Submitted Documents in Support of SJR 2

EXHIBIT N Senate Committee on Legislative Operations and Elections
Date: 2-20-2017 Total pages: 66
Exhibit begins with: N1 thru N66
Opposition Forces are floating a false claim that Nevada Bill SJRes2 is an abortion bill. This letter responds to that question.

I am writing to ask you to please vote YES to ratify the Equal Rights Amendment, and bring The United States one state closer to finishing its final ratification as a Constitutional Amendment. As a registered nurse who served in a church sponsored community health clinic I would like to share my thoughts with you as to why it is so important you vote YES to ratify the Equal Rights Amendment.

Every generation has had its opposition to the important civil rights legislation, known as the equal rights amendment (ERA), and that opposition has mirrored its generation of origin, from fear of "petticoat rule" in the early 20's, to preserving the "madmen culture" in the 50's and 60's, to fear of women in the military in the 70's and 80's. It is notable every generation following has found these objections difficult to understand and downright wrong. Today's opposition forces are trying to promote the false narrative that a federal Equal Rights Amendment is an abortion bill- it is not! Fact is Roe v Wade was decided on the Constitutional right to privacy, and there is nothing in the statement "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex" (gender), that speaks to pregnancy, uteruses, etc. Furthermore legislative history and analysis concludes abortion is not a sex equality issue. Prof Thomas Emerson from Yale Law Review concluded that abortion is an “unique issue for women and hence does not raise any question of equal protection and thus is not a sex equality issue”. In lawyer speak, this points out the obvious, men cannot get pregnant.

In fact, if one wants to consider what effect a ratified Equal Rights Amendment would have on abortion rates, I can testify that as an ER, Clinic, and Birth Educator Nurse with decades of experience, a Ratified Equal Rights Amendment would reduce abortions.... Why? Because as a health professional, I can tell you each and every time in the many, many, times I have ever told a woman she was pregnant, if this wasn't received as happy news, the first response uttered is always some
variation of "I don't know how I'm going to afford a child", "I can't afford another child" or "I can't lose my job". Over decades this narrative has never wavered. I can't stress enough the correlation I have seen between a woman's economic and job security and her decision whether to continue an unplanned pregnancy. My personal testimony is backed up by decades of study data showing that economic and employment fragility is the number one reason given when surveyed. A ratified Equal Rights Amendment would add strict scrutiny level law review to economic equality, equal pay and opportunity and provide economic and job security to all women, pregnant or not. Please vote YES on SJRes2 and Ratify the Federal Equal Rights Amendment in Nevada. Please also consider, when women can depend on equal pay and equal opportunity, they won't need government programs to fill that gap. I welcome your questions and thank you for your time.

Eileen Davis, RN
804-387-1502
February 20, 2017

Chairman Nicole Cannizzarro  
Senate Legislative Operations and Elections  
Nevada State Senate  
Legislative Building  
Carson City, NV 89701

RE: SJR 2

Chairman Cannizzarro and Members of the Committee:

My name is Susan Meuschke. I am the Executive Director of the Nevada Coalition to End Domestic and Sexual Violence (formerly the Nevada Network Against Domestic Violence) the statewide coalition of domestic and sexual violence programs in Nevada. I am writing to express our support for SJR 2 ratifying the Equal Rights Amendment to the U.S. Constitution.

Violence against women is inextricably linked to their historical status as second class citizens. Whether we look at English Common law which provided for the use of physical violence against the wife but which limited the amount of damage that could be done to the property (wife) or the prohibition against a wife to hold title to property. The legal status of women in this country has always been lower than that of men.

Less than forty years ago, there was no such thing as sexual harassment or marital rape. Domestic violence wasn’t seen as a crime and the defense in rape cases was based more on the clothes she wore or her past history of sexual activity than it was on consent. While certainly we know that anyone can use violence it is also clear that there is historical permission to use that violence against women, particularly in intimate relationships and in cases of rape and sexual assault.

Survivors of domestic and sexual violence have gained many protections through state and federal laws. On the state level laws including rape shield, marital rape, orders for protection against domestic violence - on the Federal level Title IX, the Violence Against Women Act - have changed the way we think and act on these issues. Unfortunately, we know that we are only 51 votes (give or take) away from having these protections taken away.

The Equal Rights Amendment (ERA), a constitutional amendment, would lay a sturdy framework to guarantee women’s equality. In particular, the ERA would go a long way in
ensuring that survivors of domestic violence, stalking, and rape are adequately protected under the law.

Thank you for your time and attention to my letter.

Sincerely,

Susan Meuschke, Executive Director
To: Members of the Senate Committee on Legislative Operations and Elections

From: Elisa Cafferata, Director of Government Relations, Nevada Advocates

Date: February 17, 2017

Re: Support for SJR 2 – Ratifies the Equal Rights Amendment

Nevada Advocates for Planned Parenthood Affiliates (NAPPA) is the independent, non-partisan, nonprofit education, policy and advocacy arm of Planned Parenthood’s two affiliates (Mar Monte and the Rocky Mountains).

Planned Parenthood’s three Nevada health centers see over 18,000 patients each year. We offer affordable care, in some cases on a sliding fee scale; many of our patients have nowhere else to go for basic health care. We are proud of our long record of quality care -- over 35 years in Nevada -- always affordable, confidential, culturally appropriate, and welcoming to our clients. We also provide medically accurate and age appropriate sexual health education to youth and adults across our state.

Thank you for the opportunity to share our support for SJR 2.

As noted, many of our clients rely on Planned Parenthood’s services because they have few options. Many of the issues that would be addressed by the Equal Rights Amendment would also help our clients not only to have more options at work, but also to have better access to the preventive care they need.

A vote for the Equal Rights Amendment would lead to stronger equal pay laws, protection of the family planning safety net, and continuation of Title IX, which prohibits sex discrimination in education.

That’s why we ask that you join us in supporting SJR 2 ratifying the Equal Rights Amendment.

Thank you.
The 21st Century Great Demand
Ratify the Equal Rights Amendment

Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

WHY WE MUST RATIFY THE EQUAL RIGHTS AMENDMENT

We need the ERA because even in the 21st century, the U.S. Constitution still does not explicitly guarantee that all of the rights it protects are held equally by all citizens without regard to sex. The only right that the Constitution specifically affirms to be equal for women and men is the right to vote (19th Amendment, 1920).

The Equal Rights Amendment would provide blanket protection to women for all time. No longer must we settle for State laws that can be overturned and repealed at the whim of legislators, thus reversing decades of advances fought long and hard for and destroying the rights and freedoms women should and must have.

Inclusion of women in the United States Constitution is a very basic Human Rights and Civil Rights issue.

A Pathway to Economic Household Stability

Poverty rates are highest for families headed by single women, particularly if they are African American, Native America, or Hispanic.

Women on average are paid only 79 cents on the dollar for every dollar paid to their male counterparts – even less for African American women, Native American women and Latinas. An ERA will provide an economic pathway to household stability by outlawing sex discrimination in the United States. Where job opportunities and wages are limited by sex bias, the harm is not only felt by women, but also by the families they support, whether in conjunction with their spouses or on their own as heads of households. An ERA will set a standard for pay equity and will provide a foundation for litigation and upholding legislative laws that will afford the same pay for women and men.

The 14th Amendment is Unreliable in Supporting Women’s Constitutional Equality

The 14th Amendment was not written or intended to include women and gives no guaranteed protection based on sex. The 14th Amendment together with the 13th and 15th Amendments were amended to the Constitution after the Civil War to abolish slavery and grant voting rights to black men. The amendments were never intended to protect or grant rights to women.

We need the ERA because the 14th Amendment’s equal protection clause has never been interpreted to guarantee equal rights in the same way the Equal Rights Amendment would. Supreme Court Justice Antonin Scalia said in a September 2011 interview that he does not think the Constitution prohibits sex discrimination..."certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn’t."

Ratification of the ERA Would Uphold Cases of Sex Discrimination to the Highest Standards ~ ‘Strict Scrutiny’

The ERA would provide a clearer and stricter judicial standard for deciding cases of sex discrimination. Sex discrimination should receive the highest level of strict judicial scrutiny, just as race and religious discrimination cases are afforded. Currently, sex discrimination cases receive only a heightened level of ‘intermediate scrutiny’.

N7
Military Women and the Equal Rights Amendment

With or without the ERA, women are sharing and will share with men the responsibility for military service, including combat. The ERA is needed to guarantee that women are accorded equal treatment and opportunity in the armed forces on the basis of their individual skills and abilities.

• The lack of an ERA in the Constitution does not protect women against involuntary military service. Congress already has the power to draft women as well as men and considered doing so during both World War II and the Vietnam War.

• The constitutionality of an all-male draft registration was upheld by the Supreme Court in Rostker v. Goldberg (1981). However, registrants have not been drafted into service since 1973, and recent Department of Defense planning memos and Congressional bills dealing with the draft or national service have included both men and women in the system.

• With or without the ERA, it is virtually certain that a reactivated male-only draft would be legally challenged as a form of sex discrimination and would likely be found unconstitutional. Exemptions would still be granted to those unqualified to serve for reasons of physical inability, parental status, or other relevant factors.

United States Standing in the Global Community

There are only 7 countries that have not ratified the CEDAW International Women’s Treaty (Convention for the Elimination of All Discrimination Against Women); the United States is one of those countries, which also include Iran, Somalia, South Sudan, Sudan, and two small Pacific Island nations (Palau and Tonga). Because we as a nation do not prohibit discrimination on account of sex in our Constitution, the treaty has languished in the U.S. Senate for over 35 years.

The United States insisted that all countries drafting constitutions after World War II include a statement that prohibits discrimination on the basis of sex; the U.S. Constitution has no such clause.

We need the ERA to improve the standing of the United States globally with respect to equal justice under law. The governing documents of many other countries, however imperfectly implemented, specifically affirm legal equality of women and men.

Over 9 out of 10 Americans Support the Goal of the Equal Rights Amendment

April 2012: Poll for Daily Kos and SEIU (Service Employees International Union)

“Do you think the Constitution should guarantee equal rights for men and women, or not?”

Yes: 91% No: 4% Not sure: 5%

July 2001: Opinion Research Corporation poll for the ERA Campaign Network

“In your opinion, should male and female citizens of the United States have equal rights?

Yes: 96% No: 3% Not sure: 1%

“In your opinion, should the Constitution make it clear that male and female citizens are supposed to have equal rights?”

Yes: 88% No: 9% Not sure: 3%

“As far as you know, does the Constitution of the United States make it clear that male and female citizens are supposed to have equal rights?”

Yes: 72% No: 18% Not sure: 10%
Nevadans for the ERA

“Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.”

ERA Quick FAQ

What is the Three-State Strategy for Ratification of the Equal Rights Amendment?

This strategy is based on the legal analysis that the "Madison Amendment," concerning Congressional pay raises, became the 27th Amendment to the Constitution in 1992, after a ratification period of 203 years. Therefore, the ERA's ratification period of less than three decades would surely meet the "reasonable" and "sufficiently contemporaneous" standards required by several Supreme Court decisions. Time limits were not imposed on amendments before 1917 (beginning with the 18th Amendment, Prohibition), and the 19th Amendment affirming women's right to vote had no time limit. Congress demonstrated its belief that it may alter a time limit in a proposing clause by extending the original ERA deadline. Thus it is likely that Congress has the power to adjust or repeal the previous time limit on the ERA, determine whether state ratifications subsequent to 1982 are valid, and accept the ERA as part of the Constitution after three more states ratify. The 35 existing ratified states of the 38 required for ratification in the Constitution should stand because precedent regarding state rescissions shows that such actions have not been accepted as valid. equalrightsamendment.org

21st Century Women DEMAND 21st Century Change
Equal Rights Amendment
Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

February 6, 2012

Nevada Legislature
State Capitol Building
101 North Carson Street
Carson City, Nevada 89701

Re: Pledge Your YES Vote on Co-Majority Whip Spearman’s Equal Rights Amendment Ratification Legislation

To the Honorable Members of The 79th Nevada Legislature

Sex discrimination is not illegal under the United States Constitution and will not be until the legislatures of three more states ratify the 1972 Equal Rights Amendment (ERA). The absence of the basic protection the E.R.A. will provide nationally is a human and civil rights violation and leaves American women and girls, especially our sisters of color, vulnerable in every aspect of life from cradle to grave.

Nevada is one of the states yet to ratify the E.R.A. and the 79th Legislature is in a unique position to revive the unfinished ratification process by becoming the 36th state to pass the E.R.A.—the first in the 21st Century.

We represent voters in your district, Nevadans who support equality and advocates for E.R.A. ratification from across the country and around the world and are writing to ask you to do your part to secure basic protection for U.S. women and girls with a PLEDGE to vote Yes on Co-Majority Whip Spearman’s E.R.A. ratification legislation.

As you might know, the E.R.A. was first introduced to Congress in 1923 and every year after until it passed out of both chambers in 1972 with an arbitrary seven-year deadline for ratification. The deadline was later extended (recent joint resolutions to remove is moving through U.S. Senate and House of Representatives) three more years by Congress. However, when the ten years were up in 1982, thirty-five of the necessary thirty-eight states had ratified—just three states short. Again, Nevada is one of the states preventing solid protection in our bedrock document for more than half the country. We ask you to right this wrong by voting YES to ratify the E.R.A. when it comes to the floor.

Ratification of the E.R.A. will enshrine equality for women and girls into the Constitution and serve as the ultimate honor to America’s foremothers who dedicated themselves heart and soul for the betterment of America’s daughters. The E.R.A. will safeguard the advancements women have made from being revoked on a politically motivated whim, will move the United States closer to becoming a more perfect union for all and will send a clear message to our world-wide neighbors that America firmly stands for the principles our nation was built upon.

E.R.A. ratification in Nevada will revive the ratification process nationally and cement your state as a stepping stone toward a more just America in our history books. We thank you in advance for your Yes vote.

Sincerely,

Tammy Simkins and Cathy Kaelin
Co-Directors, ERA Action
740-701-9137/513-218-7798
eraaction.org
Legislative Advocacy Packet

In Support of the Ratification of The Equal Rights Amendment

Prepared By:
Nevadans for Equal Rights
February 6, 2017

Nevadans 4 Equal Rights mission is to promote and educate Nevadans to support the ratification of the Equal Rights Amendment
Table of Contents

I. INTRODUCTION

II. LETTERS OF SUPPORT
A. Nevadans 4 Equal Rights (February 6, 2017)
B. ERA Action (February 6, 2017)
C. Katrina’s Dream (February 6, 2017)

III. FACT SHEETS
A. What is the Three State Strategy for Ratification of the Equal Rights Amendment (2016)
B. The Equal Rights Amendment: Unfinished Business for the Constitution (Exhibit J – Minutes of the Senate Committee on Legislative Operations and Elections Seventy-Eight Session (April 8, 2015)
D. ERA Pilgrimage Fact Sheet (August 26, 2015)

IV. 115th U.S. CONGRESS
A. SENATE RESOLUTION – U.S Senator Benjamin Cardin
   1. Dear Colleague Letter (January 11, 2017)
   2. Text of S.J. Res. 5
   3. Press Release
B. HOUSE RESOLUTION – U.S. Representative Jackie Speier
   1. Dear Colleague Letter
   2. Text of H.J. Res. 53
   3. Press Release
I. INTRODUCTION

Since 1923, the Equal Rights Amendment has been introduced into every session of Congress. On March 22, 1972, the United States Congress adopted a resolution to amend the constitution to provide equal rights for men and women. The 1972 United States Senate voted on H.J. Res. 2008 was 84 to eight. The House had already approved of the resolution in 1971 by a vote of 354 to 24. In order for the proposed Equal Rights Amendment to become part of our constitution three fourths of the states, a total of 38, must ratify the amendment.

At the beginning of 1979, 35 states had rapidly ratified the amendment. Then process stalled out. Following the passage in 1992 of the “Madison Amendment”, which took no less than 203 years to be ratified, the introduction of “Three State Strategy” legislation in our U.S. Congress has resultant in significant resurgence on both the state and federal level and in society.

Nevada is one of the 15 states that have not yet ratified the Equal Rights Amendment.

Women and human rights proponents argue that an Equal Rights Amendment to the constitution is needed, because discrimination on “the basis of sex” is firmly embedded in our legal system. It is their position that any system of dual rights and responsibilities lead to one group’s dominance. Ones’ sex and or gender identification is not a permissible factor in determining women and human rights that such classification denies individual rights.

ERA proponents state that at present time state and federal legislation has not eliminated sexual discrimination in many aspects of life. A constitutional amendment would provide the necessary mandate for legislation in litigation to write a gate legal inequality between the sexes to support the equal rights amendment is both a symbolic all and a practical instrument for change.
II. Letters of Support

A. Nevadans 4 Equal Rights (February 6, 2017)

B. ERA Action (February 6, 2017)

C. Katrina’s Dream (February 6, 2017)
February 6, 2017

Nevada Legislature
State Capitol Building
101 North Carson
Carson City, NV 89701

Re: Ratification of the Equal Rights Amendment

To the Nevada Legislature:

Nevadans for Equal Rights is a statewide group of women rights activists dedicated to the passage of the Equal Rights Amendment (ERA). The text of the Equal Rights Amendment reads:

Section 1. Women shall have equal rights in the United States and every place subject to its jurisdiction. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. Congress and the several States shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

Many organizations have been working on the ERA since it was first introduced in the 1920's by suffragist Alice Paul and Cynthia Eastman nearly a century ago. It passed through Congress in 1972. It fell three states short of ratifying in 1982. With our U.S. Congress moving ahead to remove the time restriction the Equal Rights Amendment is the most efficient way to empower women.

We are writing to urge the Nevada Legislature to support the ratification of the Equal Rights Amendment during the 79th Session and vote YES on Senator Spearman’s SJR (R-13) when it come to the floor, as the U.S. Constitution does not prohibit discrimination on the account of sex.

It will be historic when the Nevada Legislators vote to YES for the Equal Rights Amendment making Nevada the first state in the 21st Century to ratify the ERA.

Thank you so much for all that you do to serve the great State of Nevada and the United States of America.

Sincerely,

Nevadans for Equal Rights

Nevadans 4 Equal Rights mission is to promote and educate Nevadans to support the ratification of the Equal Rights Amendment
Equal Rights Amendment

Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

February 6, 2012

Nevada Legislature
State Capitol Building
101 North Carson Street
Carson City, Nevada 89701

Re: Pledge Your YES Vote on Co-Majority Whip Spearman’s Equal Rights Amendment Ratification Legislation

To the Honorable Members of The 79th Nevada Legislature

Sex discrimination is not illegal under the United States Constitution and will not be until the legislatures of three more states ratify the 1972 Equal Rights Amendment (ERA). The absence of the basic protection the E.R.A. will provide nationally is a human and civil rights violation and leaves American women and girls, especially our sisters of color, vulnerable in every aspect of life from cradle to grave.

Nevada is one of the states yet to ratify the E.R.A. and the 79th Legislature is in a unique position to revive the unfinished ratification process by becoming the 36th state to pass the E.R.A.—the first in the 21st Century.

We represent voters in your district, Nevadans who support equality and advocates for E.R.A. ratification from across the country and around the world and are writing to ask you to do your part to secure basic protection for U.S. women and girls with a PLEDGE to vote Yes on Co-Majority Whip Spearman’s E.R.A. ratification legislation.

As you might know, the E.R.A. was first introduced to Congress in 1923 and every year after until it passed out of both chambers in 1972 with an arbitrary seven-year deadline for ratification. The deadline was later extended (recent joint resolutions to remove is moving through U.S. Senate and House of Representatives) three more years by Congress. However, when the ten years were up in 1982, thirty-five of the necessary thirty-eight states had ratified—just three states short. Again, Nevada is one of the states preventing solid protection in our bedrock document for more than half the country. We ask you to right this wrong by voting YES to ratify the E.R.A. when it comes to the floor.

Ratification of the E.R.A. will enshrine equality for women and girls into the Constitution and serve as the ultimate honor to America’s foremothers who dedicated themselves heart and soul for the betterment of America’s daughters. The E.R.A. will safeguard the advancements women have made from being revoked on a politically motivated whim, will move the United States closer to becoming a more perfect union for all and will send a clear message to our world-wide neighbors that America firmly stands for the principles our nation was built upon.

E.R.A. ratification in Nevada will revive the ratification process nationally and cement your state as a stepping stone toward a more just America in our history books. We thank you in advance for your Yes vote.

Sincerely,

Tammy Simkins and Cathy Kaelin
Co-Directors, ERA Action
740-701-9137/513-218-7786
eraaction.org
February 6th, 2017

Nevada Legislature
State Capitol Building
101 North Carson Street
Carson City, Nevada 89701

Re: Support of Nevada’s Ratification of the Equal Rights Amendment

To the Members of the 79th Nevada Legislature:

As the founder of Katrina’s Dream, I follow in the steps of my late mother-in-law, The Rev. Katrina Martha Van Alstyne Welles Swanson. She dreamed of an America that would have welcomed her and all women with Equal Rights. In conversations with her during her last sixteen months, she knew that the country she loved would one day treat women equally.

On March 8th, 2014 I embarked on a pilgrimage covering the 15 states that have yet to ratify the Equal Rights Amendment. On that pilgrimage was my privilege to talk with people across American - from U.S. Representative and U.S. Senators in their district offices to groups meeting in bars and coffee shops from California to Washington, D.C.

I can speak for a large number of Americans who are waiting for the Equal Rights Amendment to be ratified and become a part of our U.S. Constitution.

It is over 150 years since brave Americans gathered in Seneca Falls, New York, to demand an equality denied women then and shamefully is still denied today. Their unfulfilled words are engraved there on a marble wall:

“We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are the pursuit of life, liberty and happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed.”
The Equal Rights Amendment passed in Congress in 1972 and was sent to the states for ratification. By 1982, all but three states of the required 38 states had ratified. Now is the time to move our great nation forward. Now is the time for Nevada to ratify the Equal Rights Amendment.

I write representing the living and dead – men and women who dream of a justice that Americans have never known.

As oppressed women and men in our land and in foreign lands, are demanding full human rights in the streets across the globe, will Nevada deny equality to fifty one percent of our citizens? And suffering with them, we see children who share the plight of second-rate status of their mothers.

It is my privilege, respectfully and at the top of our voices, to demand that you grant justice for women by ratifying the Equal Rights Amendment.

Love and Light in Christ,

[Hélène de Boissière-Swanson's signature]

Hélène de Boissière- Swanson, Founder
Katrina’s Dream
III. FACT SHEETS

A. What is the Three State Strategy for Ratification of the Equal Rights Amendment (2016)

B. The Equal Rights Amendment: Unfinished Business for the Constitution (Exhibit J – Minutes of the Senate Committee on Legislative Operations and Elections Seventy-Eight Session (April 8, 2015)


D. ERA Pilgrimage Fact Sheet (August 26, 2015)
Quick FAQ

What is the Three-State Strategy for Ratification of the Equal Rights Amendment?

This strategy is based on the legal analysis that the "Madison Amendment," concerning Congressional pay raises, became the 27th Amendment to the Constitution in 1992, after a ratification period of 203 years. Therefore, the ERA's ratification period of less than three decades would surely meet the "reasonable" and "sufficiently contemporaneous" standards required by several Supreme Court decisions. Time limits were not imposed on amendments before 1917 (beginning with the 18th Amendment, Prohibition), and the 19th Amendment affirming women's right to vote had no time limit. Congress demonstrated its belief that it may alter a time limit in a proposing clause by extending the original ERA deadline. Thus it is likely that Congress has the power to adjust or repeal the previous time limit on the ERA, determine whether state ratifications subsequent to 1982 are valid, and accept the ERA as part of the Constitution after three more states ratify. The 35 existing ratified states of the 38 required for ratification in the Constitution should stand because precedent regarding state rescissions shows that such actions have not been accepted as valid. equalrightsamendment.org

21st Century Women DEMAND 21st Century Change
The Equal Rights Amendment
Unfinished Business for the Constitution

This document was prepared by Political Scientist and Organizer Janette Dean at (775) 870-1050. For more information, visit equalrightsamendment.org and eraeducationproject.com or call Senator Patricia Spearman at (775) 684-1424.

FULL AMENDMENT TEXT

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

KEY POINTS (As of April 5, 2015)

- The most recent amendment to the Constitution, added in 1992, is the 27th Amendment which finally became an amendment after 203 years (it had been introduced in 1789 with no deadline). It delays Congressional salary changes from taking effect until the next term. As a result, many resolutions to rescind the ERA’s unnecessary 1982 deadline have been made in Congress with more on the way.

- Congress passed the ERA on March 22, 1972 after annual efforts since 1923, and ¾ of 50 states (38) were then needed to ratify it. In the 18th and 19th centuries, amendments were not given ratification deadlines nor does the Constitution require a deadline. The original ERA ratification deadline was 1979, only seven years. During that time, ratification by 35 of 50 states was achieved, however, due to momentous support: 33 states ratified within just two years and an additional two by 1977. Congress then passed a three-year deadline extension to 1982 (in response to a seven-year extension request), but no additional states succeeded within those three years and state efforts mainly paused until this new century. Now, with three more states’ ratification of the ERA and Congress’ vote to once again lift or void the old 1982 deadline, legal experts say the ERA will then become an amendment as it should be (see SJR16 Exhibit file, “Legal Answers About the ERA – August 2014.”)

- The remaining states that have not yet ratified the ERA are: the three Western states of Nevada, Arizona and Utah, some Southern states, and the two Midwest states of Illinois and Missouri. Note: The states of Texas, Wyoming, and Montana who share similarities with Nevada have already ratified the ERA.

- The Equal Protection Clause of the 14th Amendment only allows “intermediate scrutiny” in sex discrimination cases, NOT the “strict scrutiny” that the ERA would require like other basic rights in the constitution. In addition, although 22 states have their own ERA laws, they are not always applied properly due to the lack of an ERA at the federal level. Currently, under state statute NRS 233 enacted in 1961 and updated as recently as 2011, Nevada does specifically protect against discrimination by sex and many other characteristics for housing, service in public accommodations, employment, and an overarching area which is open to interpretation, but a federal ERA would be a stronger constitutional right like other basic rights of citizens in the Bill of Rights and other amendments.
Helene de Boissiere - Swanson, one of Katrina’s Dream four co-founders, engaged as a spiritual duty, made a pilgrimage across the United States promoting the passage of the Equal Rights Amendment (E.R.A.). Helene started her journey on International Women’s Day Bridgewalk at the Golden Gate Bridge in San Francisco, CA on March 8, 2014. She slept roadside, at the occasional Good Samaritan’s home, and in churches along her route. She arrived in Washington, D.C. on August 26, 2015, where she met with this nation’s leaders to demand the passage of the federal Equal Rights Amendment. The pilgrimage was a slightly over 7,000 miles.

Helene made her way all of the 15 non-ratifying states: Nevada, Arizona, Utah, Oklahoma, Missouri, Illinois, Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia.

Helene, an Episcopalian and aspirant for the priesthood of the Church of North India, co-founded Katrina’s Dream in memory of her late mother-in-law, the Rev. Katrina Martha Van Alstyne Welles Swanson. Katrina was one of the "Philadelphia Eleven" - eleven women who were "irregularly" ordained to the priesthood in 1974, becoming the U.S. Episcopal Church’s first female priests. When the Equal Rights Amendment failed to be ratified by the required 38 states, Katrina began to recite the Pledge of Allegiance “with Liberty and Justice for SOME!” When questioned “Why ‘some’?” She would reply, “Because the ERA was voted down, retired women are more likely to live in poverty than men.”

BACKGROUND

The U.S. Constitution does not guarantee equal rights for women. The only right guaranteed women in the United States have is the right to vote. The Equal Rights Amendment states:

"Equality of rights under the law shall not be denied or abridged by the United States or any state on account of sex."

It is a simple statement that would define the meaning of “We the people” to include the majority of the population—that is women.

Since 1923, activists have been trying to pass the Equal Rights Amendment (ERA). US Congress first approved the ERA and sent it to the states for ratification in 1972. Within a year, 30 states had ratified. By the end of the seven-year deadline though, only 35 states ratified -- three states short. In 2009, Katrina’s Dream’s Letter of Endorsement was included in Congresswoman Tammy Baldwin’s Resolution HJ 47- the “Three State Strategy” that resurrected the ERA.

WITHOUT THE ERA

1. Women fighting for equal pay have no consistent judicial standard for deciding legal cases, with women earning 78 cents for every dollar earned by a man, with African American women and Latinas making even less, 64 cents and 53 cents respectively. The gender pay gap remains stalled; and
2. According to The Shriver Report, 1 in 3 American women, 42 million women, plus 28 million children, either live in poverty or are right on the brink of it. (The report defines the “brink of poverty” as making $47,000 a year for a family of four.) Two-thirds of American women are either the primary or co-breadwinners of their families; and
3. One out of every four women is a victim of domestic violence and one out of every five has been or will be raped. The ERA would help ensure fair consideration in court cases concerning the wage gap, and also in cases about domestic violence, rape, forced prostitution and sexual slavery; and
4. The gaps in poverty rates between men and women is wider than anywhere else in the western world with 75 percent of elderly Americans living in poverty which are women.
PARTIAL LIST OF MEDIA COVERAGE ON PILGRIMAGE NEWS

PRINT AND TELEVISION

San Francisco, CA
http://abclocal.go.com/kgo/story?id=9459404

Vallejo, CA

Marin County, CA

Lake Tahoe, CA
http://www.tahoedailytribune.com/southshore/10948817-113/amendment-states-support-swanson

Pahrump, NV

Edwardsville, IL
http://www.theintelligencer.com/local_news/article_dc4fb024-6c2a-11e4-b614-4f60de0f5b7d.html

Springfield, IL

Tallahassee, FL
http://news.wfsu.org/post/activist-crosses-country-foot-promote-equal-rights-amendment

RADIO

The Woman’s Hour with Andrea Miller, Cathy Pagnaelli, and Tammy Simkins
Guests: Bishop Joe Morris Doss of At The Threshold, Portia Boulger, & Helene Swanson of Katrina’s Dream
http://www.blogtalkradio.com/pdan/2014/11/04/the-womens-room?fb_comment_id=fbc_692063577557249_697101173720156_697101173720156#f3cd7990e8

Every Woman with Sharon Lockhart
Guests: Marion Dyer and Helene Swanson
http://www.kkfi.org/program/every-woman/

The Living Room with Kris Welch - Special International Women’s Day Broadcast – KPFA
Guests: Toby Blome of Code Pink and Helene Swanson of Katrina’s Dream
https://www.kpfa.org/archive/show/25850

ARTICLES

Episcopal Church Women – Spring 2014 ECommuniqué
http://ecwnational.org/twentytwelve/communique/2014-spring-communicque/

BLOGS

ERA Minnesota - Pivoting towards Equity: A Woman’s Equality Day Conversation
http://www.eramn.org/home/previous/2

It’s Not About Me – Walking Across the Country for Equality
http://notaboutmichael.blogspot.com/2014/10/walking-across-country-for-equality.html

WEBSITES

The Living Church
http://www.livingchurch.org/march-rally-renew-era
IV. 115th U.S. CONGRESS

A. SENATE RESOLUTION – U.S Senator Benjamin Cardin
   1. Dear Colleague Letter (January 11, 2017)
   2. Text of S.J. Res. 5
   3. Press Release

B. HOUSE RESOLUTION – U.S. Representative Jackie Speier
   1. Dear Colleague Letter
   2. Text of H.J. Res. 53
   3. Press Release
United States Senate

January 11, 2017

SUPPORT EQUAL RIGHTS FOR WOMEN AND RATIFICATION OF THE EQUAL RIGHTS AMENDMENT (ERA)

DEADLINE FOR ORIGINAL CO-SPONSORSHIP: WEDNESDAY, JANUARY 18

Dear Colleague:

As we prepare for the Women’s March on Washington on January 21 after the presidential inauguration, I write to encourage you to become an original co-sponsor of a joint resolution to remove the deadline for the states’ ratification of the Equal Rights Amendment (ERA). When Congress passed the ERA in 1972, it provided that the measure had to be ratified by three-fourths of the states (38 states) within 7 years. A joint resolution enacted by Congress later extended this deadline to 10 years, but ultimately only 35 out of 38 states had ratified by the revised 1982 deadline.

Congress has the authority to give the states another chance to guarantee women equality under the law, and should do so. Our resolution would remove the deadline set by Congress for ratification of the ERA. Article V of the Constitution contains no time limits for ratification of constitutional amendments, and the ERA time limit was contained in a joint resolution, not the actual text of the amendment. In 1992, the 27th Amendment to the Constitution prohibiting immediate Congressional pay raises was ratified after 203 years.

The Fourteenth Amendment of the Constitution guarantees “equal protection of the laws,” and the Supreme Court has so far held that most sex or gender classifications are subject to only “intermediate scrutiny” when analyzing laws that may have a discriminatory impact. In 2011, the late Supreme Court Justice Antonin Scalia stated: “Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn’t.” Ratification of the ERA by state legislatures would provide the courts with clearer guidance in holding gender or sex classifications to the “strict scrutiny” standard.

This joint resolution was introduced in the last Congress as S.J. Res. 15, and the House companion legislation was H.J. Res. 51. To join as an original co-sponsor of this joint resolution, or if you have any questions, please contact Matthew Spikes in Senator Cardin’s office at 202-224-4524 or Matthew_Spikes@cardin.senate.gov.

Sincerely,

Benjamin L. Cardin
United States Senator
JOINT RESOLUTION

Removing the deadline for the ratification of the equal rights amendment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,
That notwithstanding any time limit contained in House Joint Resolution 208, 92d Congress, as agreed to in the Senate on March 22, 1972, the article of amendment proposed to the States in that joint resolution shall be valid to all intents and purposes as part of the Constitution whenever ratified by the legislatures of three-fourths of the several States.
“Article V of the Constitution contains no time limits for ratification of amendments, and the ERA time limit was contained in a joint resolution, not the actual text of the amendment. The Senate could pass my legislation removing the 10-year deadline right now,” said Senator Cardin. “I hope that the Majority Leader will bring this legislation up for a vote because American women deserve to know that their most fundamental rights are explicitly protected by our nation’s most venerated document. And what better way to set a positive tone for a new Congress and presidential administration than to take clear steps to fix a long-standing slight to America’s women.”

The amendment gives power to Congress to enforce its provisions by appropriate legislation, and the amendment would take effect two years after ratification.

“Today, nearly half of the states in America have a version of the ERA written into their state constitutions. In Maryland, my home state, the constitution reads that ‘Equality of rights under the law shall not be abridged or denied because of sex,’” said Senator Cardin. “Those sentiments also represent the present-day views of the vast majority of people across America and are the spirit that underpins this legislation. Congress should give the states another chance to ratify the ERA and correct this historical injustice.”

Representative Jackie Speier (D-Calif.) will once again introduce the House companion version of this legislation shortly. Senator Cardin’s legislation is part of a two-track approach to ERA ratification, with Senator Bob Menendez (D-N.J.) also preparing to introduce legislation to revive consideration of the ERA. As Senator Cardin’s resolution would remove the deadline for states to ratify the ERA, which has already been ratified by 35 states, Senator Menendez’s resolution would begin the process anew, giving all states a fresh opportunity to voice their support for women’s equality.

The 20 senators listed below have joined Senator Cardin’s resolution as original cosponsors. Additional cosponsors will be added during upcoming legislative days.
Sen Baldwin, Tammy [D-Wisc.]
Sen Booker, Cory A. [D-N.J.]
Sen Brown, Sherrod [D-Ohio]
Sen Feinstein, Dianne [D-Calif.]
Sen Franken, Al [D-Minn.]
Sen Gillibrand, Kirsten E. [D-N.Y.]
Sen Kaine, Tim [D-Va.]
Sen Klobuchar, Amy [D-Minn.]
Sen Menendez, Robert [D-N.J.]
Sen Merkley, Jeff [D-Ore.]
Sen Reed, Jack [D-R.I.]
Sen Sanders, Bernard [I-Vt.]
Sen Stabenow, Debbie [D-Mich.]
Sen Udall, Tom [D-N.M.]
Sen Van Hollen, Chris [D-Md.]
Sen Warner, Mark R. [D-Va.]
Sen Warren, Elizabeth [D-Mass.]
Sen Whitehouse, Sheldon [D-R.I.]
Sen Wyden, Ron [D-Ore.]
Dear Colleague:

It’s 2017 and women still aren’t equal under the U.S. Constitution? The late Supreme Court Justice Antonin Scalia didn’t think they are: “Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn’t.” Justice Scalia’s words should haunt every woman and man in this country who believes everyone deserves equal treatment under the Constitution.

In 1923, on the seventy-fifth anniversary of the Seneca Falls Convention, suffragist and Republican Alice Paul first announced the ERA. This constitutional amendment was introduced in every session of Congress from 1923 until it passed in 1972. Unfortunately the ratification effort fell 3 states short when the deadline expired.

My legislation, H.J. Res. 53, would repeal the expired deadline and restart the ratification clock at the current 35-state level, without a new time limit.

Then only three more states would need to ratify the ERA for it to become part of the Constitution. Current state efforts are already under way to do so in Illinois, Nevada, and Virginia.

Please join me as a cosponsor of this important legislation.

All the best,

Jackie Speier
Member of Congress

115TH CONGRESS 1ST SESSION

H. J. RES. _____

Removing the deadline for the ratification of the equal rights amendment.

IN THE HOUSE OF REPRESENTATIVES

Ms. SPEIER introduced the following joint resolution; which was referred to the Committee on _______________________

JOINT RESOLUTION

Removing the deadline for the ratification of the equal rights amendment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any time limit contained in House Joint Resolution 208, 92d Congress, as agreed to in the Senate on March 22, 1972, the article of amendment proposed to the States in that joint resolution shall be valid to all intents and purposes as part of the Constitution whenever ratified by the legislatures of three-fourths of the several States.
Congresswoman Speier Introduces Resolution to Ratify the Equal Rights Amendment

Washington, DC – Congresswoman Jackie Speier (CA-14) on Tuesday introduced H.J. Res. 53, a joint resolution that will remove the deadline and finally allow for the ratification of the Equal Rights Amendment (ERA). Senator Ben Cardin (D-Maryland) introduced companion legislation two weeks earlier. H.J. Res. 53 currently has 135 cosponsors.

“When asked, 96 percent of Americans think that women and men should have equal rights, and 88 percent believe that our Constitution should affirm those rights, while 72 percent of Americans mistakenly believe the Constitution already includes such a guarantee,” Rep. Speier said. “Given the current political climate, and the overwhelming support, it’s clear that the ERA is still a necessity. As the late U.S. Supreme Court Justice Antonin Scalia explained in a Supreme Court opinion, ‘Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn’t.’”

In 1923, on the 75th anniversary of the Seneca Falls Convention, Alice Paul first announced the ERA. This amendment was introduced in every session of Congress from 1923, until it passed in 1972. Thirty-five states ratified the ERA before the deadline, falling just three states short of the number needed for passage. That is why Congresswoman Speier’s joint resolution follows the “three-state” approach to ratification of the ERA, which would strike the expired deadline and restart the “ratification clock” so that the amendment would become part of the Constitution after the needed three states are secured. Efforts to secure those states are already underway in Illinois, Nevada, and Virginia. Once ratified, the ERA would specify in an amendment to the U.S. Constitution that “equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex.”

“Women, and men, in America are faced with a Congress and state legislators who are focused like a laser on attacking women’s health. We have a new Supreme Court Justice and, as such, many questions
about issues of gender equality hanging in the balance. The President’s ongoing executive actions threatening to rollback back all of our hard-won rights, including his reinstatement and expansion of the Global Gag Rule on the day after the 44th anniversary of Roe v. Wade, make ratification of the ERA more important than ever,” Rep. Speier said.


###
February 20, 2017

Dear Chairwoman Cannizzaro,

Please add my name to the list of those in support of SJR2 which would ratify the Equal Rights Amendment to the U.S. Constitution. Although symbolic at this point, ratification sends an important message that we in Nevada believe women should be treated fairly and equally. We have seen women in combat, in space, in top levels of business, politics, and science; in classrooms, board rooms, and operating rooms. So let's make it official; and while you’re at it, why not add an ERA to the Nevada Constitution? Thank you for your work to codify this underlying principle that will in turn aid in the passage of progressive policies like equal pay for equal work, family leave, and abolishment of the pink tax.

Sincerely,

[Signature]

Member of Congress

CC: Senate Majority Leader Aaron Ford
    Senator Pat Spearman
Dear Senator Loe,

The Equal Rights Amendment was introduced to Congress in 1923 to establish legal gender equality. I am 63 years old and I am still waiting for the ratification of this Amendment. I am asking for your vote of support for this simple justice long overdue. Thank you.

Sincerely,

Sushila Mertens
Dear Senator Gansert and Senator Cannizzaro,

Senator Gansert, as your constituent I want to make sure you know that I support the ratifying of the Equal Rights Amendment (ERA) and why I support it.

Senator Cannizzaro, as Chair of the Senate Legislative Operations and Elections Committee hearing the bill, I would also like you to know why I'm in support of Nevada finally ratifying the ERA.

I am on vacation with my family (a trip planned far before the hearing was scheduled) so I can't be in Carson City in person. I hope you consider my email a suitable substitute.

I am a native Nevadan, born and raised here. As a Nevadan, an American, and the daughter of a veteran I was raised with the ideals that people who do their jobs and work hard get rewarded with promotion, with benefits, with better pay. When I learned that it was legal for employers to pay women less than men I couldn't, and still don't, understand it. Equal pay for equal work shouldn't be a complicated or political expectation.

Women have fought and worked hard to gain legal precedent that allows them some forms of equal access, such as the ability to sign contracts, serve on juries, have rights to their property, earnings, inheritance, holdings, and rights to their children. There's nothing protecting these precedents and access. The ERA would help protect these gains.

I wasn't yet born during the original ratification period of this amendment, and when it was being heard in Nevada's legislature, I was far too young to know at the time the arguments for or against the ratification. Looking back on those arguments it amazes me the anti ratification side had traction at all.

Ratifying this amendment does not mean you have to open the doors to either sex for all sex segregated programs such as Girl Scouts, Boy Scouts, etc.. It doesn't mean women or men will lose access to child support, survivor benefits, or spousal support. It doesn't mean women won't want to marry men or have children. It simply allows women protections against discrimination they haven't had before.

The basic arguments between the two sides is that the anti ratification side wants to maintain the ability to take freedoms away from women and to retain the ability to discriminate against women based on nothing more than sex, while the pro ratification side wants to secure rights for women and eliminate the ability to discriminate against women based on nothing more than sex.
Nevada has a solid history of individual freedoms, in fact, it's what put our state on the map. It's time to acknowledge discrimination isn't acceptable in Nevada just as it shouldn't be acceptable in the United States of America.

Thank you for your time.

Sincerely,
Daela

Daela Gibson
89508
I have been working for ratification of the Equal Rights Amendment since 1972 (45 years). It is time to make sex a suspect classification equal to the same Strict Scrutiny that is afforded race, religion and national origin.

The late Justice Antonin Scalia said: "Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't." There are numerous cases where the courts have denied women their rights and treated them unfairly because a lower standard of review was used.

I want my daughter, daughter-in-law and five granddaughters and to have the 'equality of rights under the law' that I have been denied.

The ERA is a matter of simple justice long overdue.

Laura Carter Callow, Past Chair Michigan ERAmerica
42600 Cherry Hill Road Apt 324
Canton, MI 48187
THE TWENTY-FOURTH DAY

CARSON CITY (Wednesday), February 12, 1975

Assembly called to order at 11:03 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend J. Paul Lewis.
Pledge of allegiance to the Flag.

Assemblyman May moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.
Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:
Your Committee on Education, to which was referred Assembly Bill No. 39, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

ALBERT M. WITTENBERG, Chairman

Mr. Speaker:
Your Committee on Elections, to which was referred Assembly Bill No. 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANIEL J. DEMERS, Chairman

Mr. Speaker:
Your Committee on Judiciary, to which were referred Assembly Joint Resolutions Nos. 10 of the 57th Session, 14 of the 57th Session, 15 of the 57th Session, 17 of the 57th Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT BARENGO, Chairman

Mr. Speaker:
Your Committee on Government Affairs, to which was referred Assembly Bill No. 168, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 11, 1975

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 5.
Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 2, 71, 118, 124, 125.

JUDY AHLSTROM
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS, AND NOTICES

By Assemblymen Getto, Lowman, Weise, Jacobsen, Wagner, Young,
GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 1.

Resolution read third time.


Assemblyman Benkovich requested that remarks concerning Assembly Joint Resolution No. 1 be entered in the Journal.

Assemblyman Brookman: The great American dream was to grant justice and equality to all, without which we will be unable to survive.

If there are those who feel that women did not make their contribution sufficiently to justify equal rights in society, may I remind this body that when the pioneers came across the great land of America, in their long and hard journey, the pioneer women stood beside by side with husbands and families to build the homestead.

I dare say they fought with every means they had and took up arms to defend and help their families with courage because they had to, for a just cause. This did not make them any less of women. It did not destroy the family unit or structure. They still were good wives, sweethearts, and mothers and again I say, that they still gave birth then, and now, to 100 percent of all babies that were born.

What a great stock woman-kind was and still is. Always carrying their load, with strength and honor, faith and wisdom in the human course of dignity.

I feel it is important never to lose sight of the fact that ours is a government of all the people—with equal rights for all—without regard to any labels which have no bearing on a citizen's loyalty, ability, and concern for everyone's security and happiness.

I strongly urge that you lend your support to the passage of this most important Equal Rights Amendment. Thank you.

Assemblyman Wagner: It is with a great deal of pleasure and pride that I have an opportunity as an elected legislator to speak on behalf of the Equal Rights Amendment. Each member of this body has been vested with a great deal of responsibility to decide the fate of many crucial issues. But none it seems to me affects so many—all men and women.

The significant question is do we, as elected representatives of the people, believe in equality for all? To support this principle, and I would hope all of you do, and not to vote yes on ERA seems to me a contradiction.

Those who suggest they would be willing to change Nevada laws without the national mandate of constitutional amendment, I think are relinquishing not only their obligation, but their duty to provide equality for all Americans—not just Nevadans, but those men and women who live in all 50 states.

As the First Lady of our land, Mrs. Ford, stated in a telegram to me yesterday, "I feel strongly that ratification of the ERA is the single most important step our nation can take to assure equal opportunity for all Americans."

We have been elected by our fellow Nevadans to defend those principles upon which our country was founded. It is time now for each of us to decide if political considerations or equality under the law is more important.

As Bishop Frensdorff, of the Episcopal Diocese of Nevada, stated Monday evening, "If the basic convictions of our American society are valid, that all human beings, though infinite in their variety, are equal in the sight of God and another, then the Equal Rights Amendment is merely a long overdue affirmation of that principle."

Assemblyman Ford: I rise in proud support of the Equal Rights Amendment. It doesn't bother me that the wording is broad, vague, non-definitive, and inflexible, to use the words of the opponents.

I seem to recall other portions of the Constitution and Declaration of Independence with equally broad and vague terms such as freedom of speech, equal protection, due process, right to life, liberty, and pursuit of happiness. I wonder about the debates over those statements and no doubt people then were also afraid of opening Pandora's box.
INDEX TO ASSEMBLY JOURNAL

WAGNER, SUE—Continued

Moves—

Concur in Senate amendment(s) to A.B. 84, 989.
Do not concur in Senate amendment(s) to A.B. 84, 989.

Remarks from the floor re Equal Rights Amendment, 145; A.B. 84, 283; A.B. 85, 229; S.B. 234, 609.


Roll call vote requested on motion re A.B. 84, 283; A.B. 294, 628.

WASHOE COUNTY DELEGATION—
Bill introduced by, A.B. 498, 466.

WAYS AND MEANS, COMMITTEE ON—

Members, appointment, 15.

WEISE, ROBERT L., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 23 DISTRICT—
Absences, excused, 191.
THE TWENTY-SIXTH DAY

CARSON CITY (Friday), February 11, 1977

Assembly called to order at 11:46 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Howard, who was excused.
Prayer by the Chaplain, The Reverend Joseph Pritchard.
Pledge of allegiance to the Flag.

Assemblyman Demers moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.
Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Jacobsen requested that The Reverend Pritchard’s prayer be entered in the Journal:

O Lord, our God, we thank Thee for this time of prayer when the clamor of many voices is still and we can listen for Thy voice reminding us of the purpose and power that encompasses all of us. Grant us such commitment to seeing the truth and such devotion to understanding what is right that we can feel good about the decisions we shall make today. We pray for these, Thy servants, the representatives of the people of Nevada. In the midst of the pressures and responsibilities that drain their energies and exhaust their spirits, grant them a full measure of laughter and love and beauty and inner peace. May they know what it is to rest their minds in Thee. Grant to all of us faith to believe that all things work together for good to them that love Thee. Through Jesus Christ our Lord.

Amen

REPORTS OF COMMITTEES

Mr. Speaker:
Your Committee on Transportation, to which was referred Assembly Joint Resolution No. 13, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

KAREN HAYES, Chairman

Mr. Speaker:
Your Committee on Judiciary, to which was referred Assembly Bill No. 26, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT BARENGO, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 10, 1977

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 114.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 20, 81, 132, 133.

JUDY AHLSTROM
Assistant Secretary of the Senate
MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Brookman gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 127 was this day passed.

Assemblyman Murphy requested that pursuant to the provisions of Assembly Standing Rule No. 30, all members be required to vote “Yea” or “Nay”.

Mr. Speaker ruled that Assemblyman Murphy’s request was out of order, as Assembly Standing Rule No. 30 does not imply that all members must vote “Yea” or “Nay”.

Assemblyman Murphy appealed Mr. Speaker’s decision.

Remarks by Assemblymen Murphy, Mann, Jeffrey, Jacobsen, Vergiels, Price, Gomes, Barengo and Robinson.

Assemblymen Demers, Jacobsen and Weise moved the previous question.

Motion carried.

The question being on the decision of the Speaker that Assemblyman Murphy’s request that pursuant to the provisions of Assembly Standing Rule No. 30, all members be required to vote “Yea” or “Nay”, was out of order.

Assemblymen Murphy, Weise and Price requested a roll call on Assemblyman Murphy’s appeal of the decision of the Chair.

The question was put: “Shall the decision of the Chair stand as judgment of the Assembly?”

Roll call on Assemblyman Murphy’s appeal of the decision of the Chair:

YEAS—25.
NAYS—Bennett, Brookman, Coulter, Gomes, Goodman, Jeffrey, Kissam, Kosinski, Murphy, Price, Vergiels, Wagner, Weise—13.
Absent—Howard.
Not voting—Glover.

Mr. Speaker’s decision sustained.

REMARKS FROM THE FLOOR

Mr. Speaker requested that Assemblyman Weise’s remarks with regard to Assemblyman Howard’s position on Senate Joint Resolution No. 5 be entered in the Journal:

On behalf of fellow member, Bode Howard, who is unable to be here because of his hospitalization, I would like to extend his feelings on S.J.R. 5, which I presume is the next order of business. Mr. Howard has consistently opposed the measure and has indicated his opposition to S.J.R. 5, and if there is any doubt about it, we are talking about the Equal Rights Amendment. I hereby take liberty to inform this body of his position.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 5.
Resolution read third time.
Remarks by Assemblymen Brookman, Chaney, Coulter, Gomes, Price and Wagner.
Assemblyman Price requested that the following remarks be entered in the Journal:
Assemblyman Wagner: I rise in proud support of the Equal Rights Amendment today as I did in 1975.

I rise as an American, a Republican and a woman. My support initially arises as an American citizen. This, my colleagues, is a national issue—a national principle, equality for all human beings. It has been difficult for me to accept the fact that I must stand here over 200 years since the founding of this country and debate an issue so basic, so just, so fair and so American as legal rights for all. But I must and I shall for as long as it is necessary.

I wonder what Elizabeth Cody Stanton would think today of this debate. I would like to share with you some of her thoughts before the Judiciary Committee of Congress in 1892.

"The strongest reason for giving woman all the opportunities for higher education, for the full development of her faculties, forces of mind and body for giving her the most enlarged freedom of thought and action; a complete emancipation from all forms of bondage, of custom, dependence, superstition; from all the crippling influences of fear, is the solitude and personal responsibility of her own individual life. The strongest reason why we ask for woman a voice in the government under which she lives; in religion she is asked to believe; equality in social life, where she is the chief factor; a place in the trades and professions, where she may earn her bread, is because of her birthright to self-sovereignty; because, as an individual, she must rely on herself. No matter how much women prefer to lean, to be protected and supported, nor how much men desire to have them do so, they must make the voyage of life alone, and for safety in an emergency they must know something of the laws of navigation. To guide our own craft, we must be captain, pilot, engineer; with chart and compass to stand at the wheel; to watch the wind and waves and know when to take in the sail, and to read the signs in the firmament over all. It matters not whether the solitary voyager is man or woman."

I wonder what she would think 85 years later of this debate today.

I wonder what you think of some of the comments I heard during the hearings this past week. The first, "You cannot have freedom and equality." My colleagues, there is no freedom unless there is equality. The second, "We Americans cannot afford equality." My colleagues, we cannot afford inequality.

Since this is a national issue, I must address the concern of the federal government's role.

If you are concerned about federal intervention, I think your concern will be justified if the ERA is not ratified. In late 1973 the U.S. Government filed suit against the State of Nevada to nullify Nevada's labor laws, because they were discriminatory. Those of you who were here in 1975 remember A.B. 219 which addressed that suit in revising our Statutes. We were fortunate then for the federal judge allowed the Legislature to make the necessary changes ourselves, basically because our biennial session was upon us. But we might not be so fortunate again. The day the ERA is finally ratified by 38 states, all sex discriminatory laws are not suddenly and magically rewritten by some unknown person. Instead the initiative will pass once more to the states to us—to you and me—I would prefer that, wouldn't you?

I also rise as a Republican. I have been asked probably more than most why I am a member of that party. There are many reasons, but one of the most important is that the cornerstone of my party is individual freedom and responsibility. The ERA is individual freedom and responsibility. I am proud to represent that GOP philosophy in my vote today.

And finally I rise as a woman—a mother, wife, homemaker. This is the most difficult for me to address for what we are debating today is to what degree I may be treated as an individual under the law.

The statistics demonstrating the inequity in earnings for men and women in the marketplace may not be disturbing to women who feel they are financially secure in their homes. They may not be disturbing to men who still feel that American women are well "taken care of" and really shouldn't be competing with men for jobs. But the 12 percent of all families headed by women should be concerned. The 43 percent of all married women (and their husbands) who
work to help support the family, should be concerned, and every individual woman who wants to be assured of an equal opportunity to pursue her own talents in the marketplace should be concerned.

The Equal Rights Amendment will not markedly expand the protections afforded by their piecemeal federal laws, but it will provide needed national impetus for the recognition of women as individuals in the marketplace. It will provide a permanent, accessible, and well-known legal alternative to the limitations imposed by the present patchwork approach.

The day the ERA is finally ratified by all 38 states, all sex discriminatory laws are not suddenly and magically rewritten by some unknown presence. Instead, the initiative will pass once more to the states. ERA will take effect 2 years after ratification, to allow state legislatures to examine and rewrite their laws.

We have been elected by our fellow Nevadans to defend those principles upon which our country was founded. It is time now for each of us to decide if political considerations or equality under the law is more important.

If the basic convictions of our American society are valid, that all human beings, though infinite in their variety are equal in the sight of God and one another, then the Equal Rights Amendment is merely a long overdue affirmation of that principle.

Roll call on Senate Joint Resolution No. 5:

YEAS—15

NAYS—Banner, Bremner, Craddock, Demers, Dreyer, Harmon, Hayes, Hickey, Horn, Jacobsen, Jeffrey, Mann, May, Mello, Moody, Polish, Rhoads, Robinson, Ross, Schofield, Sena, Serpa, Westall, Mr. Speaker—24.

Absent—Howard.

Senate Joint Resolution No. 5 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 32, 51; Senate Bill No. 32.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sammie Childs, Corliss Holliday, Gilda Holliday and Dedoria Matthew.

On request of Assemblyman Robinson, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Laurie Rovere Lista.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Arne Oas, Sigrid Oas Capel and Mr. Fred Capel.

On request of Assemblyman Sena, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Margaret Marwin and Mr. Sergio Vargas.

On request of Assemblyman Hayes, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sue Broadbent, Bette Tanner and Mr. Ed Smith.
INDEX TO ASSEMBLY JOURNAL

WAGNER, Sue—Continued

Bills introduced by—Continued


Committee appointments—


Escort, Senator Laxalt, 181.

Special—

Committee on Ethics, 878.
Inform Governor Assembly organized, 5.
Inform Senate Assembly ready to adjourn sine die, 1354.
Public Service Commission of Nevada, committee to study, 564.

Standing—

Elections, 7.
Judiciary, 7.
Legislative Functions, 7.
Temporary Committee on Legislative Functions, 1.

Moves—

Adopt report of conference committee re S.B. 54, 1239.
Adoption of amendment(s) to A.B. 15, 385; A.B. 120, 595; A.B. 315, 596; A.B. 410, 576; A.B. 559, 813; S.B. 386, 1008.
Adoption of resolution, A.C.R. 20, 298.
Concur in Senate amendment(s) to A.B. 693, 1193.

Remarks from the floor re Assemblyman Melvin B. (Bode) Howard, 972.

Equal Rights Amendment, 164; Laetrie and Gerovital, 325.

Resolutions introduced by,


WAYS AND MEANS, COMMITTEE ON—

Bills introduced by,


Members, appointment, 7, 237, 1121.

Resolutions introduced by, A.C.R. 55, 778; A.C.R. 63, 1067; A.R. 27, 754.
I come here today as a Princeton ROTC scholarship graduate who served in the US Army Field Artillery back in the 1980’s. I am a conservative, Republican woman speaking for the many women who have and are still, every day, risking their lives fighting for our Constitution, a Constitution that does not give them equal status. The guns they are trained to use have more protection than they do in our Constitution. I believe America is the greatest country on earth for many reasons but it has this critical, unfinished piece of business called the Equal Rights Amendment and Virginia can and should wake up the country and inform them that we are once again on the right road to equality for the 171 million Americans who still wait to be enshrined in this great Constitution.
THE EQUAL RIGHTS AMENDMENT

“I would like my granddaughters, when they pick up the Constitution, to see that notion – that women and men are persons of equal stature – I’d like them to see that is a basic principle of our society.”

– JUSTICE RUTH BADER GINSBURG

The Equal Rights Amendment would enshrine in the United States Constitution the concept of women’s equality and create a national legal standard for the elimination of sex discrimination.

DON’T WE ALREADY HAVE AN ERA?

No, we don’t. After it passed by the required two-thirds vote of both the U.S. House and Senate in 1972, the ERA was sent to the states for ratification. 38 state legislatures must vote to ratify an amendment before it can become part of the U.S. Constitution. Congress, however, imposed a seven-year deadline on the ratification process; by 1978, with 35 states having voted to ratify, the amendment was still 3 states short.

With the seven-year deadline approaching, women’s rights activists led by NOW organized a massive campaign to demand that Congress remove the timeline. Tens of thousands marched in Washington, DC in 1978 and thousands more sent telegrams to Congress, literally shutting down the Western Union system for several hours. Congress eventually acted to extend the deadline until June 30, 1982.

Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

The opposition to the ERA, however – led by the US Chamber of Commerce, the National Association of Manufacturers and the insurance industry – managed to hold back ratification in the remaining states, especially in the South. When the deadline expired, no new states had ratified. The ERA was still 3 states short. The 15 states that failed to ratify the ERA are: Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, South Carolina, Utah, and Virginia.
DO WE STILL NEED THE ERA?

Yes, we do. The late Supreme Court Justice Antonin Scalia put it this way:

“Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn’t.”

It’s about equality and respect. Even with all the progress women have made since the ERA was first passed out of Congress in 1972, without a constitutional standard for protection, laws prohibiting discrimination against women and girls are subject to the whims of Congress, and can be changed, gutted, or even eliminated with a simple majority vote and the signature of the President. The outcome of the 2016 elections underscores the urgent need to ratify the ERA.

For example, conservatives in Congress have blocked passage of stronger equal pay laws, voted to eliminate family planning funding, and have attempted to weaken Title IX, which prohibits sex discrimination in education. The ERA would give women and girls a stronger legal basis to fight sex discrimination in education, pay and benefits, in insurance pricing and in Social Security, Medicaid and Medicare programs that disproportionately serve poor and elderly women.

Although the Supreme Court has struck down some discriminatory laws, the conservative majority of the Court has allowed others to stand, and has limited or gutted federal laws and rules that would prohibit sex discrimination. For example, in 2014, the Supreme Court, in Burwell v. Hobby Lobby, ruled that closely-held, for-profit corporations could discriminate against women by refusing to provide health insurance coverage for FDA-approved contraceptives. Men, no matter where they work, will have access to comprehensive preventive health insurance coverage…but women do not enjoy this same right.

The ERA would not only protect against rollbacks of the gains women have won, but also provide a basis for legislation that would secure women’s equality going forward.

For example, when it was passed in 1994, the Violence Against Women Act (VAWA) made ending gender-based violence a national priority and empowered survivors to hold their batterers and rapists liable for damages — even if their attackers were not criminally prosecuted.

But when a college student attempted to use VAWA to sue her rapists and university for mishandling her sexual assault claim, the Supreme Court ruled that Congress had no constitutional authority to enact the provision that authorized her lawsuit. The ERA would give Congress the power to enact this kind of provision, and others, to help prevent systemic violence against women and give survivors better access to justice.

RENEWING THE DRIVE FOR THE ERA

The ERA has been reintroduced in both houses of Congress in every session since 1982, with no time limit on ratification. Members of the House and Senate also have introduced “three-state strategy” resolutions to rescind or nullify the original time limit, thus avoiding needing to pass the ERA again and re-start the ratification process. The time limit placed on ERA ratification was included in the preamble of the ERA, which states do not vote on in order to ratify the amendment. If successful, this strategy would mean that only 3 additional states would have to ratify the ERA for the amendment to take effect. Efforts to ratify the ERA are underway in several of the unratified states, including Nevada, Illinois, Virginia, and North Carolina, among others.

Join us in working to finally add women to the Constitution!

FEMINIST MAJORITY: Working for Women’s Equality www.feministmajority.org
Eileen Davis, Co-Founder of Women-matter.org, has submitted these links for the public record:

The Equal Rights Amendment: Why the Era Remains Legally Viable and Properly Before the States

"The Equal Rights Amendment: Why the Era Remains Legally Viable and Pro" by Allison L. Held, Sheryl L. Herndon et al.
Helene de Boissiere - Swanson, of Nevadans4EqualRights.org, has submitted these links for the public record:

A Woman’s Nation Pushes Back from the Brink: Facts and Figures

The Shriver Report – A Woman’s Nation Pushes Back from the Brink: Facts and Figures

Cardin Measure Would Immediately Revive Consideration of the Equal Rights Amendment (ERA)

Cardin Measure Would Immediately Revive Consideration of the Equal Rights Amendment (ERA) | U.S. Senator Ben Cardin of Maryland
The Equal Rights Amendment

Unfinished Business for the Constitution

ERA Overview Exhibit for Nevada Senate Joint Resolution 2 (SJR 2) to ratify the Equal Rights Amendment
Written by Nevada ERA Ratification Organizer and Advocate Janette Dean
February 15, 2017

For add’l. info., visit equalrightsamendment.org, eraaction.org, eracoalition.org, and eraeducationproject.com or call Janette Dean at 775-771-8735, Senator Pat Spearman at 775-684-1424, or Senator Yvanna Cancela at 775-684-1427.

THE EQUAL RIGHTS AMENDMENT

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

THE UNNECESSARY 1982 ERA RATIFICATION DEADLINE

Two wrongs do not make a right. Setting an unnecessary deadline to add equal rights to the U.S. Constitution was the first wrong, and the second wrong is still being done by states who continue to refuse to ratify it, knowing full well that there are consistent efforts to lift the unnecessary 1982 deadline and that new state ratifications would help immensely in that effort. Most recently, the Illinois Senate and the Virginia Senate passed resolutions in 2014 ratifying the ERA, but are still working on gaining more support to pass it out of their state houses.

Equal rights should ethically have no deadline. Rights are timeless and are far too important. In addition, several states have ratified constitutional amendments even after they were fully ratified with the ¾ minimum because they wanted to be shown in the Congressional Record as ratifying states; two examples are 12 states that later ratified the 19th amendment for women's right to vote (Mississippi was the last on March 22, 1984) and 9 states that later ratified the 13th amendment abolishing slavery and involuntary servitude (with Mississippi also being the last on March 16, 1995). In conclusion, there is nothing that can stop a state from ratifying an amendment at anytime to show support for it.

KEY FACTS & POINTS

- After continued annual efforts since 1923, Congress FINALLY passed the ERA on March 22, 1972 (almost 55 years ago) and ¾ of 50 states (38) were then needed to ratify it. Amendments before the Eighteenth Amendment in 1917 for Prohibition had never been given a deadline, but the ERA was given a seven-year deadline of 1979. By that deadline, a numerous 35 of 50 states had ratified, but three more were still needed. Congress then passed a three-year extension to 1982 (instead of the seven requested), but no other states ratified it. The three Western states that refused to ratify were Nevada, Arizona and Utah along with several Southern states and the two Midwestern states of Illinois and Missouri.
The most recent amendment to the Constitution is the 27th Amendment (added in 1992). It delays Congressional salary changes from taking effect until the next term, and finally became an amendment after 202 years (it had been introduced in 1789 with no deadline). Many resolutions to lift the ERA’s unethical 1982 deadline (for such an essential national right as equal rights) have been introduced in Congress, but have been blocked due to partisanship. However, recent resolutions (newest below), in the U.S. Senate and House are gaining more momentum due to growing numbers of female legislators as well as increasing public awareness and impatience by both women and men. The White House under President Obama also issued announcements giving full support for the ERA being fully ratified.

- SJRS, just introduced 1/17/17 by Sen. Benjamin Cardin (D-MD), already has 27 co-sponsors
- HJR53, just introduced 1/31/17 by Rep. Jackie Speier (D-CA-14), already has 144 co-sponsors including Representatives Ruben Kihuen (D-NV-4), Jacky Rosen (D-NV-3) and Dina Titus (D-NV-1)

Republican legislators are far more reluctant to admit a need for the ERA, but the Equal Protection Clause of the 14th Amendment only allows “intermediate scrutiny” in sex discrimination cases, NOT the needed “strict scrutiny” that the ERA would require. In the Supreme Court case of Minor Vs. Happersett (1875), the 14th Amendment was determined to not even allow women the right to vote. That case necessitated the 19th Amendment for women’s suffrage and also the Equal Rights Amendment. In addition, although some states have their own ERA laws, they are not always applied or enforced due to the lack of an ERA at the federal level. Currently, under Nevada Revised Statute 233 enacted in 1961 and updated as recently as 2011, Nevada does specifically protect against discrimination by sex and many other characteristics for housing, service in public accommodations, employment, and an overarching area; so certainly, the state does supports equal rights at least in Nevada which is why they should also support them for fellow Americans and everywhere in the United States that Nevadans may travel.

- An April 2012 poll for Daily Kos and Service Employees International Union (SEIU) found that 91% of Americans believe that men and women should have equal rights affirmed by the Constitution.

NEVADA

- Nevada ratification of the ERA passed the Assembly in 1975 and the Senate in 1977, but it has never passed both houses with the ‘simple majority’ needed (51% or more of the 21-seat Senate and the 42-seat Assembly). The Governor’s signature is not required on resolutions. In 1978, the ERA also failed in Nevada by a 2-1 margin as a Ballot Advisory Question (124K vs. 62K). The last resolutions to ratify the ERA in Nevada were introduced by Senator Pat Spearman in 2015 and Assemblywoman Kathryn McClain of Las Vegas in 2009, but neither resolution was able to get voted out of committee due to partisanship.

OTHER STATES

- Cross-country ERA pilgrim, Helene Swanson, who once lived in Nevada visited key states on her journey in 2014 and 2015 to inspire stronger ERA ratification efforts and she is succeeding. Strong efforts are now underway here and in Illinois, Virginia, Arizona, and also Utah where Mormons for the ERA are very active.
Senator Cannizzarro and members of the Legislative Operations and Elections committee.

My name is Alison Gaulden; I’m a 29 year resident of Reno, Nevada and a longtime women’s rights advocate, both in vocation and profession. I volunteered and worked for Planned Parenthood for 25 years and currently am faculty at the Reynolds School of Journalism, University of Nevada. I am providing my written testimony asking the committee to support Senator Spearman’s (et al) Senate Joint Resolution No 2 to finally ratify the Equal Rights Amendment in Nevada and indicate to Congress that they need to implement the Constitutional Amendment to assure equal rights for women and men in Nevada and across the country.

As stated in the resolution itself, today the issue of equality between genders remains unresolved and unequal. Congress repeatedly fails to take action to address policy effecting women’s equality except the right to vote—because of the 19th Amendment. The Fourteenth Amendment continually is not interpreted to assure equal application of rights, yet would be were the ERA to become the 27th Amendment. Congress is running amok rolling back women’s rights—against the VAST majority (96% Opinion Research Corporation 2001; 91% Daily Kos 2012 poll) of voters’ wishes. Most voters want women to access contraceptives regardless of who insures them, because contraceptive medication is medically necessary; the majority of time the prescriptions address medical issues not related to pregnancy prevention. Yet Congress continually attacks access to contraceptives for low income women against voters’ preferences. With a Constitutional Amendment to assure Equal Rights this could be stopped.

Congress continues to attack Planned Parenthood as a Medicaid provider. Nearly 20,000 women and men in Nevada would likely not access care if Planned Parenthood were not a listed Medicaid provider in our state, between the shortage of doctors available or willing to take Medicaid for its unreasonably low reimbursement rates. Attacking a women’s health organization and repeatedly discriminating against women thru punitive policy would be unconstitutional with the ratification of ERA.

With a presidential candidate who openly admits to sexual assault behaviors and the ongoing rape culture that women battle, especially on college campuses, we need to affirm as a state that Nevada does not support rape culture, which is rooted in sexism and inequality. Supporting Equal Rights and addressing sexist policy will demonstrate this to the our girls and young women to our boys and young men.

I urge you again to pass SJR 2 and stand for equality.
To the Committee member and all in attendance,

Thank you for being here and for listening to this letter. Jimmy Carter wrote a letter recommending HJ Res 638 to extend the time for ratification of the Equal Rights Amendment. This was in 1978. (source: http://www.presidency.ucsb.edu/ws/?pid=31062) In this letter he said: "The Equal Rights Amendment is a long overdue addition to our Constitution: it will guarantee equal rights for all Americans, regardless of sex. I commend you, and the Judiciary Committee, for your efforts in 1972 proposing the Amendment and your vital support, since then, for ratification." Here we are in 2017, nearly 40 years later, writing in support that Nevada recognizes the ERA. With Nevada’s ratification, it is my understanding that two more states will be needed to add this amendment to the constitution. But you know all this is why we’re here. I will tell you why I am interested.

I am a non-minority, cisgender woman born and raised in Nevada. I am proud to be called Battle Born and to associate myself with this great State. I will be prouder still when we ratify the ERA which we are working for here today. We cannot go back, I urge you, do not consider any alternative than ratification of the ERA today. Just about three years ago, we celebrated Nevada's Bicentennial. In celebration of that, the Emancipation Proclamation was brought to our state museum to recognize Nevada’s part in that history. In this exhibit, I learned more about the term "Battle Born" than I had before. I learned that Nevada didn't just acquire statehood by providing silver, but that Nevada was quintessential in Abraham Lincoln's re-election through becoming a state. (source: http://www.rgj.com/story/life/2014/10/25/history-comes-nevada-emancipation-proclamation/17915835/) I read that there was much opposition to this, that the original State Constitution intentionally "got lost" or intercepted by Lincoln's opposition. I learned that we sent the longest telegraph in history at the time in order to get the State Constitution across the nation. Because whatever obstacle Nevada ran into, we worked through it to do the right thing. And this founding of our state "Battle Born" was because we believed in what was right, we fought for equal rights, and we continue to fight today.

I urge this committee to ratify the ERA, learn from history, honor those who came before us, recognize that because of them we can, and ratify this amendment which is obvious to me - Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. It's obvious to me. If it's not obvious to anyone here, please consider the following facts and statements with sources. In the U.S. women have to go above and beyond the standards to which men are held in order to demonstrate their competence (source: http://www.economist.com/blogs/democracyinamerica/2015/01/women-and-work). In 2006, all women combined earned only 77 cents for every dollar earned by men; African American women earn only 63 cents on the dollar earned by men; Hispanic American women earn only 52 cents on the dollar earned by men. Equal pay would in fact benefit the US economy (https://www.thebalance.com/why-equal-pay-for-women-would-benefit-the-u-s-economy-3514892)
I urge you, also, that the work is not done after the ratification of this amendment. Ratify this amendment today, First introduced in 1923, passing Congress in 1972, and still to be ratified, there is more work to do for Equal rights across all races, all religions, all gender identities, all sexual orientations, all abilities, all socioeconomic backgrounds, all political perspectives, and all nationalities. Ratify this amendment today and continue the work tomorrow until the work for all equal rights is done. The people will support you if you do what is right, and continue to work on amending the constitution to represent our society today. Thank you for your time, signed, Kelley Hodges, Carson City, NV 89703.
Dear Chair Cannizzaro and Members of the Senate Legislative Operations and Elections Committee:
My name is Marla Turner. I am a lifelong resident of Nevada and the president of Emerge Nevada, an organization whose mission is to train and mentor women to run for public office. I write you today to urge your support for Senate Joint Resolution 2 being heard in your committee tomorrow, February 20, 2017.

Sex discrimination is still a very real problem. I have encountered many situations in my own life and here are just a few:
• In my mid teens, I was denied a job as a checker in a department store because it "wasn't a job for a girl." I was told to look for secretarial work instead.
• In my late teens I was denied a job as a receptionist for a vacuum cleaner outlet because I "was marriage age" and the employer didn't want to risk me getting married and starting a family.
• In my early twenties my husband and I bought our first home. Although I was the main wage earner the bank refused to put my name as the primary on the loan because "the husband's name always goes first."
• In my late twenties I discovered that a male counterpart was earning nearly $8,000 a year more than me for the same job. When I asked for the same salary I was told that my colleague deserved the money because he was head of his household and responsible for their support. I argued the same was true for me. My employer declined to equal my salary which told me that my colleague’s need to support his family was viewed as more important than mine.
• In my thirties, my divorce was finalized. Unbeknownst to me, my husband had accumulated a massive amount of debt during the last two years of our marriage while he was unemployed. The judge gave him the family home and ordered him to pay the minimum legal requirement in child support. The judge awarded me primary custody of the children and ordered me to pay all of my husband's debts.
• In my late forties I began mentoring and training women to run for public office. They filled my ears with stories that were just like mine. It is a constant challenge to encourage them that a path for elected office exists when so much of their life experiences tell them otherwise. I have been passed up for job promotions, patronized by sales people telling me my product selections were not "appropriate for a woman", and had my veracity questioned when I stood up for a friend who accused her boss of sexual harassment.
At the state level, passage of the ERA sends a clear message to Nevada's women that gender is not a barrier to equality. It also sends a message to the rest of the country that the Battleborn State supports equal rights for women.

The time for minimizing and marginalizing women is over. I support the Equal Rights Amendment because women deserve the same protections under the law as men. While Nevada has passed some state laws to provide some of these protections, it is not the same thing as an amendment to the U.S. Constitution.

This will be the fourth time such a resolution has appeared before the Nevada Legislature. I urge you to see it through all the way this time. Please support Senate Joint Resolution 2 and let’s provide women with the security of knowing that the guarantee of equal rights is absolute.

Thank you in advance for your support and for all you do for Nevadans.

My best to you,

Marla Turner
President
Emerge Nevada
Email: mturner@emergenv.org
Ph: (702) 610-9043
Fax: (702) 458-9369

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Visit us at www.emergenv.org
I am here today on behalf of constituents in the state of Nevada and women and girls of America to ask for your YES vote on SJR2 to ratify the federal Equal Rights Amendment (ERA). History was made in 1972 when the amendment was passed out of both chambers of Congress and sent to the States for ratification. However, the ERA has yet to be ratified because it has been stalled, just three states short of the thirty-eight states needed to make it the 28th Amendment to the United States Constitution.

As I reflect back in time forty-four years ago, the year 1972 was highly memorable and significant for me as a young woman preparing to graduate from high school. The year before, in 1971, the 26th Amendment was ratified which lowered the voting age from twenty-one years of age to eighteen. History would be made as I would be among the millions of eighteen year old citizens of our nation eligible to cast our first vote in the 1972 presidential election. I was both excited and proud going into the voting booth, but also extremely nervous about the process of marking my ballot properly.

On March 22, of that same year, the Equal Rights Amendment was passed in both chambers of Congress. This historic event was tremendously significant for me as a young woman about to venture into adult life with bright expectations of a college education and eventually a career path in whatever field I would choose. The Women’s Liberation Movement was in full swing during this time taking positive steps in the right direction to achieve equal rights for women. Finally, once and for all, our country was on a path that would enshrine equality for me and future generations of women and girls in the U.S Constitution. Unfortunately in 1982 our valiant fight for Constitutional equality fell three states short of the thirty-eight states required for ratification.

Although the amendment stalled, U.S. women did achieve significant advances during and following the 2nd wave of the women’s movement, including Title IX, prohibiting sex base discrimination in education. Women have outnumbered men in college enrollment and completion rates according to a 2013 Pew study. But despite these achievements, a gender wage gap still persists and is even wider for women of color. How can we remedy this situation? The remedy lies in the ratification of the Equal Rights Amendment.
Hi I am Roberta Lange Chair of the Nevada State Democratic Party and I am here to speak in favor of SJR 2

Chair Cannizzaro and members of the Senate Legislative & Operations Committee

Many people would like to think that our society is beyond the need for a constitutional amendment guaranteeing equal rights for women. That somehow we have magically moved beyond discrimination and into equality because some women are CEOs, some women are active military combatants, and some women are effective elected leaders. Yes indeed, women today have made remarkable strides in college participation and graduation. We have seen women challenge harassment and win. Calling adult women honey and babe is no longer acceptable.

If you think that women have come far enough and the law protects and empowers them, fine. But I ask you, what then are your afraid of? Why not pass the Equal Rights Amendment?

Could it be that some people are afraid employers will have to ante up for not paying equal wages…that young women and girls will get a bigger piece of the college athletic pie…that women and girls will stand proud to become scientists and inventors…that women and girls will be empowered to say no or to say yes according to their own plans and their values?

These are not things to be feared, they are a cause for pride.

If you believe as I do that women are not equal, then all of the arguments that we have made over the last 100 years from suffrage to economic opportunity, still stand.
Men retain the vast majority of our country’s economic and political power. We see rape allegations dismissed because men are athletes or entertainers. Women in similar jobs still make less money than men.

Women simply do not have equal rights in this country. The lack of a specific provision in the United States Constitution represents a hole in our national psyche. The framers of our Constitution were all men, they thought like men and wrote the Constitution for men.

What would have happened if women helped to create our Constitution and Bill of Rights? I bet the Declaration of Independence would have looked different too.

But that was then. This is now. And now is the time to bring Nevada in line with the 35 other states that have passed this Amendment.

Now is the time to make my daughters equal to my sons, for if they are not, neither is truly equal.

I urge you to pass SJR2 out of committee and move this important legislation to the floor for passage.
Testimony of Mylan Barin Hawkins  
Monday, FEBRUARY 20, 2017  
Committee Senate Legislative Operations and Elections

Forty years ago in 1977 I stood before this body and gave testimony as to why we needed the Equal Rights Amendment. Here I am 40 years later still asking to be included into the Constitution of the United States. Make no mistake I am not. There is nothing in the Constitution that prevents the government of the United States from treating me as less than a full citizen. Nothing!

The women of America have waited 238 years to be included in the constitution. Abigail Adams wrote to her husband John.

“I long to hear that you have declared an independency. And, by the way, in the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors. Do not put such unlimited power into the hands of the husbands. Remember, all men would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation.”

John’s reply was to tell Abigail to “Not be saucy” The ladies were not remembered.

Make NO MISTAKE; THE ONLY REASON FOR NOT INCLUDING US IS TO KEEP US SECOND CLASS CITIZENS. There is money to be made by keeping a person second class. That’s A FACT. The 13-14-and 15 amendments put Black America males in the constitution. It did nothing for Black American women. The courts were and still are loathed to use those amendments on issues of sex. And the struggle has gone on. We have been fomenting rebellion for 238 years and will continue to do so until we are recognized as 1st class citizens.

Many will speak out about why this amendment should not be passed. Believe me I heard every argument. Everything from women having to use the same bathroom as men, drafted and thrown in foxholes, rushing to get pregnant just to get an abortion, or are in danger of having their social security taken away and not treated with respect. Bogus lies all. TWADDEL. Totally Without Actuate Data or a DEliberate Lie. TWADDEL.

When I was out on the campaign trail for the ERA in Nevada a really beautiful young women in Tonopah stood up with her bouncy blond hair dressed in a long gingham dress. “I Love being on a pedestal. I love that I am special and my husband loves me to be like this. I have all the rights I need. Thank you” She sat down.. Everyone applauded. My traveling companion and right hand women muttered under her breath. “Yeah hope that pedestal isn’t kicked out from under you and you end up on your ..”
About two years later I got a call from that young woman. Indeed the pedestal had been kicked out from under her and she had the rude awakening of trying how to figure out how to survive with 3 kids, a husband who divorced her, disappeared, skipped out on the alimony and child support and leaving her with nothing and all the bills. The courts told her she’d need to hire an attorney to go after him. She had no money. She had no power. She had no standing. The laws that she thought were supposed to protect her didn’t work. She had been told a lie and there she was, out of money, out of luck and out of options, most certainly out of the Constitution; a throw away piece of chattel even in a community property state.

The best she could hope to get if she had a skill was $22,446 compared to $37,622 or a 15,176 difference in the wages a man was paid for the same job. Fact at that time the best she could hope for was $2.90 per hour as a minimum wage worker. Even today the best she could hope for would be getting 79 cents on the dollar in wages compared to her brother for the same job.

What if instead of your daughter.. this was about your son. His ability to earn a living, His having to fight a system for his right, His having to fight for equal pay for equal work, His having to fight insurance companies about his reproductive care. What if you gentleman were faced with these obstacles.

Suppose instead of your daughter it was your son was faced with roll backs on laws that would turn back the clock on men’s advancement. Members of Congress have tried to cripple Title IX, which requires equal opportunity in education — they have opposed the Violence Against Women Act, (put violence against Men here)  the Fair Pensions Act, and the Paycheck Fairness Act —

Congress voted to pay for Viagra for servicemen but opposed funding for family planning and contraception — and for decades they have blocked U.S. ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women.

Make no mistake. The powers that be make money keeping the women of this country second class citizen. The women of America are second class citizen and unless you do something to change that.. You will continue to be part of the problem.
Having worked on Nevada ratification of the Equal Rights Amendment since 2014, I'd like to remind the honorable committee chair and members that, 'Two wrongs do not make a right.' Setting an unnecessary deadline to add equal rights to the U.S. Constitution was the first unforeseen wrong by Congress in 1972, and the second intentional wrong is still being done by 15 out of 50 states who continue to refuse to ratify the amendment. These states know full well that there are consistent efforts to lift the unnecessary 1982 deadline in the U.S. Congress; in fact, current co-sponsors of just such a resolution this new Congressional session include Nevada's U.S. Representatives Ruben Kihuen, Jacky Rosen and Dina Titus. The remaining 15 non-ratifying states also know that just three new state ratifications, or even one, would help immensely as only 38 states are needed for final ratification. Most recently, the Illinois Senate and the Virginia Senate already happily passed resolutions in 2014 ratifying the amendment, but they are now working on gaining a little more support to pass it out of their state Houses as well.

Equal rights should ethically have no deadline. Rights are timeless and are far too important. In addition, several states have ratified constitutional amendments even after they were fully ratified with the 3/4 minimum because they wanted to be proudly shown in the Congressional Record as ratifying states; two examples are 12 states that later ratified the 19th amendment for women’s right to vote and 9 states that later ratified the 13th amendment abolishing slavery and involuntary servitude. In conclusion, there is nothing that can stop a state from ratifying an amendment at any time to show support for it, and I respectfully ask that you vote to pass S.J.R. 2 out of this committee and help pass it in both houses this session to show respect for: all Americans, the fellow 35 states that did already ratify, and the U.S. Members of Congress working so hard for the Equal Rights Amendment in Washington D.C. including several of ours from Nevada. Thank you with my appreciation, Janette Dean.
Good morning,

I am writing today in support of the ratification of the Equal Rights Amendment in Nevada. Because the ERA has not been ratified, women do not have the option of "just suing" when they learn that they earn less than male counterparts doing the same work. There is currently nothing in the Constitution to prohibit gender discrimination without a ratified Equal Rights Amendment, according to both Justices Scalia and Ginsburg. The Supreme Court has refused to hear cases regarding gender discrimination (Dukes v. Walmart) as a result. This is unacceptable. Women deserve the same rights under the law as men. Please do what you can to help make women equal, and support the ratification of the ERA. Thank you for your time.

Warm Regards,

Stacey Langsner Moone, M.A.
From the Analysis of the Deputy Solicitor General, Counsel to the Executive Division

“ I decline to offer an opinion on whether a house of the General Assembly or a committee thereof, operating according to its own rules and within its own discretion, has improperly refused to take up a piece of legislation: “such a matter must be left to the judgment of the General Assembly alone.” Opining on that question would be especially inappropriate in light of the contradictory approaches taken by the two houses of the General Assembly. Although, as you report, the House of Delegates has for years refused to consider ratification of the ERA, regarding it as a “nullity,” the Senate has not only considered but repeatedly passed ratifying resolutions.

It is not for a member of the executive branch to resolve an inconsistency internal to the legislative branch.

I am aware that in 1994, then-Deputy Attorney General Walter S. Felton, Jr., advised Delegate Robert G. Marshall that “because the Equal Rights Amendment was not ratified within either the original or the extended time limit established by Congress for its ratification, it is no longer before the states for ratification, and any action by the General Assembly to ratify it now would be a nullity.”

As a matter of historical fact, however, I observe that the lapse of a prescribed ratification period has not previously kept the General Assembly from considering and even passing a joint resolution ratifying an amendment to the U.S. Constitution. In 1977, the Senate and House of Delegates agreed to Senate Joint Resolution 140, which ratified the Twenty-Fourth Amendment, barring denial of the right to vote for failure to pay a poll tax or other taxes. They did so despite the expiration of the seven-year limitation on consideration stipulated in the proposing resolution to the Amendment (which was also restated in the General Assembly's ratifying resolution). The Amendment had been submitted to the States in 1962 and ratified in 1964, and the ratification period lapsed in 1969.”
WoMen Matter was formed simply to advocate for ratification of the Equal Rights Amendment. Based in central Virginia, we advocate for ratification of the amendment in the Commonwealth and for removal of the deadline for ratification in the Congress. When the Virginia General Assembly and the Congress are not in session, we present our power point to college and high school student organizations and to women’s clubs to provide information and raise awareness of the need for the ERA and the challenges we face in accomplishing full ratification.

The growth of grassroots groups of (mostly younger) women is a key opportunity to capture the attention of the most impacted population in the U.S. When they learn that women aren’t protected by the Constitution, according to both Justices Scalia* and Ginsburg** ... that the 14th Amendment does not refer to women ... that the Supreme Court has refused to hear cases regarding gender discrimination ... to paraphrase one university student, "they’re [freakin'] pissed!"

We are delighted to have Nevada be the catalyst in this movement to ratify the Equal Rights Amendment with the ratification by 3 more states. We in WoMen Matter intend for Virginia to be one of them.

*"Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn’t. " ~ Justice Antonin Scalia, Hastings College of Law, September 17, 2010

**"I would like my granddaughters, when they pick up the Constitution, to see that notion - that women and men are persons of equal stature - I’d like them to see that is a basic principle of our society.... If I could choose an amendment to add to the Constitution, it would be the Equal Rights Amendment. " ~ Ruth Bader Ginsburg, April 18, 2014

I would like for my granddaughters to see that, as well.

Candace Graham, co-founder
WoMen Matter