

**REQUEST FOR ACTION
RAMSEY COUNTY BOARD OF COMMISSIONERS**

Requesting Department: Board of Commissioners

B2019-84

Committee: Board of Commissioners

Meeting Date: 2/26/2019

SUBJECT: Inclusion of Minnesota Equal Rights Amendment in the 2019 State Legislative Platform

REQUESTED ACTION

1. Approve for inclusion in the Ramsey County 2019 State Legislative Platform a policy priority to support the Minnesota Equal Rights Amendment legislation.
2. Authorize county representatives to work with members of the legislature and other interested parties to support legislation proposing a constitutional amendment providing for gender equality under the law.

EXECUTIVE SUMMARY

Efforts to place gender equality in the Constitution have been made for nearly a century. An amendment to the United States Constitution was first introduced in 1921 and was reintroduced each year until it passed Congress in 1972. Minnesota was the 26th state to ratify the amendment in 1973, but passage of the federal amendment stalled short of the required 38 states soon after. Efforts are ongoing to revive this federal effort.

Additionally, legislators from both parties have introduced proposed amendments to the Minnesota Constitution that would create similar protections at the state level. On January 10, 2019, legislation was introduced to bring a constitutional amendment before Minnesota voters that states "equality before the law shall not be abridged or denied on account of gender." This amendment was referred out of the House Government Operations Committee on January 24, 2019 and is currently before the House Committee on Ways and Means.

Fiscal impacts of the Equal Rights Amendment are difficult to assess, but it is possible to make a reasonable application of cost savings. For example, in Ramsey County, the average wage gap between men and women is approximately 26%. If that gap were to disappear uniformly, 728 Ramsey County women currently receiving MFIP (59% of total recipients) would exit the program. This would produce a cost savings for taxpayers of approximately \$8 million annually.

If the same increase in wages were to occur for recipients of programs such as SNAP, WIC, rental assistance, childcare assistance, domestic violence services, and child support, the cost savings would be vastly higher.

RACIAL EQUITY IMPACT IN SERVICE DELIVERY

There is no specific racial equity impact associated with the proposed action. However, passage of the Equal Rights Amendment could generate significant positive impacts for women of color, who are more likely to be victimized by gender-based violence and sex discrimination than white women. The gender-based wage gap is also meaningfully higher for women of color, which could produce a disproportionate positive impact.

Inclusion of Minnesota Equal Rights Amendment in the 2019 State Legislative Platform

IMPACT OF COMMUNITY PARTICIPATION

The community is informed about this action through County Board documentation and the addition of this priority to the 2019 Ramsey County legislative platform.

LEVEL OF COMMUNITY PARTICIPATION (UNDERLINE ALL THAT APPLY):

Inform Consult Involve Collaborate Empower

FISCAL IMPACT

None.

COUNTY MANAGER COMMENTS

County Board approval is required to establish positions on legislative initiatives.

PREVIOUS ACTION

On December 18, 2018, the County Board approved the 2019 State Legislative Platform (Resolution B2018-478).

ATTACHMENTS

1. Draft Resolution

Draft Resolution

1
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3 WHEREAS, The Ramsey County Board of Commissioners has reviewed several
4 proposals for possible inclusion in their 2019 state legislative platform; and
5

6 WHEREAS, The County Board recognizes the importance of fostering equal rights
7 and equal opportunity for all residents of Minnesota;
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9 WHEREAS, The United States and Minnesota Constitutions do not explicitly
10 guarantee that all the rights they protect are held equally by all citizens without regard to sex
11 and the only right it specifically affirms to be equal for women and men is the right to vote in
12 the 19th Amendment; and
13

14 WHEREAS, The 14th Amendment's equal protection clause has not been interpreted
15 to guarantee equal rights on the basis of sex in the same way the Equal Rights Amendment
16 would, as demonstrated by the fact that currently cases of sex discrimination receive only
17 intermediate scrutiny but should receive the highest level of strict judicial scrutiny, just as
18 race discrimination does; and
19

20 WHEREAS, Gender equality under the constitution continues to be timely in the
21 United States and worldwide, and a number of other nations have achieved constitutional
22 gender equality; and
23

24 WHEREAS, The principle of gender equality is contained in the Charter of the United
25 Nations, the Universal Declaration of Human Rights, and all subsequent major international
26 human rights instruments, including the Convention on the Elimination of All Forms of
27 Discrimination Against Women (CEDAW), which has been ratified by 187 other nations;
28

29 WHEREAS, The Equal Rights Amendment will finally ensure that all citizens will have
30 equal rights under the United States Constitution, without regard to sex;
31

32 WHEREAS, Bills have been introduced in both the House and Senate stating that
33 "equality un the law must not be denied or abridged on account of gender; Now, Therefore,
34 Be It
35

36 RESOLVED, The Ramsey County Board of Commissioners approves for inclusion in
37 the Ramsey County 2019 State Legislative Platform a policy priority to support the
38 Minnesota Equal Rights Amendment legislation; and Be It Further
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40 RESOLVED, The Ramsey County Board of Commissioners authorizes county
41 representatives to work with members of the legislature and other interested parties to
42 support legislation proposing a constitutional amendment providing for gender equality under
43 the law.
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