

STATE OF SOUTH CAROLINA	)	A RESOLUTION REQUESTING
	)	THE STATE GENERAL ASSEMBLY
	)	TO PASS H.R.3391 and 3340 TO
	)	RATIFY A PROPOSED AMENDMENT
	)	TO THE CONSTITUTION OF THE
COUNTY OF CHARLESTON	)	UNITED STATES OF AMERICA
	)	PROVIDING THAT EQUALITY OF
	)	RIGHTS UNDER THE LAW MUST NOT
	)	BE DENIED OR ABRIDGED ON
	)	ACCOUNT OF SEX
TOWN OF MOUNT PLEASANT)	

WHEREAS, without the Equal Rights Amendment (“ERA”), the U.S. Constitution does not explicitly guarantee that the rights it protects are held equally by all citizens without regard to sex. The first — and still the only — right that the U.S. Constitution specifically affirms and applies equally to women and men is the right to vote.

WHEREAS, the equal protection clause of the U.S. Constitution's 14th Amendment was first applied to sex discrimination only in 1971, and it has never been interpreted to grant equal rights on the basis of sex in the uniform and inclusive way that the ERA would.

WHEREAS, the ERA would provide a clearer judicial standard for deciding cases of sex discrimination. Not every state in the U.S. has ratified the Equal Rights Amendment, and therefore federal and state courts are inconsistent in their rulings regarding claims of sexual discrimination claims.

WHEREAS, the ERA would provide a strong legal defense against a rollback of the significant advances in women's rights that have been achieved since the mid-20th century.

WHEREAS, the ERA would improve the United States' standing in the world community with respect to human rights. The governing documents of many other

countries affirm legal gender equality, however imperfect the global implementation of that ideal may be.

WHEREAS, the ERA would provide a fundamental legal remedy against sex discrimination for both women and men. It would guarantee that the rights affirmed by the U.S. Constitution are held equally by all citizens without regard to their sex.

WHEREAS, on March 22, 1972, the 1943 version of the ERA finally passed the Senate and the House of Representatives by the required two-thirds majority and was sent to the states for ratification. An original seven-year deadline was later extended by Congress to June 30, 1982. When this deadline expired, only 35 of the necessary 38 states (the constitutionally required three-fourths) had ratified the amendment. The ERA is therefore not yet a part of the U.S. Constitution.

WHEREAS, with only one more state needed to reach the required 38, legislatures in a number of unratified states have ERA ratification bills already introduced in the current session.

WHEREAS, two Joint Resolutions were introduced on December 18, 2018: H. 3391 and H. 3340, both of which were referred to the Judiciary Committee on January 18, 2019.

WHEREAS, the Mayor and Council of the Town of Mount Pleasant believe the ERA would provide a fundamental legal remedy against sex discrimination for both women and men.

WHEREAS, Mount Pleasant Town Council *hereby finds* that it is imperative that Town Council engage its State Representatives and encourage them to pass H. 3391 and

H. 3340 in order to formally amend the U.S. Constitution and guarantee that these rights are held equally by all citizens without regard to their sex.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Councilmembers of the Municipality of Mount Pleasant, in Council assembled, that it will forward a letter from the Mayor and Council, attached hereto as Exhibit A, encouraging further action as stated above.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ITS ADOPTION.

SIGNED, SEALED AND DELIVERED THIS _____ DAY OF _____, 2019.

J.W. Haynie, Mayor
Town of Mount Pleasant

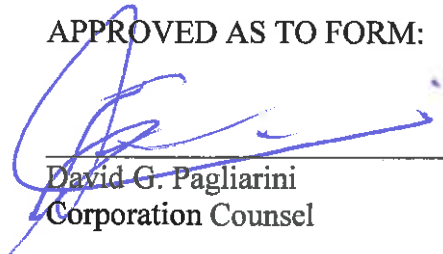
ATTEST:

Christine Barrett
Clerk of Council

_____, 2019

Adopted at Council meeting: _____, 2019

APPROVED AS TO FORM:



David G. Pagliarini
Corporation Counsel

EXHIBIT A
R.19042

April 3, 2019

TO THE GENERAL ASSEMBLY:

We strongly encourage our legislators and advocate on behalf of the citizens of Mount Pleasant the adoption of Joint Resolution 3391 to ratify a proposed amendment to the Constitution of the United States of America providing that equality of rights under the law must not be denied or abridged on account of sex in this Country. We wholeheartedly support the efforts of Representatives Cobb-Hunter, Norrell, Simmons, Garvin, Rose, McCoy, Bernstein, Finlay, Cogswell, W. Newton, Daning, and Henegan in their efforts to protect the rights of women in this State.

Sincerely,

Mayor J.W. Haynie

Gary Santos
Mayor Pro Temp

Jim Owens
Councilman

Joe Bustos
Councilman

Bob Brimmer
Councilman

Kathy Landing
Councilwoman

EXHIBIT A
R.19042

G.M. Whitley
Councilwoman

Tom O'Rourke
Councilman

Kevin Cunnane
Councilman