

JOINT PUBLIC HEARING  
OF  
THE SENATE AND ASSEMBLY JUDICIARY COMMITTEES  
24TH DAY OF FEBRUARY, 1973

The meeting was called to order by Senator Close at 2:00 p.m. in the Clark County Public Library.

PRESENT:                    Senator Foley  
                             Senator Bryan  
                             Senator Hecht  
                             Senator Wilson  
                             Assemblyman Hayes  
                             Assemblymen on the Judiciary Committee from  
   Las Vegas

SJR 1 -       Ratifies proposed constitutional  
                 amendment relative to equal  
                 rights for men and women.

Senator Close remarked that the order of speakers would be alternated between proponents and opponents. Each speaker would be restricted to a 5-minute time limit.

Frances Faranthal: I have come to Las Vegas on behalf of a number of Nevadans to testify on behalf of the Equal Rights Amendment. I am also representing the members of the Womens' Political Caucus and the National Organization for Women. What brings us here are hopes and aspirations that are as old as our country, the concepts of human dignity expressed in the basic documents of our country. Those ringing words of Jefferson's have not been applicable to women - we started out in this country with an imperfect Constitution - blacks were property and women were non persons. In the slow and sometimes painful transformation to make a more perfect instrument, three amendments were passed for the benefit of the black citizens. After fifty years of ferment, the 19th Amendment was passed insuring women the right to vote. Unfortunately, outside of this amendment women have been scarcely more than phantoms with regard to Constitutional guarantees. It could have been different but it has not been. We are here asking for full citizenship, asking for full protection by the law of the land, asking to be persons fully recognized by the Constitution by the incorporation of this language. "Equality of rights under the law shall not be denied or abridged by the United States or by any State because of sex." Belief in the need and necessity of the proposed amendment reflects a basic change in my thinking - a change which came about through a variety of experiences. I will cite but one - for two years I was Legal Aid Director for Uasin County; there is no more distressing situation in our country today than the plight of the unskilled woman and her children. It cuts across all racial, ethnic and religious lines. When and if it can be obtained - child support does not suffice to support a home. I believe the Equal Rights Amendment will have a sagitary effect, for what has been lacking is the opportunity to engage in job training except in limited and poor paying fields. The ERA would require that all educational opportunities in public schools be open to both sexes. The ERA would require publicly funded training programs for the disadvantaged. The ERA will not alter personal or social relationships, it will not drive the housewife out of the home. There should be no further delay in ratifying the ERA because of emotionalism. You, at this time in history, have the opportunity to make more perfect that document which we all revere, the United States Constitution.

Jeraldine Bauer: Presented a statement for Senator Helen Herr stating that there is nothing which the ERA can give women which they do not already have or have a way of getting. It is easy to see why the business and professional women are supporting this amendment - many of them have felt the keen edge of discrimination in employment - in being in a situation where the woman does most of the work and some man gets the bigger salary and the credit. To these women, I say I support you in your efforts to eliminate all injustices and I believe it can be done through the Civil Rights Act and the Equal Employment Opportunity Act and other individual laws. Professional women should not lobby for the extension of their rights at the expense of other women - it will deprive wives and mothers the right to be provided with a home and financial support from their husbands. In short, it will take away their right to be a woman!

Lilly Fong: In Nevada a majority of our 750 membership are successfully combining homemaking with careers and community activities. We are concerned with the role of the wife-mother, as well as the career woman. We are appalled to have discovered the following facts within the Nevada law: you cannot go into business without your husband's consent and signature; your husband has the sole control and management of your community property; your earnings are deemed a gift from him to you. I would urge you to support the ERA.

Olive Casey: Spoke in opposition to the ERA mainly because the ratification of the ERA would apply equally to all American women, the majority of whom have never expressed the desire to be equal to men. This amendment can only result in the loss of their freedom. The ERA would also infringe on the State's rights. Should the so-called ERA be ratified, the national government, by means of federal judicial interpretation of state laws and by means of federal legislation, would be able to override innumerable state laws that now protect women - married and unmarried alike, children, men and families.

Felicia Campbell: spoke in support of the ERA. She related personal experiences of injustice which could be prevented by passage of the ERA.

Mary Clutter: I believe that this ambiguous bill has little definition as to what our equal rights are. More time and effort should be devoted to strengthening the home. I am looking forward to being a woman and wife - I like being a woman and enjoy the benefits entailed. I am whole heartedly opposed to the ERA.

Mary Dunlop - Southern Nevada Political Womens' Caucus and California lawyer.: I am a scholar of the ERA. I teach this subject and have reviewed it thoroughly. Section II of the amendment has been interpreted by some people as giving the federal government extraordinary powers over matters that have been relegated as constitutional focus under the police power of the States. This is not true. As State Legislators it is your job to determine which arguments being made here are being made on the basis of the history and intent of the language of the amendment and which are being made in terms of emotion. This legislation enacts the principle of equality and I give it my support.

Mrs. Patti Brown: I cannot agree that women are the downtrodden of the earth. Being a housewife and mother is not degrading. I do not feel we should enact legislation which is this broad in its interpretation. Freedom and rights come from God - not from the government.

Gail Lyons - National Organization for Women: Spoke in support of the ERA. Related her experiences as a change girl in a Northern Nevada casino.

Hugh Bradley: It is a privilege to come and disagree in a free country. The Constitution is the most near perfect document I have ever seen. It should not be changed lightly. This amendment is contrary to the will of our God.

Dr. I.S. Katz - Member of State Civil Rights Commission: When there are injustices, the law needs to be changed. This amendment is just a first, but important step. I support this amendment.

15

Adelene Bartlett: I am alarmed at how far the ramifications of this amendment might go. Amending the Constitution is a tremendously serious thing and I feel this amendment is being rushed through. The prohibition amendment had grave repercussions and I'm afraid that we might experience the same with the ratification of the ERA. I would like to see the State of Nevada stand up and be counted as one of the States which will not ratify this miserable amendment.

Phil Carlino: Read letter from the National Chairman of the Democratic Party, Robert Strauss. I wish to make this letter in support of the ERA, urging the Legislators to give this matter consideration, public today. Although one half of our States have approved this amendment we still have a long way to go. Can we, as a Nation, afford to turn our backs on 51 percent of the population of our country?

Ruth Wood - John Birch Society.: The major aspects of this amendment are already covered by the Equal Employment Opportunity Act of 1972. I do not wish to be other than what I am and I recognize my limitations. This legislation will destroy the basic unit of our society - the family. The federal government should not be given power over the individual in public life.

Laura Keely: The Civil Rights Act handled equal rights and pay. This amendment has to do with inequalities. With this amendment, the Legislatures will have to grant equality within two or three years and we will not have to wait another 50 or 100 years.

Sidney Dunlep: The Equal Employment Opportunity Act has made great strides in equal opportunity. The ERA will give us only liabilities, it provides losses in both the professional and private sectors.

Peggy Montgomery - Nevada Federation of Business & Professional Women.: Spoke in favor of the ERA. The right to be free of discrimination would have to be compatible with other court rights. People should be treated as individuals and not according to their sex. Passage of this legislation would also adjust the Social Security regulations in our State.

Mrs. Mary Lou Griffin: Spoke in opposition to the ERA. People in lower paying jobs will be the ones to suffer from this amendment. I urge the Nevada Legislature to vote against this amendment.

Janette Smith - AAUW President.: The Fair Labor Relations Act speaks of employees and employers, a term which would seem to have no sexual overtones, however, women are discriminated against. Nearly ten years after this law was enacted, the women of the Telephone Company finally won a law suit for equal pay. This law also states that equality of pay can not be circumvented by different names for the same job. This law is not being upheld!

George Codart - spoke on behalf of his family.: I believe that the ERA has seriously compromised the Constitution of the United States. My family and I are adamantly opposed to passage of this legislation into law. 16

Elain Mills - Offered petitions for consideration - over 700 signatures, and submitted written testimony from two other persons to be submitted into the record in favor of the ERA.

Donald Ritz: The ERA is designed to break up the American home. The American woman is the envy of all other women in the world and I cannot believe that the majority of these women are in favor of this amendment.

Ira Hecht - Attorney at Law, Member of the Executive Committee of the Republican Party and Chairman of the Resolutions Committee.: At the last Republican County Convention, the Resolutions Committee passed a resolution urging this Legislature to pass the ERA. The ERA does not just give equal rights to women, it gives equal rights to everyone. If the State of Nevada does not act favorably on this amendment during the present session then in 1975 the federal government courts will have to enforce its dictates just as it did in the bussing situation.

Phyllis Schlafly - National Chairman of STOP ERA.: The Equal Opportunity Act of 1972 has already accomplished most of the objectives incorporated in the ERA. During most of the time that the ERA was considered by the Congress, the Haden Modification was attached to it. This modification said that nothing in the amendment shall be construed to deprive women the rights and benefits which they now possess. If that had been left in, then the amendment would have been acceptable. The ERA will make women subject to the draft on an equal basis with men.

Gertrude Katzman: Some women accept society's relegation of them as to an inferior social, legal and economic status. I am not one of them, I resent it! If this Legislature does not pass the ERA, you are in effect saying to the women of Nevada that you do not want them to have the same rights and benefits and opportunities which you gentlemen enjoy. Pass ERA.

Sylvia Spiel - John Birch Society.: Declined speaking. Agreed with Phyllis Schlafly and wanted to go on record as being against ERA.

Marylyn Goble: I am 19 years old and were the ERA passed I would be ready, willing and able to serve my country in the service. Vote in favor of the ERA.

Mary Scarnichia - HOW.: Southern Nevada Chairman for Happiness of Women spoke in opposition to the ERA. We do not want to be second rate men but first rate women. We must preserve laws which make distinctions between sexes.

Marlene Moody: It would be prejudicial not to grant all women equal rights just because some women do not want them.

Richard Hodges - John Birch Society.: Spoke out against ERA. I am speaking for myself but I can say that most of the Birchers are also against the ERA. 1

Joan Dunn - NOW.: The birth right of every individual should be equality of rights under the law. One half of the babies born in this nation today are born without these rights. Marriage and the family are too important to rely on female sub-ordination for their survival. Inclusion of the ERA in the Constitution may well be America's finest hour.

Richard Ivy - spoke for himself and his family.: He quoted Judge Oliver Wendell Holmes in opposing ERA. I see no need to introduce more flowery and catchy legislation which promises nothing. An exact interpretation of the amendment would virtually eliminate women from sports.

Kathy Kauffman - NOW.: Quoted from the Womens' Bureau of the U.S. Labor Department "The gap between the incomes of full time women and men has been increasing by a rate of 1/2 percent per year for the last 15 years" and this is in spite of a vast influx of women into the labor market. "10 percent of all American families are headed by women and 40 percent of all American families labeled as 'poor' are headed by women." The Chase Manhattan Bank conducted a survey which revealed that the average housewife works an average of 99.6 hours per week. If the present protective legislation is valid, then how is it aiding the housewife? I strongly urge you to support passage of the ERA.

Mrs. Fong - AAUW.: Spoke for Dr. Chester Chin - Chinese American. Presented petition from Chinese American Community to eliminate sex discrimination.

Iris Bletch - President of the Boulder City Professional & Business Womens' Club.: Spoke in favor of the ERA. In 1964, Title VII made job discrimination for reason of sex illegal but each woman still has to prove her individual case. Women would not lose the right to stay home and raise their families but would gain the right to go to work if they wanted to or had to. Women should be free to make the choice.

Alta Baird: Read protective provision proposed by Senator Sam Ervin of North Carolina which was voted down. "The provisions of this article shall not impair the validity, however, of any other laws of the U.S. or any States which exempt women from compulsory military service or from service in combat of the armed forces or extend protections or exemptions to mothers or wives or widows or impose upon fathers responsibility for the support of children or secure privacy to men, women, boys or girls or make punishable as crimes rape, seduction or other sexual offenses". I ask you to vote NO on the ERA.

Nancy Moore - spoke in support of the ERA. Works for an employment agency and related personal experiences of discrimination.



Delores Wade - HOW.: People cannot ask for something they already possess. The rights and priveleges which are being requested in the ERA are already ours under the Constitution. This legislation is open to a wide variety of interpretations and women would not benefit from these interpretations.

Lynne Bradley: My views have already been expressed however, I do want to go on record as being against passage of the ERA.

Daisy Talrutie: I want my children to know that when the day comes when they no longer have a protector, they have the opportunity to go out into the business world and have an equal opportunity to take care of their children.

Debbie Lee: Urged the Legislature to weigh carefully all aspects of the ERA and vote NO!

Susie Smith - Welfare Rights.: The women in this room who are against ERA don't know what it's like to be poor and underpaid. They have not tried to support children without a husband and father in the home. Vote YES on ERA.

Arden Sampson: There is need for more legislation but the ERA is not the answer. It is up to the man to provide for his family.

Lavonne Lewis - represented her family in support of the ERA.: The ERA will not initiate a new series of laws. The ERA will prevent more discriminatory laws from being produced. Federal legislation is much more effective in the area of equal rights than piece-meal legislation.

Franklin Parker: Communist and socialist parties have for years had as their major goal the destruction of the morality with the United States. In order to break down America they have to break down the morality within this country. The ERA would break down the morality of the home.

Kate Butler - Nevada League of Women Voters: Read the last two paragraphs of the League's report. The LWV stands against discriminatory laws.

David Hicken - represented himself.: I agree with equal rights for women but this amendment is too general and should be made more specific. If you really want equal rights - do it on the State level. I am for the concept but against the Constitutional Amendment as written.

Bob Nicholas - marriage and family counselor.: Spoke on his experience as a counselor and clergyman. It is my conviction that equality will strengthen the eugality of family life.

Deana Heavin - HOW.: As the amendment stands now I have to be against it. With the present laws, I will be able to get a fair wage. I cannot see how the ERA applies itself to this point.

Florence McClure - Common Cause.: Read letter from President Nixon to Senator Hugh Scott of Pennsylvania confirming the Administration's stand in favor of the Constitutional Amendment and a telegram from Governor Wallace reiterating his support. 1

Don Randy: The ERA may bring results sooner but does not cover anything which there has not already been legislation written for. I want to go on record as being against ERA.

Katy Butler - Clark Senior High School.: spoke in support of the ERA. Pursuing a career in social services or forestry. The ERA would protect my rights to pursue my career.

Luann Lossee: A great many court cases would be involved to determine interpretation. Vote NO.

Patricia van Betten: The time has come for ERA. In her statement, she quoted President Nixon "America will not be able to achieve its full potential until every woman who wants to work can find a job that provides fair compensation and equal opportunity for advancement." We will continue to waste human and economic resources until this amendment is passed.

Don Hanlen: I do not believe in equality but I do believe in equal rights. The ERA should bring equality to all people - not just women.

Robert Torres-Stenovik - Indirectly all people are discriminated against. Women in particular - vote YES on the ERA.

Judith Mallis: Spoke in favor of the ERA. I hope for more than health for my children - I hope they will be equal. Should your daughters be any less equal than your sons?

Judy Pierce - High School junior.: The ERA will not affect my social relationships. If women are citizens then they should accept the full responsibility for that citizenship with reference to the draft. According to Ralph Nader's survey, 7.5 million widows and single women over 65 constitute the poor section of our society. Support ERA.

Jan Richmond - Stockbroker.: Related personal experience in job procurement. She is very well qualified but could not even get interviews. Vote YES.

Pat Cellini - The ERA is long overdue. How much longer do we have to wait before we get equal rights for everyone.

Elizabeth Warren - mother, teacher, housewife, historian, anthropologist.: There is no protection under State law because the following session of the Legislature could rescind whatever this session does. This amendment should be federally enacted.



The following is a list of interested citizens who did not present testimony:

Proponents of the ERA

Marge Jacques  
Jack Mc Causlin  
Marilyn Robertson  
Dr. White  
Dorothy Levely  
Iris Blitten  
Bob Cochran  
Marilyn Roberts  
Jean Ohrenshall  
Lenore Jordan  
Lon Mills  
Barbara Nicholas  
Dr. Chester Chin  
Peggy Montgomery  
Carolyn Snow  
Vicky Mindosa  
Joyce Woodhouse  
June Greco  
Betty Hilts  
Blanche Clegg  
Naomi Millisor  
Jeannine Spicer  
Linda Tally  
Gail Gilpin  
Jan MacEachern  
Dorothy Gran Poae  
JoAnn Beckwith  
Herman van Betten  
Charlie Ryland  
Leonard Storm  
Toni Mitchell  
Rita Kart  
Jean Rambo  
Bob Nicholas  
Agnes Lraeeney  
Carol McCormick  
Matt Mathew  
Patricia McGuire  
Eugenia Ohrensdrrall  
Herman McMahon  
Jimmye Ida  
Pat Collin  
Jan Richman  
Verlia Davis  
Walt Morgan  
Dr. Ralph Roske  
Mandy Pino  
Cathy Stocum  
Carol McCormick  
Matt Matthews  
Jan Gould

Opponents of the ERA

Rachel Hubbard  
Kayleen Hewitt  
Arden J. Sampson  
Myrna Adams  
Lana Tryee  
Genovive Smith  
Norene Ray  
Hugh Bradley  
Syzanne Adams  
Non Camerio  
Marilyn Meininger  
Judy Ward  
Joni Peterson  
Mary Kastorff  
Anna Peterson  
L. Steffen  
Carol Paul  
Margo Callister  
Kary Ashworth  
Anna Steuart  
Diana Humphrey  
Wayne Ramprey  
Helena Wilkinson  
Leo Kuell  
Lucille Huntsman  
Jaquie Davsin  
Sharon Hansen  
Sylvia Ford  
Maxine Taylor  
Helen McKague  
L. Maxwell  
Bette Tannue  
Janice Bogel  
Janet Watson  
Jean Cornwall  
T. Arvett  
Mrs. Cheryl Amatt  
Mrs. Carrie Bagley  
Genevive Lummis  
Lois Passey  
Eve Fiso  
Linda Hutchings  
Jean Crooks  
Jynn Arkell  
Glendya Partnoy  
Camilla Humphrey  
Ana Humphrey  
Nancy Chiff  
Janice Mevehan

Proponents of the ERA (cont'd.)

21

Jean Rambo  
David Katzman  
Evelyn Cushman  
Mae Hudson  
Bernice Maten  
Senator Mahlon Brown  
Sharon Swanbery  
JoAnne Morkland  
Mollie Gryany  
Mary Pat Bandt  
Annette Bremner  
Debbie Hecht

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Eileen Wynkoop  
Secretary

APPROVED:

---

Melvin D. Close, Jr.  
Chairman