

M E M O R A N D U M

TO: Tom Harmer, Town Manager
FROM: Trish Shinkle, Town Clerk
REPORT DATE: January 9, 2020
MEETING DATE: February 3, 2020
SUBJECT: Resolution 2020-01, Supporting the Ratification of the Equal Rights Amendment

Recommended Action

Pass Resolution 2020-01.

Background

At the January 6, 2020 Town Commission Regular Meeting, there was consensus to have staff draft a resolution in support of the ratification of the Equal Rights Amendment to the U.S. Constitution by the State of Florida.

On March 27, 1972, the proposed Equal Rights Amendment passed both Houses of Congress and was sent to the States for ratification as the 27th Amendment to the U.S. Constitution.

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

Ratification of the Amendment requires at least 38 states to adopt the proposed Amendment. In 2017, Nevada became the 36th state and in 2018, Illinois became the 37th state to ratify. In January of this year, the State of Virginia became the 38th State to ratify the Amendment.

The original deadline for ratification by the States was 7 years (1979), but was later extended by Congress to June 30, 1982. As of that date, 35 of the necessary 38 states had ratified. The Amendment has been re-introduced in Congress in every session since 1982. Due to the timeline established for the State's to ratify, there remains a legal question regarding the timing of the recent ratifications.

In 2019, several Florida local governments adopted supportive resolutions, including Manatee County and the Cities of Holmes Beach, North Port, Sarasota, and Venice. In addition, Hillsborough County and the cities of St. Petersburg and Tampa have also adopted supportive resolutions. These resolutions urge the Florida Legislature to act to make Florida one of the ratifying States.

Staff Recommendation

Pass Resolution 2020-01.

Attachments

Resolution 2020-01.

RESOLUTION 2020-01

A RESOLUTION OF THE TOWN COMMISSION OF LONGBOAT KEY, FLORIDA, SUPPORTING THE RATIFICATION BY THE FLORIDA LEGISLATURE OF THE EQUAL RIGHTS AMENDMENT TO THE UNITED STATES CONSTITUTION AND URGING THE FLORIDA LEGISLATURE TO RATIFY THE EQUAL RIGHTS AMENDMENT DURING THE NEXT LEGISLATIVE SESSION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Equal Rights Amendment was passed by the U.S. Senate and the House of Representatives and the proposed 27th Amendment to the United States Constitution was sent to the states for ratification on March 22, 1972; and

WHEREAS, adoption requires at least 38 states to ratify the proposed Amendment; and

WHEREAS, if the Florida legislature passes the resolution when it convenes, Florida would become one of the States to ratify the Equal Rights Amendment; and

WHEREAS, the Equal Rights Amendment would guarantee under the United States Constitution that all people are equal and that these rights may not be otherwise altered except upon proper passage of a constitutional amendment; and

WHEREAS, equality under the law is a fundamental value of the United States.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct and are fully incorporated herein.

SECTION 2. The Town Commission of the Town of Longboat Key, Florida, supports the ratification of the Equal Rights Amendment to the United States Constitution.

SECTION 3. The Town Commission of the Town of Longboat Key, Florida, urges the Florida Legislature to take the necessary legislative action to ratify the Equal Rights Amendment to the United States Constitution, as proposed by Congress on March 22, 1972, during the next legislative session.

SECTION 4. The Town Clerk is hereby instructed to promptly transmit a copy of this Resolution to the State and Federal Legislative Delegations, and to the Governor of the State of Florida.

SECTION 5. This Resolution shall take effect immediately upon adoption.

Adopted at a meeting of the Town Commission held on the 3rd day of February, 2020.

ATTEST:

Trish Shinkle, Town Clerk

George L. Spoll, Mayor

End of Agenda Item