> <p>03-04. A. Ordered to a third reading . . . . . 797</p> <p>03-04. A. Refused to suspend rules to read a third time, Ayes 68, Noes 28 . . . . . 797</p> |
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|-----------|---|-----|-----------|--|-----|
| 03-04. A. | Read a third time and <b>adopted</b> , Ayes 68, Noes 27, Paired 4 . . . . .                                 | 798 | 03-11. S. | Senate amendment 11 offered by Senator Carpenter . . . . .             | 715 |
| 03-04. A. | Ordered immediately messaged . . . . .  | 798 | 03-11. S. | Senate amendment 12 offered by Senator Carpenter . . . . .             | 715 |
| 03-05. S. | Received from Assembly . . . . .  | 679 | 03-11. S. | Senate amendment 1 laid on table, Ayes 19, Noes 13 . . . . .           | 715 |
| 03-05. S. | Read first time and referred to committee on Judiciary, Corrections and Privacy . . . . .                   | 680 | 03-11. S. | Senate amendment 2 laid on table, Ayes 19, Noes 14 . . . . .           | 715 |
| 03-08. S. | Executive action taken.   |     | 03-11. S. | Senate amendment 3 laid on table, Ayes 19, Noes 14 . . . . .           | 715 |
| 03-09. S. | Report concurrence recommended by committee on Judiciary, Corrections and Privacy, Ayes 3, Noes 2 . . . . . | 684 | 03-11. S. | Senate amendment 4 laid on table, Ayes 19, Noes 14 . . . . .           | 715 |
| 03-09. S. | Available for scheduling.   |     | 03-11. S. | Senate amendment 9 considered for action at this time . . . . .        | 715 |
| 03-09. S. | Placed on calendar 3-10-2004 by committee on Senate Organization.   |     | 03-11. S. | Senate amendment 9 laid on table, Ayes 19, Noes 14 . . . . .           | 715 |
| 03-11. S. | Placed on calendar 3-11-2004 by committee on Senate Organization.   |     | 03-11. S. | Senate amendment 5 laid on table, Ayes 20, Noes 13 . . . . .           | 715 |
| 03-11. S. | Considered for action at this time . . . . .  | 714 | 03-11. S. | Senate amendment 6 laid on table, Ayes 19, Noes 14 . . . . .           | 715 |
| 03-11. S. | Senate substitute amendment 1 offered by Senator Carpenter . . . . .  | 714 | 03-11. S. | Senate amendment 7 laid on table, Ayes 19, Noes 14 . . . . .           | 716 |
| 03-11. S. | Senate substitute amendment 1 laid on table, Ayes 19, Noes 14 . . . . .                                     | 714 | 03-11. S. | Senate amendment 8 laid on table, Ayes 19, Noes 14 . . . . .           | 716 |
| 03-11. S. | Senate amendment 1 offered by Senator Carpenter . . . . .   | 714 | 03-11. S. | Senate amendment 10 laid on table, Ayes 19, Noes 14 . . . . .          | 716 |
| 03-11. S. | Senate amendment 2 offered by Senator Carpenter . . . . .   | 714 | 03-11. S. | Senate amendment 11 laid on table . . . . .                            | 716 |
| 03-11. S. | Senate amendment 3 offered by Senator Carpenter . . . . .   | 714 | 03-11. S. | Senate amendment 12 laid on table . . . . .                            | 716 |
| 03-11. S. | Senate amendment 4 offered by Senator Carpenter . . . . .   | 714 | 03-11. S. | Ordered to a third reading . . . . .                                   | 716 |
| 03-11. S. | Senate amendment 5 offered by Senator Carpenter . . . . .   | 714 | 03-11. S. | Rules suspended . . . . .  | 716 |
| 03-11. S. | Senate amendment 6 offered by Senator Carpenter . . . . .   | 715 | 03-11. S. | Read a third time and <b>concurred in</b> , Ayes 20, Noes 13 . . . . . | 716 |
| 03-11. S. | Senate amendment 7 offered by Senator Carpenter . . . . .   | 715 | 03-11. S. | Ordered immediately messaged . . . . .                                 | 719 |
| 03-11. S. | Senate amendment 8 offered by Senator Carpenter . . . . .   | 715 | 03-15. A. | Received from Senate concurred in . . . . .                            | 894 |
| 03-11. S. | Senate amendment 9 offered by Senator Carpenter . . . . .   | 715 | 03-18. A. | Report correctly enrolled . . . . .                                    | 905 |
| 03-11. S. | Senate amendment 10 offered by Senator Carpenter . . . . .  | 715 | 04-06. A. | Deposited in the office of the Secretary of State . . . . .            | 915 |
|           |   |     |           | Enrolled Joint Resolution 29.  |     |
|           |   |     | 04-06. A. | Published 4-16-2004, 8-3-2004, 9-7-2004, 10-5-2004 . . . . .           | 915 |