

RESOLUTION IN SUPPORT OF THE EQUAL RIGHTS AMENDMENT

WHEREAS, the City of Durham forthrightly supports equal rights for the citizens of Durham; and women constitute over 53 percent of the citizenry of Durham; and

WHEREAS, Mayor William V. “Bill” Bell witnessed in the *Women’s Equality Day Proclamation for August 26, 2016* that women play a critical role in families, the workplace, and in society as a whole, contributing to our economy and advancing our nation; and

WHEREAS, women continue to confront a lack of political parity, workplace discrimination, health care inequities, disparate rates of poverty, rape and domestic violence assaults; and

WHEREAS, the US Constitution does not explicitly guarantee that all rights that it protects are held equally by all citizens without regard to sex; and

WHEREAS, the 14th Amendment's equal protection clause has never been interpreted to guarantee equal rights for women in the same way the ERA would, by situating sex as a suspect category invoking strict judicial scrutiny, just as race, national origin and religion do; and

WHEREAS, state laws are not uniform and federal laws are not comprehensive; additionally these laws can be repealed or reduced; and

WHEREAS, the Amendment would help correct systemic sex discrimination; and

WHEREAS, the ERA was passed by Congress in 1972 and ratified by 35 of the 38 states necessary to put it into the Constitution, yet was assumed to have expired in 1982; and

WHEREAS, Congress can alter time limits in the proposing clauses of amendments; and the deadline for ERA appeared only in the preamble and not in the actual legislation; and

WHEREAS, Senator Floyd B. McKissick, Jr. and Representative Carla Cunningham introduced ERA ratification bills in the NC General Assembly in 2015 long session with Senator Mike Woodard co-sponsoring the Senate bill and Representative Henry M. Michaux co-sponsoring the House bill; and our legislators will introduce like bills in 2017; and

WHEREAS, US Representatives G.K. Butterfield, David Price and Alma Adams co-sponsored bills in the 114th Congress to pass an ERA and to lift the time limits on the states for ratifying the ERA;

THEREFORE, BE IT RESOLVED, that the City of Durham calls on Congress to pass into law a bill to pass an ERA and remove the time limit for ratification of the ERA so that ratification shall be achieved upon the affirmative vote of 38 states, of which 35 have already ratified; and

BE IT FINALLY RESOLVED, that the City of Durham calls on the NC General Assembly to pass into law a bill to ratify the ERA to the US Constitution as proposed by Congress on March 22, 1972.