

RESUME

December 11, 2018

**CONSIDERATION OF ADDING A REQUEST TO THE 2019
GENERAL ASSEMBLY LEGISLATIVE PROGRAM**

On November 27, 2018, the Board adopted its 2019 General Assembly legislative program that included 9 requests and support items. Mr. Brown has requested that the Board consider adding an additional item expressing the Board's support for the equal rights amendment to the United States Constitution which is scheduled to be considered at the 2019 General Assembly session. (See attached resolutions.)

**Resolution in Support of Ratification by Virginia 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 Prince George County; 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- WHEREAS,** that same legislation can be repealed, and the Supreme Court may strike legislation or retreat from its own precedent, thereby eliminating or abridging legal rights currently enjoyed by women, girls, and their families; and
- WHEREAS,** Americans value the continued participation of women in education, the military, public service, and other spheres of our society; 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,** an overwhelming majority of Americans reported in a 2015 poll that they support an amendment to the United States Constitution to guarantee equal rights for both men and women; and
- WHEREAS,** the Equal Rights Amendment was passed in 1972 by Congress, which imposed a seven-year ratification deadline on states, later extended to ten years; and
- WHEREAS,** the Constitution does not expressly authorize Congress to impose ratification deadlines on the states, and, moreover, if Congress does have such power, then it also has the power to extend or eliminate its deadlines; and
- WHEREAS,** the American Bar Association reaffirmed its support for ratification of the Equal Rights Amendment in 2016; and
- WHEREAS,** well after the 1982 deadline set by Congress, Nevada in 2017 and Illinois in 2018 ratified the Equal Rights Amendment, bringing the total number of states that have ratified the amendment to 37, just one shy of the 38 needed to satisfy the Constitutional requirement that an amendment be ratified by three-fourths of the states to become valid; and

WHEREAS, the Equal Rights Amendment states:

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 we, the Prince George County Board of Supervisors, support the ratification of the Equal Rights Amendment; and

BE IT FURTHER RESOLVED, that we, the Prince George County Board of Supervisors, urge the General Assembly of the Commonwealth of Virginia to ratify the Equal Rights Amendment to the U.S. Constitution, as proposed by Congress on March 22, 1972, during the 2019 legislative session.

Signed this _____ day of _____, 2018.

[insert here the name of authorized signatory]

[insert here his or her title]

Prince George County, Board of Supervisors

**Resolution in support of Ratification by Virginia of the Equal Rights Amendment
to the United States Constitution**

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

WHEREAS, the 14th Amendment to the United States Constitution and state constitutional statements of equality generally do not provide the strict scrutiny for sex-based classifications that is provided for classifications based on race, religion, and national origin; and

WHEREAS, state laws are not uniform and federal laws are not comprehensive, and these laws can be repealed or reduced; 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, health care inequities, disparate rates of poverty, rape and domestic violence assaults;

WHEREAS, the Equal Rights Amendment (ERA) provides that "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex;" and

WHEREAS, the Amendment would help ensure women and men have the same constitutional protections; 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 time limit for the ERA appears only in the preamble; and

WHEREAS, Congress presently is considering a bill that removes the time limit for ratification of the ERA; and

WHEREAS, for 47 years, the Virginia State Constitution has sought to protect Virginians from discrimination by the Commonwealth on the basis of sex; and

WHEREAS, Prince George County enforces principles of fair treatment of its employment applicants and employees without discrimination on the basis of sex, and prohibits sexual harassment in the workplace,

NOW, THEREFORE, BE IT RESOLVED that the Prince George County Board of Supervisors supports the ratification of the Equal Rights Amendment; and

BE IT FURTHER RESOLVED, that the Prince George County Board urges the General Assembly of the Commonwealth of Virginia to ratify the ERA to the U.S. Constitution, as proposed by Congress on March 22, 1972, during the 2019 legislative session.