

ONLINE APPENDIX for **Why State Constitutions Differ in their Treatment of Same-Sex Marriage**

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ONLINE APPENDIX 1. Public Opinion Sources

General Notes: Sampling error is stated in percentage points. Response rates included here are based on statements made by the source indicated. (Key: N=number of respondents, Q=actual question wording, R=Result, E=reported error, DK="don't know.")

Alabama: Huntsville Times, conducted by Auburn University's Center for Government Services, Jan 24-Feb 3, 2005. **N:** 624 adults

Q: To what extent would you support an Alabama state constitutional amendment banning marriages between gay or lesbian couples? **R:** 58% either mildly or strongly support; 28% either mildly or strongly opposed; 11% indifferent **E:** 4

Alaska: Dittman Research, Oct 1998. **N:** 544 likely voters

Q: A proposed constitutional amendment would amend the Declaration of Rights section of the Alaska constitution to limit marriage. The amendment would say that to be valid, a marriage may only exist between one man and one woman. Do you feel this amendment should be adopted? **R:** 61% Yes; 34 No; 5% unsure **E:** 4.2

Arizona: Cronkite/Eight Poll conducted by KAET-TV, Sept 25-28, 2008. **N:** 976 likely voters

Q: Proposition 102, which will appear in the November ballot, would amend the Arizona Constitution to define marriage as between one man and one woman while maintaining the current statutory law of the state of Arizona which prohibits marriage between persons of the same sex. Will you vote for or against this proposition? **R:** 49% favor; 42% oppose; 9% DK/no opinion **E:** 3.1

Arkansas: Arkansas Democrat-Gazette, conducted by Zogby International, Oct 10-11, 2004.

N: 503 likely voters

Q: Respondents were asked if they were for or against a series of proposals including “a proposed constitutional amendment to define marriage as between one man and one woman and to ban gay marriages and civil unions?” **R:** 65% for, 33% oppose it, 3% undecided **E:** 4.5

California: Public Policy Institute of California, Oct 12-19, 2008. **N:** 1,186 likely voters

Q: Do you favor or oppose allowing gay and lesbian couples to be legally married? **R:** 49% opposed; 47% were in favor. **E:** 3

Colorado: The Denver Post, conducted by Mason-Dixon Polling & Research, Feb 2006.

N: 625 likely voters

Q: Would you support or oppose amending the Colorado State Constitution to define marriage as the union of one man and one woman? **R:** 55% support amendment; 36% oppose; 9% undecided **E:** 4

Connecticut: Quinnipiac University Poll, Oct 1-7, 2003.

N: 1,519 likely voters

Q: Would you support or oppose a law that would allow same-sex couples to get married? **R:** 44% support marriage; 50% oppose marriage, 6% DK/NA **E:** 2.5

Florida: Quinnipiac University, Sept 2-4, 2008. **N:** 1427 likely voters

Q: Another proposed constitutional amendment would specifically define marriage as a legal union between a man and a woman making same-sex marriage illegal in Florida. Do you support or oppose this constitutional amendment defining marriage as a legal union between a man and a woman? **R:** 55% support, 41% oppose, 4% DK/no opinion **E:** 2.6

Georgia: The Atlanta Journal-Constitution/ Zogby America, Oct 6-8, 2004. **N:** 503 likely voters

Q: A series of questions begins with the following introduction. "There will be a question on the ballot in November amending Georgia's constitution that would define marriage as a union between a man and a woman." After an importance question, respondents are asked, "Will you vote in favor of the amendment or against?" **R:** 61% "In favor", 30% against, and 9% not sure. **E:** 4.5

Hawaii: Star Bulletin/NBC Hawaii News 8, Aug 4-7, 1998.

N: 417 likely voters

Q: Do you approve or disapprove of legalizing same-sex marriage? **R:** 24% approve; 63% oppose. **E:** 5

Idaho: 17th Annual Idaho Public Policy Survey, 2006. **N:** 534 adults

Q: How strongly do you support a constitutional amendment to the Idaho Constitution to ban same-sex marriages? **R:** 52% either strongly support or support an amendment; 31% either strongly oppose or oppose; 16% neither support nor oppose; 1% DK. **E:** 4

Illinois: Mason Dixon Polling and Research, for Copley News Service, Mar 8-10, 2004. **N:** 625 likely voters

Q: Do you support or oppose legalizing gay marriage? **R:** 60% oppose legalizing; 27% support legalizing; 13% undecided **E:** 4

Indiana: Indiana Issues Poll, Indianapolis Star and WTHR-TV, conducted by Selzer & Co., Nov 13-16, 2007. **N:** 600 adults

Q: I'd like to turn to some state issues. For each, please tell me if you support or oppose the idea. An amendment to the state constitution to ban gay marriage.

R: 49% support it, 44% oppose it, 7% not sure. **E:** 4

Iowa: The Iowa Poll, conducted for the Des Moines Register by Selzer & Co., Feb 17-20, 2008.

N: 801 adults

Q: I'm going to mention a few more proposals under consideration by the state Legislature. For each, please tell me if you favor or oppose the proposal. Changing the Iowa Constitution to ban gay marriage.

R: 48% favor; 47% oppose it, 5% unsure. **E:** 3.5

Kansas: KWCH-TV Wichita, conducted by Survey USA Mar 30-Apr 4, 2005. **N:** 579 likely voters

Q: On Tuesday, Kansas will hold a special election on whether to amend the state constitution. On the ballot is a Marriage amendment. The exact language is this: "The marriage contract is to be considered in law as a civil contract. Marriage shall be constituted by one man and one woman only. All other marriages are declared to be contrary to the public policy of this state and are void. No relationship, other than a marriage, shall be recognized by the state as entitling the parties to the rights or incidents of marriage." If you were standing in the voting booth right now, would you vote "Yes," to amend the state constitution? Or "No", to leave the constitution unchanged? **R:** 62% Yes, 37% No, 2% Undecided. **E:** 4

Kentucky: Louisville *Courier-Journal*, Bluegrass Poll, Sept 10-15, 2004. **N:** 657 likely voters

Q: Are you in favor of amending the Kentucky Constitution to provide that only a marriage between one man and one woman shall be a marriage in Kentucky, and that a legal status identical to or similar to marriage for unmarried individuals shall not be valid or recognized? **R:** 72% favor amendment, 22% oppose, 6 undecided. **E:** 3.8

Louisiana: Harris, DeVille & Associates, Inc. and Southern Media and Opinion Research, Inc., Mar 17-29, 2003. **N:** 700 likely voters

Q: Would you support or oppose a state law banning same sex marriages? **R:** 67% support ban; 27% oppose **E:** 3.8

Maine: Pan Atlantic SMS Group of Portland, Sept 30-Oct 7, 2009. **N:** 401 likely voters

Q: Do you want to reject the new law that lets same-sex couples marry and allows individuals and religious groups to refuse to perform these marriages? If today was Election Day, how would you vote on this issue?

R: 52% plan to vote to uphold the law; 43% plan to vote to repeal it. **E:** 4.9

Maryland: Washington Post, conducted by TNS, June 19-25, 2006. **N:** 902 likely voters (question asked of half: 451 likely voters)

Q: Would you favor or oppose a state law that would allow gay and lesbian couples to get married? **R:** 42% favor it, 56% oppose it, 3% no opinion. **E:** 3 (for full sample)

Massachusetts: Boston Globe poll, conducted by the University of New Hampshire's Survey Center, Mar 5-8, 2005. **N:** 501 adults

Q: Let's turn to another topic...the issue of gay marriage which was legalized in Massachusetts last year. In general, do you think gay and lesbian marriages should or should not be allowed by law? **R:** 56% should be allowed, 37% should not; 7% DK or refused. **E:** 4.4

Michigan: Detroit News poll, conducted by Mitchell Research, Oct 2004. **N:** 600 likely voters

Q: Proposal 2 on the ballot would amend the state constitution to specify what can be recognized as "a marriage or similar union" for any purpose. This proposal would amend the state constitution to provide that "the union of one man and one woman in marriage shall be the only agreement recognized as a marriage or similar union for any purpose." Will you vote "Yes" to approve this proposal or "No," not to approve it? **R:** 60% in favor, 33% opposed, 7% undecided. **E:** 4

Minnesota: Star Tribune Minnesota Poll, Mar 28-31, 2004. **N:** 562 likely voters

Q: Would you vote for or against an amendment to the state constitution that says that marriage, both religious and civil ceremonies, can only be between a man and a woman?

R: 58% favor, 35% oppose, 7% no opinion **E:** 4.1

Missouri: Kansas City Star/KMBC-TV conducted by Market Research Institute, July 2004. **N:** 600 adults

Q: Missourians in the August primary will vote on the adoption of a constitutional amendment banning gay marriage in the state. If the election were being held today, how would you vote on the amendment? **R:** 62% favor amendment, 29% oppose, 8% not sure, 1% not voting. **E:** 4

Montana: Mason-Dixon Polling and Research Inc, for Lee Newspapers of Montana, Sept 20-22, 2004. **N:** 625 likely voters

Q: Constitutional Initiative 96 would amend the Montana Constitution to provide that only a marriage between a man and a woman may be valid if performed in Montana, or

recognized in Montana if performed in another state. If you were voting today, would you vote to “Approve” or “Reject” Constitutional Initiative 96? **R:** 61% approve; 32% reject; 7% undecided **E:** 4

Nebraska: World Herald Poll by RKM Research and Communication, Oct 25-27, 2000. **N:** 1,007 likely voters

Q: Please tell me whether you would vote for or against the following initiative. If you don’t think you’ll vote on the initiative please feel free to say so. Initiative 416 deals with same-sex marriages. A vote for Initiative 416 will amend the Nebraska Constitution to provide that only marriage between a man and a woman shall be valid or recognized in Nebraska, and to provide that the uniting of two persons of the same sex in a civil union, domestic partnership or other similar same-sex relationship shall not be valid or recognized in Nebraska. A vote against Initiative 416 will not amend the Nebraska Constitution in the manner described above.

R: 60% favor; 32% oppose; 1% will not vote; 7% DK. **E:** 3.1

Nevada: Commissioned by Review-Journal, conducted by Mason-Dixon Polling & Research, Mar 15-17, 2004.

N: 625 likely voters

Q: Question 2 on the state ballot would amend the Nevada Constitution to provide that ‘only a marriage between a male and a female person shall be recognized and given effect in the state.’ If you were voting today, how would you vote?

R: 60% approve; 36% reject; 4% undecided **E:** 4

New Hampshire: Concord Monitor, conducted by Research 2000 on Dec 18-20, 2006.

N: 600 likely voters

Q: Do you favor or oppose legalizing marriage for same-sex couples? **R:** 35% favor it, 55% oppose it, and 10% not sure. **E:** 4

New Jersey: Rutgers-Eagleton Poll, Oct 18-23, 2007. **N:** 856 likely voters

Q: Now, I’m going to read you some proposals about the legal rights of gay and lesbian couples in New Jersey. For each, please tell me whether you would favor or oppose it. Allowing gays and lesbians to marry legally? **R:** 48% support gay marriage; 44% oppose; 8% DK. **E:** 3.4

New Mexico: Albuquerque Journal, conducted by Research and Polling, Inc, Mar 10-15, 2004. **N:** 404 adults

Q: Would you favor or oppose a law in New Mexico that would allow a person to marry a partner of the same sex? **R:** 61% oppose; 29% favor; 5% depends or mixed feelings, 5% DK/won’t say. **E:** 5

New York: Siena Research Institute, June 9-11, 2008. **N:** 624 likely voters

Q: Do you support or oppose a law to legalize same-sex marriage in New York State? **R:** 46% support, 40% oppose, 14% DK/no opinion/refused. **E:** 3.9

North Carolina: Research 2000 conducted for the Raleigh News and Observer, June 13-16, 2004.

N: 600 likely voters

Q: Would you favor or oppose allowing same-sex couples to marry legally? **R:** 51% oppose, 37% in favor, 12% not sure. **E:** 4

North Dakota: The Forum of Fargo-Moorhead/WDAY-TV, Oct 2004. **N:** 623 likely voters

Q: Do you plan to vote for or against the constitutional amendment that would not allow same-sex marriages? **R:** 52% for it; 36% against it; 11% undecided. **E:** 4

Ohio: Cleveland Plain Dealer; conducted by Mason-Dixon Polling and Research, Sept 10-14, 2004. **N:** 1,500 likely voters

Q: One proposed amendment to the Ohio State Constitution is expected to appear on the November ballot. It states that, "Only a union between one man and one woman may be a marriage valid in or recognized by this state and its political subdivisions. This state and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effect of marriage." If you were voting on this amendment today, would you vote "Yes" to approve this amendment or "No" to defeat this amendment? **R:** 64% in favor; 30% oppose it; 6% undecided. **E:** 2.6

Oklahoma: Survey USA, Oct 28-30, 2004. **N:** 633 likely voters

Q: Are you in favor of amending the state constitution so that it defines marriage to be between one man and one woman, prohibits giving the benefits of marriage to people who are not married, provides that same-sex marriages in other states are not valid in this state, and makes issuing a marriage license in violation of this section a misdemeanor? **R:** 74% Yes, 24% No, 2% undecided. **E:** 3.8

Oregon: Riley Research Associates, Aug 26-Sept 4, 2004.

N: 507 likely voters

Q: Ballot Measure 36 reads: "Amends constitution: Only marriage between one man and one woman is valid or legally recognized as marriage." Will you vote Yes or No on this measure? (If Necessary) Will you most likely vote Yes or No?

R: 61% Yes/likely yes, 34% No/likely no, 5% undecided. **E:** 4.4

Pennsylvania: Philadelphia Inquirer, conducted by Quinnipiac University, Mar 9-15, 2004. **N:** 1,022 likely voters

Q: Would you support or oppose a law that would allow same-sex couples to get married?

R: 63% not support, 31% support, and 6% undecided. **E:** 3

Rhode Island: Greenberg Quinlan Rosner Research, Apr 6-9, 2006. **N:** 500 likely voters

Q: Do you favor or oppose allowing gay couples to marry legally? **R:** 45% support; 39% oppose. **E:** 4.4

South Carolina: Palmetto Poll/Clemson University, Oct 17-25, 2006. **N:**500 likely voters

Q: Do you favor or oppose the Constitutional Amendment that reads: 'A marriage between one man and one woman is the only lawful domestic union that shall be valid in this state?' **R:** 78% in favor, 18% opposed; 4% DK/NA **E:** 5

South Dakota: Argus Leader and KELO-TV, conducted by Mason-Dixon, July-Aug 2006.

N: 800 likely voters

Q: Constitutional Amendment C would amend the state constitution to allow and recognize marriage only between a man and a woman. It would also prohibit the legislature from allowing or recognizing civil unions, domestic partnerships or other quasi-marital relationships between two or more persons regardless of sex. If you were voting on this amendment today, would you vote 'yes' to change the constitution, or 'no' to leave the constitution as it is?

R: 49% No on Amendment C, 41% Yes, 9% undecided. **E:** 3.5

Tennessee: Middle Tennessee State University Poll, Sept 19-30, 2006. **N:** 549 adults

Q: Should the law recognize gay marriages? **R:** 22% Yes, 73% No, 5% DK or refused. **E:** 4

Texas: San Antonio Express-News, 2003, conducted by Scripps Data Center, Aug 7-21, 2003. **N:** 1000 adults

Q: Do you support the recognition of gay marriage?

R: 63% do not support; 28% support. **E:** 3

Utah: Desert Morning News/KSL-TV, Sept 28-Oct 4, 2004. **N:** 929 adults

Q: In November, voters in Utah will be asked to vote on Constitutional Amendment 3. Let me read the wording that will appear on the ballot. Shall the Utah Constitution be amended to provide that (1) marriage consists only of the legal union between a man and a woman, and (2) no other domestic union may be recognized as a marriage or given the same or substantially equal legal effect. Will you vote for or against this amendment?

R: 64% in favor, 29% opposed, 5% undecided or DK **E:** 3.3

Vermont: Rutland Herald, conducted by the Vermont Commission on Family Recognition Mar 26, 2008. **N:** 400 adults

Q: Individuals were given two yes/no statements: 1. I support legal marriage for gay and lesbian couples. 2. I do not support legal marriage for gay and lesbian couples.

R: 56% support or lean toward supporting, 36% do not support or lean to not supporting. **E:** 5

Virginia: Washington Post poll by TNS of Horsham, PA, Oct 10-12, 2006. **N:** 1004 likely voters

Q: Amendment One on the November ballot would add to the state's Constitution a definition of marriage as being ONLY the union of one man and one woman. It would also keep Virginia from creating or recognizing any legal status for relationships of

unmarried persons that assign the rights, benefits, obligations, qualities or effects of marriage. If the election were held today, would you vote yes or no on Amendment One?

R: 53% support amendment; 43% opposed, 4% No opinion

E: 3

Washington: Wirthlin Worldwide, Oct 6-9, 2004. **N:** 402 adults

Q: Marriage should remain a union between one man and one woman OR Marriage should be a union between two loving adults regardless of their gender. **R:** 57% “1 man-1 woman”, 41% “two loving adults” **E:** 4.9

Wisconsin: WisPolitics.com, conducted by Diversified Research, Sept 20 – 21, 2006. **N:** 600 likely voters

Q: Pollsters read the text from the amendment on the ballot that year, and afterwards respondents had to say whether they would vote for or against the poll. The text was: “Only a marriage between one man and one woman shall be valid or recognized as 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.” **Result:** 53% would vote for amendment, 39% would not, and 8% DK/refused. **E:** 4

Wyoming 2006 Wyoming Election Survey. **N:** 639 adults

Q: “Now I would like to read you several statements. Please tell me if you strongly agree, agree, disagree, or strongly disagree: Homosexual couples should be allowed to get married.”

Result: 61% disagree or strongly disagree; 34% agree or strongly agree. 4% DK; 1% refused **E:** 4.

ONLINE APPENDIX 2. OUR INCORRECT EXPECTATIONS

In several cases, our threshold model yielded an incorrect expectation for the constitutional status of gay marriage in a given state. In this appendix, we review the legislative record in such states to determine whether a few or many actions by individual legislators explain the difference between our expectation and what actually occurred.

Kansas:

Our expectation is that Kansas would not have a constitutional restriction. In Kansas, 2/3 of each legislative chamber is required to place a potential amendment on the ballot. In 2004, the legislature considered a proposal, HCR 5005, to place a restrictive

constitutional amendment on the ballot. The proposal passed in the heavily Republican Senate but failed in the less-Republican House.

In 2005, a new proposal with identical language was introduced. That year, the Senate was 75% Republican, and the proposal passed in that chamber with 72% of the vote. In the lower house, 83 of 125 (66.4%) members were Republicans. This would have left Republicans one vote short of a majority on a party line vote.

The House voted on SCR 1601 on February 2, 2005. Sixty-eight of eighty-one Republicans (84%) voted in favor as did eighteen of 42 Democrats. While three-quarters of the legislature voted as we anticipated, the divergence from a party line vote amongst Kansas Democrats was sufficient to pass the bill. The bill passed by a vote of 86 to 37.

Kentucky:

Our expectation is that Kentucky would not have a constitutional amendment as it is considered a non-Southern state and over the past 10 years Republicans have always been a minority in the lower house. In 2004, Senate Bill 245 proposed amending the constitution to prohibit same-sex marriage. The bill passed the House on April 12 by a vote of 85-11 and passed the Senate on April 13 by a vote of 33-5. Given that at the time there were 16 Democrats in the Senate and 63 (a majority) Democrats in the House, these votes suggest that the bill was supported by a majority of Kentucky Democrats. Hence, our expectation for Kentucky fails because Kentucky Democrats have acted differently than most non-Southern Democrats. Indeed, from the pattern of legislative votes on this bill, Kentucky resembles a southern state.

North Carolina:

Since North Carolina is a southern state and since a majority of voters are opposed to same-sex marriage, our expectation is that it would have a constitutional restriction. While there is no constitutional restriction in the state, North Carolina passed a statutory ban on same-sex marriages in 1996. Since 1996, the North Carolina legislature has never seen a Republican majority in the Senate, and has been almost evenly split between Republicans and Democrats in the House. At various times in recent years, legislative proposals for a restrictive constitutional amendment have surfaced, but these attempts have been blocked by Democratic legislators (Beckwith 2008). Hence, our expectation for North Carolina fails because North Carolina Democrats have acted differently than most other Southern Democrats.

Pennsylvania:

Our expectation is that Pennsylvania would have a restrictive constitutional amendment given polling data on voter attitudes, the fact that legislative majorities in consecutive sessions are sufficient to place a potential amendment on the ballot, and the fact that Republicans controlled both legislative chambers over multiple legislative sessions. Pennsylvania does prohibit same-sex marriage at the statutory level. It adopted DOMA as state law in 1996.

The closest that Pennsylvania came to placing a constitutional amendment on the ballot was in 2006. In that year, the state Assembly passed a vote to place a restriction on the ballot by a vote of 136-61. The Senate then passed a similar bill by a 38-12 vote. Nearly all Republicans in both legislative chambers supported the bills. While this Republican support was sufficient to pass the bills, the wide margins are the result of a significant number of Democrats in each chamber also supporting the bills. With these

outcomes in hand, the process ground to a halt. The House and Senate bills were not identical. The Senate's bill did not prohibit civil unions and domestic partnerships. In subsequent months, the House and Senate were not able to reconcile their differences. Soon, thereafter, Republicans lost majority control of the Assembly. Efforts to place a restrictive amendment on the ballot, while discussed, have not again progressed as far as they did in 2006.

Wyoming:

Our expectation is that Wyoming would have a constitutional restriction. Wyoming is one of a handful of states that had a statute restricting marriage in Wyoming to a man and a woman prior to DOMA. Changing the constitution requires assent by two-thirds of each legislative chamber and support of a majority of all voters voting in an election. Since 1998, however, Republicans have retained strong majorities (70% or more) in both of Wyoming's houses. Given that Wyoming has long had substantial Republican majorities in both chambers of its state legislature and polls that suggest substantial support for a constitutional restriction, our expectation is that Wyoming would have one. But Wyoming, which calls itself "The Equality State," has not pursued such an amendment. We do not have a good explanation for this outcome; though it has been pointed out to us that the Wyoming legislature has extremely short legislative sessions and that religion-based conservative interest groups are not as powerful in Wyoming as elsewhere. That said, in early 2009, a number of socially conservative groups from other states, such as Focus on the Family, have concentrated their efforts on Wyoming in an attempt to have a constitutional restriction passed.

Arizona (minimal only), California (minimal only), Florida, and South Dakota (minimal only)

Using our "minimal" public opinion assumption, our expectation is that these states would not have constitutional restrictions. Using the "maximal" assumption, however, Arizona, California, and South Dakota would have such bans. In these states, like many others, actual Election Day opposition to same-sex marriage was greater than that stated in polls. Such differences are consistent with social desirability concerns expressed by Goldman (2008; some people who vote for restrictive amendments are reticent to admit their opposition to same-sex marriage when questioned). Relatedly, Donovan, Tolbert, and Smith (2008) have shown that it is easier to motivate people who are opposed to same-sex marriage to go to the polls to defend their point of view than it is to motivate people who support equal marriage rights.

Indiana and Iowa (maximal only):

Neither state has a constitutional restriction. Under our "minimal" public opinion assumption, there is not sufficient voter support for such a restriction. However, in the years immediately following the Massachusetts decision, all of the following were true for both states: both legislative chambers were Republican-controlled for consecutive sessions, placing an amendment requires only simple legislative majorities in both chambers for consecutive sessions, and under the "maximal" public opinion definition there is sufficient support for an amendment.

In Indiana, SJR-7 proposed amending the constitution to prohibit same-sex marriage. SJR-7 passed both houses of the General Assembly in 2005. However, it needed to be passed again by a subsequently elected General Assembly. Indiana

Republicans lost control of the House in the following election. Consequently, on April 3, 2007, SJR-7 failed to emerge from the House Rules and Legislative Procedures Committee and was defeated. Our expectation is incorrect because it predicts that Indiana Republicans would have used their majorities to pass legislation allowing an amendment in its 2004 session. Had they done so, our expectation is that the resolution would have passed then and by the subsequently elected 2006 session (when SJR-7 first passed). However, since they failed to act in 2004, they were unable to succeed.

In Iowa, the story is similar. Our expectation is incorrect because it predicts that Iowa Republicans would have used their majorities to pass legislation allowing an amendment in its 2004 and 2006 sessions. However, HJR-1 and SJR-2002 in 2005 represent the first organized attempts to do so. HJR-1 passed the House on a vote that adhered to party lines. On March 23, the Senate voted down SJR-2002 25 to 24. Four Republican senators joined all 21 Democrats in voting down the bill. In 2006, Democrats gained control of both chambers.