

Committee Name:
Senate Committee –
Judiciary, Corrections and Privacy
(SC–JCP)

Appointments

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Committee Hearings

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Clearinghouse Rules

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Robert C. Fyrst

657 S. Segoe Rd. # 1
Madison, WI 53711-1046

608.274.9775 – Home/Fax

August 20, 2003

The Honorable Dave Zien, Chair
Wisconsin State Senate Committee on Judiciary, Corrections and Privacy
Room 15 South
State Capitol Building
Madison, WI

The Honorable Mark Gundrum, Chair
Wisconsin State Assembly Committee on Judiciary
Room 19 North
State Capitol Building
Madison, WI

Dear Senator Zien and Representative Gundrum:

I am writing regarding Senate Bill 233 (SB233) and Assembly Bill 475 (AB475).

This past March, my parents celebrated 36 years of marriage. Of all my friends, my mom and dad are the only parents still in a loving committed marriage. My dad is a Pentecostal pastor and he believes that the foundations of a good marriage are love, commitment, and faith (understanding).

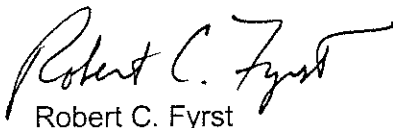
The challenges facing our society today include apathy, cynicism, and lack of vision. Many people no longer participate in government because they no longer believe government acts for the greater good. Cynicism has pushed many individuals into anti- and pro- boxes that falsely represent real intent. And so many people no longer are able to picture the American dream of a loving committed family living happily in life and liberty.

Support for our communities should involve building up, not building down our institutions. As a Pentecostal pastor, my dad would never agree to marry a man to a man or a woman to a woman. However, he firmly believes that what makes his marriage work has to do with neither his gender nor my mom's. Wisconsin, and indeed the United States of America, should support loving, committed, faith-strong relationships in families. We should not discriminate because one couple's faith does not equate with the faith of others. We should support religious freedom for all and not provide special rights to one side of the debate, as is currently the law of the land.

I am writing you to urge a no vote on Senate Bill 233 and Assembly Bill 475. These bills hinder our growth and development as a community and they do nothing to strengthen love, commitment and faith in marriages.

Wisconsin should continue to move forward, as this has always been our motto. Please vote no.

Sincerely,



Robert C. Fyrst

cc: Members of the Wisconsin State Senate Committee on Judiciary, Corrections and Privacy
Members of the Wisconsin State Assembly Committee on Judiciary

Eagle Forum of Wisconsin
**5229 NORTH 107th STREET
MILWAUKEE, WISCONSIN 53225-3123
Joan Tatarsky, Chairman
Telephone: (414) 466-5431**

Chairman Mark Gundrum
Members of the Committee

August 20, 2003

Eagle Forum of Wisconsin fully supports AB 475 and SB 233 which will define marriage as a union between one man and one woman.

The definition we have in our state constitution is not sufficient because we would then leave it up to the courts to define "husband" and "wife". Definitions are now changed or warped to fit any special interests agenda.

Thirty-seven states have passed Defense of Marriage bills and clearly the State of Wisconsin needs this bill to keep traditional marriage as the foundation of our society.

The DOMA Bill also stipulates that the only marriages Wisconsin would recognize as valid are those between one man and one woman, **regardless of where the marriage is contracted.**

The Defense of Marriage Bill passed by Congress in 1996 is insufficient and we cannot wait for a constitutional amendment.

We need this bill and we need it to be passed....NOW!

Thank you for allowing me to voice the opinion of Eagle Forum of Wisconsin

Our Bill

- Add to the Wisconsin constitution **“Only marriage between one man and one woman is valid in this state.”**
- This bill would re-affirm the traditional definition of marriage as one man and one woman in Wisconsin and protect that sanctity of marriage against any trials by law.

Why we need the bill:

- **If Massachusetts or any other state decides that the term “husband” and “wife” are not gender specific it will mean that Wisconsin Law- which states that marriage is between a husband and a wife not man and woman- could be forced to recognize those marriages.**

History of Other States

- 37 states have marriage recognition laws
- Wisconsin is one of only 13 states that does not.
- Four states, Alaska (1998), Hawaii (1998), Nebraska (2000), and Nevada have passed a constitutional amendment only recognizing marriages between men and women.
- Nevada’s language *“Only a marriage between a male and female person shall be recognized and given effect in this state”* passed by 69% the first time (2000) and 70% the second time (2002) before it became law. (Requires ratification by voters twice.)
- Nebraska’s amendment passed 70% with over 477,000 people voting in favor of it and a majority in each of the 93 counties in the state.
- Vermont recognizes same sex marriages, but does not grant them licenses.
- Massachusetts cases are currently in the courts

Rhetoric

- Giving non-marital relationships marital status doesn’t expand the definition of marriage it destroys it.
- Current marriage laws are not discriminatory. Marriage is open to all adults, subject to age and blood relation limits. This does not change that, it simply clarifies that.

- The Random House Dictionary defines marriage as “*The social institution under which a man and woman establish their decision to live as husband and wife by legal commitments...*”
- The American Heritage Dictionary defines marriage as “ *The legal union of a man and woman as husband and wife.*”
- Marriage has already been cheapened by the high divorce rates. This would cut the final cord that ties marriage to the well-being of children.
- Marriage is especially important for the foundation of natural family life. Without marriage, there would be no children.
- Civil marriage is a public act. Same sex marriages are free to enter a “union” but they are not free to impose a counterfeit marriage on their fellow citizens via the laws.
- Marriage is uniquely protected in the law and culture. No civilization can survive without it, and those societies that have allowed it to become irrelevant have faded away.



WISCONSIN CATHOLIC CONFERENCE

**TESTIMONY ON SB 233 and AB 475
(Definition of Marriage)
Presented by John Huebscher, Executive Director
August 21, 2003**

Thank you Mr. Chairman. I am John Huebscher, Executive Director of the Wisconsin Catholic Conference testifying on behalf of Wisconsin's Roman Catholic Bishops.

While we do not believe current law can be interpreted to permit "same sex" marriage, these proposals affirm the truth that marriage is a union between one woman and one man.

The institution of marriage has an irreplaceable role in our society, indeed in any society. Marriage is essential to the continuation of the human race, to the total development of the human person, and to the dignity, stability, peace and prosperity of the family and of society. Marriage is unique. And it is fitting and proper for society to confer special recognition and benefits upon those who enter into the marriage relationship.

It is true that not every marriage between a man and a woman will be permanent, or be blessed with children. It is also true that other relationships and commitments can be loving, mutual and even permanent.

However, this does not alter the fact that the union of one man to one woman gives a singularly powerful witness to the interdependence between generations and the complementarity of the sexes. This witness is not and cannot be duplicated in other relationships. No other commitment signifies so powerfully this mutual reliance of men and women in private and public life. This mutuality warrants the special recognition our laws confer upon it.

It is also true that no child enters the world absent a union between irreplaceable parts of a father and a mother. When the father and the mother give of themselves to conceive a child, and accept that child for its own sake, they affirm that life and all people are sacred in their own right. When both are present to a child, when both give daily witness of their commitment, of their need for each other as man and woman, they model for their children a form of commitment and mutuality that other relationships cannot replicate. This is why many religions teach -- and why social policies encourage -- that procreation must occur in the context of a marriage relationship.

Laws affirming marriage do not impose a narrow religious view on a pluralistic society. Not one religion, but many, treats marriage with reverence. Laws that define marriage as a union between a man and a woman do no more to impose religious dogma than do other laws which happen to coincide with numerous religious traditions, be they laws that affirm a good, such as monogamy or concern for the poor, or laws that reject what is undesirable, such as polygamy or theft.

At the same time, we must emphasize that recognition that marriage between a man and a woman is unique implies no judgment or condemnation of persons with a homosexual orientation. As Cardinal Hume has stated, "the orientation of a homosexual person is not a moral failing. An inclination is not a sin."

The Catechism of the Catholic Church teaches that the psychological genesis of homosexuality remains largely unexplained. But our inability to explain sexual orientation does not deprive homosexual persons of their claim on our respect as persons or of our acceptance as citizens, co-workers, and neighbors. Nor does it relieve society of its responsibility to stand with them in opposition to bigotry, personal attacks and other abuse.

As society refines its understanding as to why persons are homosexual in orientation, it may also fashion laws to protect their rights in matters of common interest and their personal goods. But such laws must not serve to redefine marriage.

Neither the state nor the church created marriage. But each has a right and duty under what Jefferson called "the laws of nature and of nature's God," to affirm its unique contribution to society across time and culture.

When he spoke to the Assembly last spring, Archbishop Dolan urged all of us to embrace civility in our public life. He noted that people in a civil society are temperate, respectful of others, lacking in acrimony, and foster a climate of trust in their public discourse.

In public policy debates, we model civility by presuming the best in each other's arguments rather than the worst.

In the context of this debate, even as we affirm these bills, we recognize the legal question as to whether they are necessary is a "close call." Accordingly, we presume that those who support these bills are motivated by a desire to provide clarity in our law not by a desire to foster condemnation of homosexual persons. Similarly, we presume that those who oppose these bills do so from a genuine conviction they are not needed and not because they disvalue marriage or seek to redefine it.

It is in this spirit that we offer our testimony. Thank you.

DATE: August 21, 2003

TO: Joint Legislative Committee Members

FROM: John Kusch
411 Rogers Street #4
Madison, WI 53703
608-251-2888

RE: AB475 / SB233
(a bill to define marriage as a union between one man and one woman)

Dear Committee Members:

Thank you for inviting testimony on this significant and contentious piece of legislation. This is my first time submitting testimony before a legislative committee, so I will try to be as clear and as brief as possible.

Today you will be presented with an avalanche of figures and statistics on the topic of same-sex marriage: polls will demonstrate what percentage of the public is in support or opposition, surveys will estimate the number of same-sex households, studies will put the percentage of gay and lesbian Americans at anywhere between zero and fifty percent of the population, and various experts will speculate on the potential repercussions of same-sex marriage on children, religions and society as a whole. As British politician George Canning once said, "I can prove anything by statistics -- except the truth."

The truth, it seems to me, is that a matter like same-sex marriage, which involves civil rights, religious freedoms, and the sanctity of familial ties, should not be decided by opinion polls. Instead of attempting to persuade this committee with facts and figures, I would rather inform the committee by telling a story of an unconventional marriage without which I would not be here today. I am speaking, of course, about my parents.

In 1969, my mother was in the difficult position of being a Catholic divorcee with six children to fend for. Today, any woman in such a position would surely struggle, despite the governmental and community resources available to single mothers. With little familial or societal support, however, my mother's situation was desperate.

Luckily, she met a strong, loving man -- also a Catholic -- who was willing to take her as his wife and her six children as his own. He had an unshakeable belief in the importance of family loyalty that I still admire to this day. Such men were and are rare.

However, despite their obvious love for one another and their willingness to accept both the joys and the responsibilities of family life, my parents were still Catholics, and the Church had refused to annul my mother's previous marriage. According to Catholic

teachings of the time, they were forbidden to marry because their relationship violated the proscriptions against sex outside marriage. From the Catholic viewpoint, my parents' union was not merely an objectionable marriage: it was a contradiction in terms. It was, simply, not a marriage. It was, instead, reduced to a sinful sex act.

I am often reminded of my parents' experience when my relationship of three years to another man is referred to as a sexual act, rather than the more accurate description of rich, committed domestic partnership. It is not only same-sex relationships that come into conflict with religious beliefs.

Unable to marry in a Catholic ceremony, my parents were married before a judge, and the following year, I was born. Despite the Catholic belief that my parents were not actually married and that I was an illegitimate child, I had two loving parents who cared and provided for me, along with my four older sisters and two older brothers. We weren't a family, yet we were a family. As a child, I was understandably confused.

I now see that the reason my parents were allowed to marry is that the government rightly understood that despite the religious objections of certain segments of society, my parents had voluntarily entered into a committed familial relationship, forming close bonds of kinship and interdependence, and that as a family it was to their benefit (and thus, to the benefit of the greater community) that their union have legal and financial stability that would help them support, protect and nurture their children and one another.

Furthermore, the government understood that just as my parents could not force the Church to bless their union, likewise no individual or group could prevent their union on purely religious grounds. In this way, the government respected the right of religion to define and enforce concepts of family among its members while also respecting the right of individuals to create families of their own.

Without this compact of respect between government, religion, and the individual, my parents' marriage, a bond which has enabled me to speak to you here today, would not have been possible.

I must be clear, however: my parents' marriage was not perfect. In the course of raising seven children and being actively involved in the rearing of over twenty grandchildren (and counting), my parents faced serious and often tragic challenges: financial hardship, illnesses, familial disputes, and all the other hurdles that most families must eventually face. Nearly two years ago, after over thirty years of partnership, my parents divorced. Yet even then, the government recognized the deep interdependence of marriage. Like marriage laws, divorce laws ensured that my mother – long financially-dependent upon my father – would not suffer undue financial hardship. The government thus recognized the profound financial commitment that accompanies the emotional and familial commitments of marriage.

It seems to me that the legislation currently under consideration by this committee raises a difficult question: who owns marriage? In other words, who defines marriage, who allows marriage, and who enforces it? One possible answer is that the government owns

it by virtue of its power to enact legislation which grants married persons certain privileges and charges them with certain responsibilities. Another answer is that religions own marriage, as each faith develops certain ceremonies and traditions that seek to define marriage in the context of spiritual life. Yet another answer is that society owns marriage, through its natural tendency to organize itself around family survival and to enforce those survival strategies through tradition and social pressure.

Yet any one of these answers seems to come up short in the face of such an old and weighty institution. Is marriage a sacrament, a contract, or a social condition? As someone who has had ample opportunity to ponder the meaning of marriage, I am led to believe that marriage not only falls under multiple ownership, but that marriage itself cannot be considered a single institution.

Consider, for example, my parents who, having forgone a religious ceremony, still enjoyed the legal benefits of marriage and were considered a married couple by their peers. Consider also the couple who are joined in a religious ceremony and who function as a married couple in their community, but who for whatever reason do not register their union with the state. And in the case of same-sex marriage, consider the growing number of same-sex couples who consider themselves married, whose extended families and social peers consider them married, whose local governments consider them married, and whose employers consider them married -- all despite the fact that according to the state and federal government (as well as several major religions), their marriage is a legal and spiritual impossibility.

By these examples it is clear to me that marriage already enjoys a wide range of definitions and applications, and that ownership of the marriage contract does not and cannot reside in any one governmental, religious, or social body. While it cannot be denied that the concept of same-sex marriage is a new (and for many people revolutionary) concept, proponents of same-sex marriage like myself do not demand a universal change in the definition of marriage so much as an acknowledgement from the governing bodies that represent us that the definition of marriage has already changed.

It is perfectly understandable that certain groups and individuals, distressed at what they perceive as the erosion of a sacred religious vow, would seek to protect it by using the power of government to prevent further change. Yet to wield the power of government in order to enforce a singular and inflexible definition of marriage, particularly when such a definition is based, in part, upon a particular religious view of same-sex relationships, would satisfy some at the cost of disenfranchising a significant and growing segment of the population for whom marriage between members of the same sex is already a reality.

Those of us who strive for the legalization of same-sex marriage believe that government can fully represent a broad spectrum of citizens while at the same time respecting the sovereignty of religion and the needs of society. While we assert our right to participate in civic life and to form our own families and communities, we understand that our civil liberties do not entitle us to force our way through church doors or to demand societal approval or religious sanction. Those dialogues must be entered into on a local scale --

church by church, community by community. As recent events in the Episcopalian Church clearly demonstrate, that dialogue is well underway.

At issue here today is the foundation of what we call civil society. Is it possible for the government to respect my choice of mate -- in my case, another man -- despite the fact that parts of society might disagree with that choice? And if not, is it then appropriate that a distant cousin of mine could qualify as next of kin, whereas my partner of three years could not? My parents contradicted convention and religious teachings in order to provide me with a safe, stable home life. I am here today to ask each of you to consider that I might deserve a chance to try to be the husband my father was the day he married my mother.

I'm afraid that I have to leave you now and carry out that most serious of spousal duties: taking out the garbage. I think the committee for their time.

Testimony of Sunshine Jones
Submitted August 21st, 2003
4333 Crawford Drive
Madison, Wisconsin

I am writing this testimony to urge you to vote no to SB233 or AB475, unnecessary bills created to target same-sex couples desiring marriage. I know without a doubt that civil marriage is already illegal in Wisconsin or I would not leave my family unprotected under law. To understand the effect of barring gays and lesbians from marriage I would like to invite you into our home. You would soon see that my family isn't all that different from your own. For my life partner Joann and I our spirituality is at the heart of our 25 year committed relationship and our family life. We have exchanged covenant vows before clergy, family and friends. As a couple our greatest blessing in life has been our daughter. She was dreamed of, planned for and celebrated. As a family and couple we know what it means to be committed in life. The foundation of our commitment to each other and our daughter is the same as any couple.

However, like so many gay and lesbian families, commitment also means standing strong in faith and love in the face of the social, legal and economic discrimination. We are a family in every significant way. What we don't have is equal protection under the law in the form of civil marriage that other families do.

As gay and lesbian families, we embrace the very values that the proponents of this bill say we threaten. We embrace the values of commitment, stability, loving openness, and fidelity, and a spiritually oriented family life. It's painfully ironic that the state of Wisconsin hands out marriage licences to virtually any man and woman who would apply for them, without regard to character or any of these values. It's clear that marriage is not a stamp of approval. You can commit a felony, not pay child support, or abuse your spouse or your children, and still be eligible to marry. In fact our Constitution requires that the state allow such marriages. And yet here I am a person of faith, a law abiding citizen, and a loving parent and partner who contributes to my community -- and I am denied that same basic right to marry and protect my family. Now I ask you, where is the justice under law in that?

I can tell you with certainty that denying gay people the right to marry will in no way stop us in forming loving partnerships and building families. What denying marriage does do is require that our relationships exist outside the bonds of law. It also denies children the advantage of two legal parents. SB 233 and AB 475 is clearly anti-children.

Studies have repeatedly shown that children benefit from the advantage of having two parents -- whether same sexed or different -- who share emotional, physical, and legal responsibilities for them. In our family you have two parents who are willing to accept the responsibilities of legal parenthood. And you are denying our daughter that advantage by denying her parents the civil right of marriage.

Our daughter is denied health coverage, social security benefits, a legal relationship with one of her parents, and the security of knowing she's protected. This is clearly discriminatory. I would

think that there would certainly be bi-partisan support for the kind of parental responsibility gay and lesbian families are seeking. Ethically, morally and economically it makes good sense to support this. SB 233 and AB 475 work against this kind of responsibility.

I want to make it clear today that my wanting equal protection under law for my family in no way diminishes the protections of heterosexual families. As well, one can honor the relationships between men and women without attacking same sex couples and their families.

These are scary times in many ways in which to raise a family, times when we all fear for the well-being of our children. However, this bill unjustly makes gay and lesbian families scapegoats in projecting that fear onto us. We, too, are struggling to create a safe and just world for our families. I often wonder why you should fear me and my family so much that you would want to deny us equal justice under the law.

My life, just like many of yours, is about trying to create a positive future for children that is reflective of God's love for creation. Like you I feel a deep and abiding commitment to my spouse and child. Responsibility for the well-being of our families is a value that we both share.

I know ultimately, that no matter what prejudice or social challenges my family faces, that I am responsible for the love and faith that sustains us, just as you are responsible for the integrity of your family. I can say from my heart that I desire good for your family. I believe that if God's heart is big enough to hold the world it is big enough to hold all of our families.

I implore you to stop these bills now and the divisiveness they create. I implore you to stand for the parental responsibility we are seeking. I implore you to stand in opposition of bills that make Wisconsin an unsafe place for any child or any family.

Aug. 21, 2003

RE: SB 235 / HB 475

To the Honorable Committee: My name is Michael Osier. I have lived in Wisconsin since 1979, almost half my life. I'm a licensed professional counselor, currently employed by the Mental Health Center of Dane Co. I have been in a committed relationship with another woman for 16 years; we consider ourselves life partners, and - for symbolic, personal, and political reasons - went to Vermont for our civil union for our 13th anniversary, legally meaningless though it is ^{there}.

As best I can understand it, this bill has two motivations. The first is based on the fear and ignorance about the lives, and moral character of gay and lesbian people. From this standpoint, largely driven by certain religious sects, gays + lesbians are per se immoral, with lives consumed by the blind pursuit of sexual gratification, prohibited by certain interpretations of the Bible.

My life, and that of thousands of gay + lesbian Wisconsin residents, stand in reputation of this belief. However, I'm not here to argue theology; I'm here to remind the governmental body of Wisconsin, that the separation of church and state is fundamental to our system of government; ~~our system of government~~ and that one religion's beliefs - which are not shared by many other practitioners of this same religion - cannot, + should not, be imposed upon free citizens.

The other motivation is political. In these unsettled times, when Americans hold such hugely divided opinions about what our government is doing here and abroad, gays and lesbians remain a safe target and a "hot button," divisive issue. This joint bill's purpose is to exploit the anxieties and fears of good people around the state.

The only threat to marriage is that which comes from the people whose relationships are accorded this set of legal and social privileges + rights. As a professional counselor, I've spent much of the last twelve years of my life, working with the victims of abuse and violence, the vast majority of which occurred in the context of heterosexual marriage and family. If you wish to strengthen the institution of marriage, then work to make it safer + saner for those who can enter into it. My life partner and I are not a threat to marriage; as we live our committed, mutually responsible love with no protections - and we and the tens of thousands of Wisconsin citizens ~~we~~ like us should not be used as scapegoats, to further political and religious agendas based on ignorance and fear.

Respectfully submitted, Michael Osier, M.A., L.P.C.
MICHAEL OSIER

Testimony against 2003 Assembly Bill 475 / Senate Bill 233

Thursday, August 21, 2003

by Charles S. Squires, Jr.

125 North Hamilton Street, Unit 602

Madison, Wisconsin 53703-4158

email: squires@execpc.com

This bill purports to promote the stability of marriage, stating “The impairment or dissolution of the marriage relation generally results in injury to the public wholly apart from the parties immediately concerned,” and the Family Research Institute of Wisconsin supports this bill as part of a plan to promote “one man, one woman lifetime marriage.” Yet according to court records, the sponsors from assembly districts 2, 39, 50, 69, 93, and 99, the sponsoring senator and chair from the 23rd, the non-sponsoring member from the 46th, and the non-sponsoring vice-chair from the 56th have all been divorced or are in the process of getting divorced, some several times, injuring the public, undermining the institution of marriage, and betraying their oaths before God and man: “’til death us do part.”

On June 21, 2001, while arguing against a marriage license fee increase, the chairman from the 84th appealed to principle: “People have a fundamental right to get married.” He seems to have conveniently changed his mind.

The senator from the 18th is on record in the August 8 *Fond du Lac Reporter* arguing that a same-sex relationship can’t even be *like* a marriage: “It’s no different than my best girlfriend or my dearest niece. I love them, but it’s not a marriage.” I trust she didn’t mean that she sleeps with her niece.

Some hold that limiting marriage to a man and a woman will provide the best environment for children. It's evident in your web site biographies that most of you are proud to mention your children and grandchildren – except for the single representative from the 31st whose biography omits any mention of his child. It's also interesting that the bios of the single folks among you don't mention your marital status. Could it be that there is pride in being married? Is that what you're trying to deny us?

Others avoid the lack of rational arguments, clinging to a narrow, controversial religious dogma, articulated by the Pope down to local street preachers. The Roman Catholic Church, with centuries of celibate tradition and years of covering up priests' sexual abuse of minors, has lost its moral authority where marriage is concerned. And the local street preachers are the very people who crashed our local gay pride event this year, deciding it would be *Christian* to tell me that they're "sorry to see that [my] soul is as crippled as [my] body." You see, when I walk, my cerebral palsy is obvious. These same folks who taunted the cyclists in this year's Madison AIDS-Ride, saying things like "God doesn't want you to make it up this hill!" So much for healing the sick.

They cite the Mosaic prohibition against sex between men in Leviticus 18. But Leviticus 18 is mostly about incest. Yet state statute 765.03 specifically allows first cousins to marry if they are unable to have children! It's pro-incest, pro-sterilization, and anti-child! Where is the legislation to overturn that?!?

They cling to the writings of the Paul in I Corinthians 6: “Neither the sexually immoral, nor idolaters, nor adulterers, nor male prostitutes, nor homosexual offenders, nor thieves, nor the greedy, nor drunkards, nor slanderers, nor swindlers will inherit the kingdom of God.” I have little experience with being a drunkard, so I’ll leave that testimony to the representative from the 36th, and I look forward to the legislation voiding her marriage on those grounds. We’ll come back to the swindler part after the gentle lady from the 63rd has her day in court.

By banning same-sex marriage, this bill reduces tax revenues, helps no one, and promotes disingenuous heterosexual marriages. There are several in this legislature past and present who have personal experience with close relatives either suffering the consequences of such a sham marriage, or being arrested in the public acting out of illicit homosexual conduct outside of their marriages.

Christ never said a word about homosexuality, but Matthew 23 tells us he said this to say to law-makers: “Woe to you, teachers of the law and Pharisees, you hypocrites! You are like whitewashed tombs, which look beautiful on the outside but on the inside are full of dead men’s bones and everything unclean.”

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DATE: August 21, 2003

TO: Joint Legislative Committee Members

FROM: John Kusch
411 Rogers Street #4
Madison, WI 53703
608-251-2888

RE: AB475 / SB233
(a bill to define marriage as a union between one man and one woman)

Dear Committee Members:

Thank you for inviting testimony on this significant and contentious piece of legislation. This is my first time submitting testimony before a legislative committee, so I will try to be as clear and as brief as possible.

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The truth, it seems to me, is that a matter like same-sex marriage, which involves civil rights, religious freedoms, and the sanctity of familial ties, should not be decided by opinion polls. Instead of attempting to persuade this committee with facts and figures, I would rather inform the committee by telling a story of an unconventional marriage without which I would not be here today. I am speaking, of course, about my parents.

In 1969, my mother was in the difficult position of being a Catholic divorcee with six children to fend for. Today, any woman in such a position would surely struggle, despite the governmental and community resources available to single mothers. With little familial or societal support, however, my mother's situation was desperate.

Luckily, she met a strong, loving man -- also a Catholic -- who was willing to take her as his wife and her six children as his own. He had an unshakeable belief in the importance of family loyalty that I still admire to this day. Such men were and are rare.

However, despite their obvious love for one another and their willingness to accept both the joys and the responsibilities of family life, my parents were still Catholics, and the Church had refused to annul my mother's previous marriage. According to Catholic

teachings of the time, they were forbidden to marry because their relationship violated the proscriptions against sex outside marriage. From the Catholic viewpoint, my parents' union was not merely an objectionable marriage: it was a contradiction in terms. It was, simply, not a marriage. It was, instead, reduced to a sinful sex act.

I am often reminded of my parents' experience when my relationship of three years to another man is referred to as a sexual act, rather than the more accurate description of rich, committed domestic partnership. It is not only same-sex relationships that come into conflict with religious beliefs.

Unable to marry in a Catholic ceremony, my parents were married before a judge, and the following year, I was born. Despite the Catholic belief that my parents were not actually married and that I was an illegitimate child, I had two loving parents who cared and provided for me, along with my four older sisters and two older brothers. We weren't a family, yet we were a family. As a child, I was understandably confused.

I now see that the reason my parents were allowed to marry is that the government rightly understood that despite the religious objections of certain segments of society, my parents had voluntarily entered into a committed familial relationship, forming close bonds of kinship and interdependence, and that as a family it was to their benefit (and thus, to the benefit of the greater community) that their union have legal and financial stability that would help them support, protect and nurture their children and one another. Furthermore, the government understood that just as my parents could not force the Church to bless their union, likewise no individual or group could prevent their union on purely religious grounds. In this way, the government respected the right of religion to define and enforce concepts of family among its members while also respecting the right of individuals to create families of their own.

Without this compact of respect between government, religion, and the individual, my parents' marriage, a bond which has enabled me to speak to you here today, would not have been possible.

I must be clear, however: my parents' marriage was not perfect. In the course of raising seven children and being actively involved in the rearing of over twenty grandchildren (and counting), my parents faced serious and often tragic challenges: financial hardship, illnesses, familial disputes, and all the other hurdles that most families must eventually face. Nearly two years ago, after over thirty years of partnership, my parents divorced. Yet even then, the government recognized the deep interdependence of marriage. Like marriage laws, divorce laws ensured that my mother – long financially-dependent upon my father – would not suffer undue financial hardship. The government thus recognized the profound financial commitment that accompanies the emotional and familial commitments of marriage.

It seems to me that the legislation currently under consideration by this committee raises a difficult question: who owns marriage? In other words, who defines marriage, who allows marriage, and who enforces it? One possible answer is that the government owns

it by virtue of its power to enact legislation which grants married persons certain privileges and charges them with certain responsibilities. Another answer is that religions own marriage, as each faith develops certain ceremonies and traditions that seek to define marriage in the context of spiritual life. Yet another answer is that society owns marriage, through its natural tendency to organize itself around family survival and to enforce those survival strategies through tradition and social pressure.

Yet any one of these answers seems to come up short in the face of such an old and weighty institution. Is marriage a sacrament, a contract, or a social condition? As someone who has had ample opportunity to ponder the meaning of marriage, I am led to believe that marriage not only falls under multiple ownership, but that marriage itself cannot be considered a single institution.

Consider, for example, my parents who, having forgone a religious ceremony, still enjoyed the legal benefits of marriage and were considered a married couple by their peers. Consider also the couple who are joined in a religious ceremony and who function as a married couple in their community, but who for whatever reason do not register their union with the state. And in the case of same-sex marriage, consider the growing number of same-sex couples who consider themselves married, whose extended families and social peers consider them married, whose local governments consider them married, and whose employers consider them married -- all despite the fact that according to the state and federal government (as well as several major religions), their marriage is a legal and spiritual impossibility.

By these examples it is clear to me that marriage already enjoys a wide range of definitions and applications, and that ownership of the marriage contract does not and cannot reside in any one governmental, religious, or social body. While it cannot be denied that the concept of same-sex marriage is a new (and for many people revolutionary) concept, proponents of same-sex marriage like myself do not demand a universal change in the definition of marriage so much as an acknowledgement from the governing bodies that represent us that the definition of marriage has already changed.

It is perfectly understandable that certain groups and individuals, distressed at what they perceive as the erosion of a sacred religious vow, would seek to protect it by using the power of government to prevent further change. Yet to wield the power of government in order to enforce a singular and inflexible definition of marriage, particularly when such a definition is based, in part, upon a particular religious view of same-sex relationships, would satisfy some at the cost of disenfranchising a significant and growing segment of the population for whom marriage between members of the same sex is already a reality.

Those of us who strive for the legalization of same-sex marriage believe that government can fully represent a broad spectrum of citizens while at the same time respecting the sovereignty of religion and the needs of society. While we assert our right to participate in civic life and to form our own families and communities, we understand that our civil liberties do not entitle us to force our way through church doors or to demand societal approval or religious sanction. Those dialogues must be entered into on a local scale --

church by church, community by community. As recent events in the Episcopalian Church clearly demonstrate, that dialogue is well underway.

At issue here today is the foundation of what we call civil society. Is it possible for the government to respect my choice of mate -- in my case, another man -- despite the fact that parts of society might disagree with that choice? And if not, is it then appropriate that a distant cousin of mine could qualify as next of kin, whereas my partner of three years could not? My parents contradicted convention and religious teachings in order to provide me with a safe, stable home life. I am here today to ask each of you to consider that I might deserve a chance to try to be the husband my father was the day he married my mother.

I'm afraid that I have to leave you now and carry out that most serious of spousal duties: taking out the garbage. I think the committee for their time.

Re: SB233 - AB475

PAUL T. O'LEARY
JULIE BORODIN
1134 EAST MIFFLIN STREET
MADISON, WISCONSIN 53703
608-256-3239
ptoleary@chorus.net

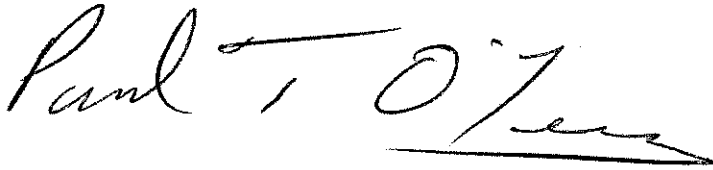
Re: Hearing on the "Defense of Marriage" Act, Wisconsin State Legislature
21 August 2003

To all present at this hearing,

We are a married couple living here in Madison. Our marriage has outlasted those of many who support the Act before us today. As a married couple, we contend that those who support this legislation do not speak for married couples as a whole. With respect to this issue, the only thing that "weakens" our marriage, and threatens marriage as an institution, is the discrimination against same-sex couples. Most of the married people with whom we've spoken agree, that true "defense of marriage" means expanding it to include same-sex couples. In fact, many couples we've met put off marrying for many years because of their misgivings about being part of an institution that discriminates. It's time for this discrimination to end; perpetuating it, as this Act would do, should most certainly not be the business of the Wisconsin Legislature.

This legislation does not "defend" marriage. Quite the contrary, it constitutes a threat to marriage as an institution. If the Wisconsin Legislature honestly intends to defend and strengthen the institution of marriage, it should oppose this Act. It is especially critical that the Legislature understand that, with respect to this act, those who support it do not speak for married people as a whole, and should not be believed when they attempt to claim so with impunity.

Respectfully,



Another "straight white male" against discrimination,
and in favor of same-sex marriage

Joann F. Elder

1112 Grant Street
Madison Wisconsin 53711-2217

Telephone: (608) 255-0533
FAX : (608) 251-5457

elderj@ssc.wisc.edu

August 21, 2003

Assembly Committee on Judiciary Public Hearing ^{Senate} ~~Assembly~~ Bill 233 Assembly Bill 475
(A bill against equal rights to marriage contract laws for persons of the same sexual orientation if the couple is two males or two females).

Today I speak from our personal experience. As the mother of a gay son, now 44 years old, and as a member of PFLAG (parents, families, and friends of Lesbians and Gays and Transsexuals) , I have had twenty years of educating myself about sexual orientation. I urge the Committee, and indeed, all of the legislature, to take advantage of scientific evidence and current educational resources on this subject. We know the earth is not flat. With the same certainty, I feel sexual orientation is a given, not a choice.

Our son was married in a Quaker ceremony in a beautiful Quaker Meeting House in New York City five years ago. Friends from all over the world were there to witness and sign the marriage certificate. Had you been there, I'm sure you would have been moved by the sincerity of their vows. The religious certificate they hold gives them none of the benefits that a marriage contract bestows.

You will hear testimony from religious groups saying THEIR religion forbids the marriage of same sex persons. Clearly mine does not. However, the "marriage" certificate which must be signed by the state, is issued to anyone who applies IF they meet certain requirements - in the past that assumed one man and one woman. This is 2003, and it is time to change the law to include two committed individuals, who will receive all the benefits of a marriage contract. Today our son has none of these benefits.

This Bill is a hateful bill. It is unnecessary and turns the clock back on progress. Frankly, I'm ashamed it has been introduced in my state, one with a progressive record. I urge you to be a thoughtful human being and not a lock-step political partisan, and throw this bill out.

Thank you.

MARIAN KORTH

2722 Highland Drive Cambridge WI 53523
(608) 423-3097 mariankorth@charter.net

Date: August 21, 2003

To: Members of the Senate Committee on Judiciary, Corrections, and Privacy
Members of the Assembly Committee on Judiciary

From: Marian Korth *Marian Korth*

Re: SB 233, AB 475
Bill to specify that marriage is a civil contract between one man and one woman

For all intents and purposes, I have been married to another woman, Mim Jacobson, for 30 years. We have lived together, supported each other financially, emotionally, and spiritually, and cared for our parents - even to the extent of caring for Mim's mother in our home for five years after she suffered a stroke. We are productive members of society. Mim has a master's degree in nursing and has worked in a variety of settings, including hospice. I have an MBA and have spent most of my career in business. Last year we turned our home in Cambridge into an assisted living facility where we are caring for frail elderly. Mim sings in a community choir. I am a church organist.

I fail to see how allowing Mim and me to get married *legally* will harm society. As I said, for all intents and purposes, we are married. We have had our wills drawn up as well as power of attorney documents. When we asked our Lutheran pastor to witness the signing of these documents, he suggested that we have a commitment ceremony to exchange vows and to receive the blessing of the church on our committed relationship. We had a small, formal wedding and celebrated our life-long commitment to each other with our friends present, and with God's blessing.

What's missing in our "marriage" is that the state refuses to acknowledge that we are a family. The financial benefits and legal protections given to other families are denied to us. The proposed legislation, SB 233/AB 475, serves to ensure that this discrimination against same-sex families will continue forever in Wisconsin, and that this discrimination will also be aimed at same-sex couples who may be married in a state that recognizes same-sex marriages.

A bill designed to "promote the stability and best interests of marriage and the family" should provide for same-sex marriage, not continue to deny it. As AB 475 states, "The impairment or dissolution of the marriage relation generally results in injury to the public wholly apart from the effect upon the parties immediately concerned." That statement is as true of same-sex families as it is of opposite-sex families. A bill that attempts to weaken same-sex families is destructive of civilization and morality.

Finally, there is no logical connection that opposite-sex marriages will be strengthened by the attempt to weaken same-sex families. Other aspects of this proposed legislation may serve to strengthen families, such as the encouragement of premarital counseling, but the "public policy ... that marriage may be contracted only between one man and one woman" does nothing to strengthen opposite-sex marriages, while it discriminates against and harms same-sex families, and is damaging to society overall.

Mim and I urge you to oppose this discriminatory and damaging legislation. Thank you for your consideration of our thoughts in this matter.

SB 233
AB 475

8/21/03

It appears that these two anti-civil rights bills are similar to Assembly Bill 104 which was introduced several years ago - & failed. So these 2 bills are wasting tax dollars. The main opposition to civil rights for lesbian & gay citizens is from the far right religious fundamentalists. They mainly quote their reasoning from the Old Testament - specifically the Book of Leviticus. For one thing, the New Testament (according to scripture) overrides the Old Testament (apologies to any Jewish people). Leviticus has several verses that denounce "two men laying together." Lesbians are not mentioned at all. Leviticus has five times as many verses denouncing adultery (punishment by death) than of 2 men laying together. That's five times as many. Wisconsin does not have laws to kill heterosexuals who perform adultery. And yet fundamentalists use this same book of Leviticus to persuade lawmakers to invent harsh anti civil rights laws against gay & lesbian citizens.

Today's (8/21/03) front page newspaper

describes Sen. Zien's behavior of morality; namely 4 marriages, + 3 divorces. He got his first girlfriend pregnant, then had to marry her. Then divorced her. Subsequently got his new girlfriend pregnant + had to marry her. Then divorced her. And so forth + is now on his 4th marriage. I am appalled by Sen. Zien's irresponsible behavior of promiscuity and "easy come, easy go" attitude towards ~~sex~~ heterosexual marriage." How dare he judge me when I am the one in a stable 16 year marriage (thru our church). We have 2 children and are extremely dedicated to our family. Sen. Zien's new proposal of marriage states "marriage is the institution that is the foundation of the family + of society. It's stability is basic to morality." Most clearly Sen. Zien's behavior + pattern of numerous marriages + divorces + pre marital sex is not stable for the foundation of the family + of society. Many of the other

committee members have also been divorced. How hypocritical!! My spouse & I are good role models for what a loving, healthy marriage is. Many heterosexual couples could learn from us! Sen. Zien is trying to stuff his low morals down my throat; yet my morals are much higher than his. I don't want to lower my standards to his. My spouse & I have been married thru God's eyes for 16 years. We had a large church wedding. The issue at hand today is that a minority of far right fundamentalists want to insist that every Wisconsin citizen must follow their narrow-minded viewpoint of the Bible. There is no logical, reasonable or scientific evidence that proves that marriage for lesbian & gay Wisconsin citizens would cause harm to society at large any more than heterosexual marriage causes harm, (example of Sen. Zien's 4 marriages & 3 divorces).

My spouse & I are here in support of our family. We already have Dad's blessing (which is very important to us) through our church wedding. As tax-paying citizens we are seeking our civil rights thru Wisconsin. Wisconsin must follow the Constitution's first amendment of freedom of religion. Wisconsin lawmakers must make church & state separate, & therefore support civil rights for gay & lesbian couples & families who seek civil marriage. Opposing SB 233 & AB 475 will be upholding the constitution of separation of church & state.

Debra Greene

Debra Greene

512 Christianson Ave,

~~Christianson A~~ Madison, WI 53714

August 21, 2003

Dear committee chairs,

Debra and I are a stable couple. This fall we celebrate 16 years together. Our daughters are 11 years and 4 years old. We are a family. We have the same needs as legally married couples with children. ~~etc~~

We need the legal rights, responsibilities, and protections provided by civil marriage.

Because we do not have access to legal marriage, both Debra and I cannot be legal parents to both of our children at the same time. Guardianship is the strongest position that each of us parents can have to one of our daughters while being the legal parent to our other daughter.

(Debra gave birth and I legally adopted, resulting in our 2 daughters.)

Because we do not have access to legal marriage yet, only one of our minor children will receive social security benefits when one of us dies. Debra cannot receive my social security benefits if she survives me (and vice versa). In our family, Debra primarily homeschools our children and I primarily provide a living income for our family by working outside of our home. We are committed to giving our children a stable, loving, and attentive home. The quality of our parenting is a top priority.

We are currently fortunate to have one family health insurance policy. Because we do not yet have access to legal marriage, we have had to pay for 2 health insurance policies for over 14 years. The number of employers offering domestic partner

insurance is steadily growing. (Although we have to pay taxes on part of the benefit, which legal spouses do not have to pay.)

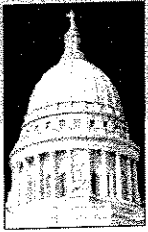
Because we have not had access to legal marriage, we have spent thousands of dollars over our years together to create and update documents, such as living wills and powers of attorney, to protect our ability to care for and make decisions for each other in case of incapacity or death.

We are a couple in fact. We are a family in fact. We are part of the stability that our society values.

AB 475 / SB 233 do not ~~provide~~ promote marriage or stability. These bills only attempt to more clearly / redundantly withhold the civil right to legal marriage from same-sex couples. These bills do not accomplish anything ~~but~~ except unnecessary discrimination.

Sincerely,
Shana Greane

Shana Greane
512 Christanson Ave.
Madison, WI 53714



STATE REPRESENTATIVE
JON RICHARDS

SERVING MILWAUKEE'S
EAST SIDE, DOWNTOWN AND
BAY VIEW NEIGHBORHOODS

TESTIMONY OF REP. JON RICHARDS
OPPOSED TO SB233/AB475 OR "THE DEFENSE OF MARRIAGE ACT"

Joint Committee on Judiciary
Thursday, August 21, 2003

Chairman Zien and Chairman Gundrum and members of the Joint Committee on Judiciary, thank you for allowing me the opportunity to speak on the proposed "Defense of Marriage Act." I am opposed to this legislation, not only because it is a blatant infringement on the civil rights of those residents of Wisconsin who are gay, but also because this law is redundant and unnecessary.

A 1997 decision by then Attorney General James Doyle determined that Wisconsin statutes already clearly state the generally held view that a valid marriage exists only between persons of the opposite sex – a husband and a wife.

Under Chapter 765 of the Wisconsin Statutes the references are quite clear:

Wis. Stats 765.001(2):

...Under the laws of this state, marriage is a legal relationship between 2 equal persons, **a husband and wife...**

Wis. Stats. 765.01:

Marriage, so far as its validity at law is concerned, is a civil contract, to which the consent of the parties capable in law of contracting is essential, and which creates legal status of husband and wife.

Wis. Stats. 765.16:

Marriage may be validly solemnized and contracted in this state only...in the following manner: by the mutual declarations...that they take each other **as husband and wife.**

CAPITOL

P.O. Box 8953, Madison, WI 53708 • (608) 266-0650 • Fax: (608) 282-3619
Email: rep.richards@legis.state.wi.us Toll-free: 1-888-534-0019

HOME

1823 North Oakland Avenue, Milwaukee, WI 53202 • (414) 270-9898



In Phillips v. Wisconsin Personnel Commission, the Wisconsin Court of Appeals stated, "Wisconsin does not recognize same sex marriages." I must ask why the Defense of Marriage Act is necessary given that Wisconsin already has language that codifies the marriage relationship?

I understand if you want to make the point that marriage is an important institution in our society. But you should not be making the point at the expense of same sex couples in Wisconsin. Most of the same sex partnerships I know of are as healthy, stable and faithful as opposite sex marriages. Heterosexuals do not have a lock on family values. I know of some same sex couples who have gone to their churches to invoke God's blessing on their relationships and to bind each other in a covenant of faithfulness. The fact that people are living together in committed same sex relationships does not threaten the institution of marriage in any way whatsoever.

As we are all aware, marriage between one man and one woman does not guarantee that the relationship will last. To suggest that only one form of a loving relationship will be legally recognized in this state is unconscionable. Perhaps we should be discussing why a person's partner, heterosexual or not, is denied the right to make emergency medical decisions for a sick or injured partner? Why do we assume that family of the person in the hospital is in a better position to make a health care decision than that person's life partner?

The very basic foundation of this country is that all of us are equal under the law. In 1982, Wisconsin became the first state to ban discrimination on the basis of sexual orientation in employment, housing and public accommodations. The law was signed by Governor Lee Dreyfus. The bills before this committee are not in the great progressive tradition of Wisconsin.

These bills would affirm, in no uncertain terms, that Wisconsin is a state of intolerance.

And we simply cannot tolerate that.



STATE SENATOR DAVE ZIEN

ASSISTANT MAJORITY LEADER

CHAIRPERSON
 COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY
 VICE CHAIRPERSON
 COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM
 MEMBER
 COMMITTEE ON SENATE ORGANIZATION
 COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
 COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS
 SENTENCING COMMISSION
 COUNCIL ON TOURISM
 JUDICIAL COUNCIL

MEMORANDUM

TO: Senator Scott Fitzgerald, Member, Senate Committee on Judiciary, Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

DT: October 6, 2003 (hand delivered 12:00pm)

RE: Paper Ballot for SB233 (1 page)

Please consider the following bills and vote on the motions below. **Return this ballot to Senator Dave Zien, Room 15 South, no later than 12:00pm (Tuesday), October 7, 2003.** Committee members' ballots not received by the deadline will be marked as not voting.

Senate Bill 233

Relating to: marriage between one man and one woman.

By Senators S. Fitzgerald, Leibham, Zien, Stepp, Reynolds, Lazich, Schultz, Kanavas and Roessler; cosponsored by Representatives Gundrum, W. Wood, Hundertmark, Nischke, J. Fitzgerald, Weber, Albers, Nass, Grothman, M. Lehman, Montgomery, LeMahieu, Ott, Gottlieb, F. Lasee, Kreibich, Kestell, Pettis, Seratti, Suder, Ladwig, Freese, Hines, Gunderson, Krawczyk, Lothian, Huebsch, Friske, Petrowski, Towns, Van Roy, Honadel, Bies, Hahn, Olsen, D. Meyer and Owens.

Please consider the following motion:

- Moved by Senator Zien that SENATE BILL 233 be recommended for PASSAGE:

Aye X No

Signature Scott Fitzgerald
 Senator Scott Fitzgerald





STATE SENATOR DAVE ZIEN

CHAIRPERSON
 COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY
 VICE CHAIRPERSON
 COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM
 MEMBER
 COMMITTEE ON SENATE ORGANIZATION
 COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
 COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS
 SENTENCING COMMISSION
 COUNCIL ON TOURISM
 JUDICIAL COUNCIL

ASSISTANT MAJORITY LEADER

MEMORANDUM

TO: Senator Tim Carpenter, Member, Senate Committee on Judiciary, Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

DT: October 6, 2003 (hand delivered 12:00pm)

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Please consider the following motion:

- Moved by Senator Zien that SENATE BILL 233 be recommended for PASSAGE:

Aye _____ No _____

Since this legislation is not necessary and is politically motivated.

Signature



 Senator Tim Carpenter





STATE SENATOR DAVE ZIEN

CHAIRPERSON
 COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY
 VICE CHAIRPERSON
 COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM
 MEMBER
 COMMITTEE ON SENATE ORGANIZATION
 COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
 COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS
 SENTENCING COMMISSION
 COUNCIL ON TOURISM
 JUDICIAL COUNCIL

ASSISTANT MAJORITY LEADER

MEMORANDUM

TO: Senator Cathy Stepp, Member, Senate Committee on Judiciary,
 Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections
 & Privacy

DT: October 6, 2003 (hand delivered 12:00pm)

RE: Paper Ballot for SB233 (1 page)

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Please consider the following motion:

- Moved by Senator Zien that SENATE BILL 233 be recommended for PASSAGE:

Aye No

Signature _____
 Senator Cathy Stepp





STATE SENATOR DAVE ZIEN

ASSISTANT MAJORITY LEADER

CHAIRPERSON
 COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY
 VICE CHAIRPERSON
 COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM
 MEMBER
 COMMITTEE ON SENATE ORGANIZATION
 COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
 COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS
 SENTENCING COMMISSION
 COUNCIL ON TOURISM
 JUDICIAL COUNCIL

MEMORANDUM

TO: Senator Gary George, Member, Senate Committee on Judiciary,
 Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections
 & Privacy

DT: October 6, 2003 (hand delivered 12:00pm)

RE: Paper Ballot for SB233 (1 page)

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Please consider the following motion:

- Moved by Senator Zien that SENATE BILL 233 be recommended for PASSAGE:

Aye _____ No _____ ✓

Signature _____

Senator Gary George



OFFICE: P.O. BOX 7882 • STATE CAPITOL • MADISON, WI 53707-7882
 PHONE (608) 266 7511 • FAX (608) 267 6794 E-MAIL SEN.ZIEN@LEGIS.STATE.WI.US • Website: WWW.LEGIS.STATE.WI.US
 SENATE DISTRICT: 505 S. DEWEY STREET, SUITE 214 • EAU CLAIRE, WI 54702 • PHONE: (715) 834 7723

PRINTED ON RECYCLED PAPER



PROTECT ONE-MAN/ONE-WOMAN MARRIAGE IN WISCONSIN

Bills that clearly define a valid marriage in Wisconsin as between one man and one woman have been introduced in the state legislature.

Companion bills Assembly Bill 475 and Senate Bill 233 have already had a public hearing. AB 475 has been voted out of committee on a vote of 6-0. SB 233 is still in the Senate Judiciary Committee. The full Assembly could vote on AB 475 as early as mid-October, 2003.

Your legislators need to hear from you!
Encourage them to support these critical bills.



CALL OR E-MAIL NOW!

Senator David Zien

888-437-9436

Sen.Zien@legis.state.wi.us

Representative Scott Suder

888-534-0069

Rep.Suder@legis.state.wi.us



THE FAMILY RESEARCH INSTITUTE OF WISCONSIN
PO Box 2075 • Madison, WI 53701 • 1-888-378-7395 (toll free)
Fax (608) 256-3370 • fri@fri-wi.org • Web site: www.fri-wi.org

Why Protect One-Man/One-Woman Marriage?

- Wisconsin's current law refers to marriage being between a "husband and wife." Opponents of AB 475/SB 233 claim that these words are sufficient to protect one-man/one-woman marriage. However, a liberal, activist court could determine because the law doesn't specify that "husband" means "man" and "wife" means "woman," and because there is no clear statement of the intent of Wisconsin's public policy about marriage, that the current law is broad enough to include something other than one-man/one-woman marriage.
- Throughout history, all civilized cultures have recognized marriage between one man and one woman as the norm.
- Throughout history, all civilized cultures have understood, and recent research supports, that the best environment for children is to have both a physically present mother and a father, that is, a man and a woman married to one another.
- Throughout history, all civilized cultures have recognized that children growing up to be stable, contributing citizens is the guarantee of that culture's future. These societies have therefore historically protected marriage.
- Marriage is not just about "love and commitment." It is the union of the two sexes and the union of two families, and the means by which families are built and maintained and family names and lineages are perpetuated.
- Marriage is not discriminatory. All citizens have the same right: if they meet the other statutory requirements, they can marry if their intended spouse is someone of the opposite sex.
- Research has shown and continues to show that monogamous, life-long marriages between one man and one woman result in, among other things, fewer abortions, safer homes for both women and children, safer communities, less poverty and welfare, less premarital sex and out-of-wedlock children, fewer divorces, a healthier society, more revenue and a broader tax base, and more citizen involvement in civic activities.
- Because monogamous, life-long marriage between one man and one woman brings order and numerous benefits to society, there is a legitimate "state interest." Governments, therefore, should protect and strengthen this institution in public policy and programs.
- Marriage encourages the sexes to complement each other's strengths and weaknesses. It is the way that men and women, with all their differences, have been united to bring out the best in the individuals and therefore in the children and in society at large.

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