

MIDVALE CITY, UTAH
RESOLUTION NO. 2020-R-06

**A Resolution in Support of Ratification by the State of Utah of the
Equal Rights Amendment to the United States Constitution**

WHEREAS, *equality under the law is a fundamental value of Americans and the people of Midvale City, Utah; and*

WHEREAS, *the United States Constitution does not explicitly guarantee equal rights and equal protection for the sexes; and*

WHEREAS, *legislation and court decisions have increased women's access to education, employment, and public service; and*

WHEREAS, *that same legislation can be repealed, and the Supreme Court could strike legislation or retreat from its own precedent, thereby eliminating or abridging legal rights currently enjoyed by women, girls, and their families; and*

WHEREAS, *inclusion of the Equal Rights Amendment in the Constitution would require courts to apply the same strict level of scrutiny it applies to test the constitutionality of government action based on race, religion, or national origin; and*

WHEREAS, *Americans value the continued participation of women in education, the military, public service, and other spheres of our society; and*

WHEREAS, *the people of the United States continue to experience the negative effects of lack of political parity between men and women, workplace discrimination, healthcare inequities, disparate rates of poverty, rape and domestic violence assaults; and*

WHEREAS, *the Equal Rights Amendment (ERA) would help ensure women and men have the same constitutional protections; and*

WHEREAS, *the Utah State Legislature unanimously passed a Joint Resolution Reaffirming the Value of Women in 2019, which states in part:*

“... that the Legislature recommends that the language and intent of the Utah Constitution provision guaranteeing equal political rights be included in the United States Constitution”; and

WHEREAS, *the Utah Constitution, Article IV, Section 1 (adopted in 1895), states:*

“The rights of citizens of the State of Utah to vote and hold office shall not be denied or abridged on account of sex. Both male and

female citizens of this State shall enjoy equally all civil, political and religious rights and privileges”; and

WHEREAS, *constitutional equality for women and men continues to be timely in the United States and worldwide, and a number of other nations have achieved constitutional equality for their women and men; and*

WHEREAS, *the ERA was passed by Congress in 1972, and has been ratified by 37 states, the most recent being Nevada in 2017 and Illinois in 2018; and*

WHEREAS, *the founders of our nation, including, but not limited to, James Madison, did not favor further restrictions to Article V of the Constitution of the United States (which outlines the process of amending the Constitution); and*

WHEREAS, *the restricting time limit for the Equal Rights Amendment ratification is in the resolving clause and is not a part of the amendment proposed by Congress and already ratified by 35 states; and*

WHEREAS, *having passed a time extension for the Equal Rights Amendment on October 20, 1978, Congress has demonstrated that a time limit in a resolving clause can be disregarded if it is not a part of the proposed amendment; and*

WHEREAS, *the Equal Rights Amendment states, in full:*

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.

NOW, THEREFORE, BE IT RESOLVED

that the Midvale City Council supports ratification of the Equal Rights Amendment.

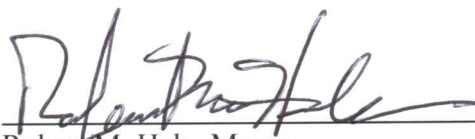
BE IT FURTHER RESOLVED

that the City Council of Midvale City urges the Utah State Legislature to ratify the Equal Rights Amendment to the U.S. Constitution, as proposed by Congress on March 22, 1972, during the Legislature’s 2020 general session.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE, UTAH:


- Section 1.** That the Midvale City Council supports ratification of the Equal Rights Amendment.
- Section 2.** That the Midvale City Council urges the Utah State Legislature to ratify the Equal Rights Amendment to the U.S. Constitution, as proposed by Congress on March 22, 1972, during the Legislature's 2020 general session.

APPROVED AND ADOPTED this 21st day of January 2020.


Robert M. Hale, Mayor



ATTEST:


Rori L. Andreason, MMC
City Recorder

| Voting by the City Council | "Aye" | "Nay" |
|----------------------------|-------------------------------------|--------------------------|
| Quinn Sperry | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Paul Glover | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Heidi Robinson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Bryant Brown | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Dustin Gettel | <input checked="" type="checkbox"/> | <input type="checkbox"/> |