

RESOLUTION NO. #2009-12

**RESOLUTION ASKING FOR REVIEW OF THE DEFENSE OF MARRIAGE ACT BY
THE IOWA LEGISLATURE AND THE PEOPLE OF IOWA.**

WHEREAS, the Iowa Legislature passed and the Governor signed in 1998 the Defense of Marriage Act, stating that marriage in Iowa is only between one man and one woman, and

WHEREAS, on April 3rd, 2009, the Iowa Supreme Court issued an opinion that is in conflict with that law, and

WHEREAS, Iowa Code Section 595.2 has not been amended or repealed, and

WHEREAS, the Iowa Legislature has the duty to check and balance the Iowa Judicial Branch,

NOW THEREFORE, BE IT RESOLVED that the Clay County Board of Supervisors demand that the Iowa Legislature resolve this issue by either passing legislation that will lead to a public vote to amend the Iowa Constitution or by passing legislation to conform Iowa Code Section 595.2 to the Iowa Supreme Court's decision in Varnum v. Brien.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 5th day of May, 2009 and the vote thereon being as follows:

Ayes: Brockshus, Chalstrom, Skow, Swanson, and Matthews.

Nays: none.

Abstentions: none.

/s/ Burlin H. Matthews, Chairperson

ATTEST: /s/ Marjorie A. Pitts, County Auditor