

May 20, 2023

Minnesota House of Representatives
Rules and Legislative Administration Committee
459 State Office Building
St Paul, MN, 55155

Dear Chair Long and Vice Chair Hollins,

SUBJECT: Letter of support to pass SF37 in 2023, equality under the law provided, and constitutional amendment proposed.

As President of the Equal Rights Amendment Minnesota (ERAMN) organization, I am testifying to document our organization's support for the Minnesota House to pass the Equal Rights Amendment Bill SF37 before the Rules and Legislative Administration Committee in 2023.

The mission of ERAMN is to secure equal legal rights for all people in Minnesota and in the United States of America by 1) adding a Minnesota ERA into our State Constitution and 2) enacting the Federal ERA as the 28th Amendment to the United States Constitution. Our Constitutions are a proclamation of our state and national foundational values, and they need to declare equal legal rights for "we the people" - and include all the people.

Currently neither the Minnesota nor US Constitutions guarantee equal legal rights for all people. An explicit prohibition of discrimination on *race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry, or national origin* is not contained in either the US or Minnesota Constitutions. The ERA would provide equality of rights for all people under the law.

We need the ERA to ensure equal pay for equal work, fair healthcare coverage, protection from sexual violence, and workplace discrimination. Sex discrimination cases have gone all the way to US Supreme Court without remedy. Even Justice Anton Scalia stated in 2011 that "*Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't. Nobody ever thought that that's what it meant. Nobody ever voted for that,*"

Twenty-seven other states currently have an Equal Rights Amendment (ERA) in their state constitutions so this is not new legal territory. There are no "unforeseen" or "unintended" consequences. California has had an ERA since 1869. Florida has an ERA. Iowa passed a state ERA in 1998. Nevada added this ERA language to their state constitution in 2022 with 58% voter support. We need a state ERA to provide a foundation for legal equality in our Minnesota State Constitution.

The time is long overdue to add an ERA to our constitutions. This has become very clear in the recent Covid pandemic where it is documented that essential workers who are majority women and minorities are working for lower wages than their male coworkers.

A March 2022 Report of the Minnesota Attorney General's Advisory Task Force on Expanding the Economic Security of Women documented that:

- Minnesota women on average make 79 cents for every dollar that men make.
- The wage gap is even larger for women of color and American Indian women. Latina, Native, and Black women earn 54, 54, and 61 cents, respectively, for every dollar that white men earn.
- Women make up the majority of workers paid at or below the minimum wage, even when they hold an advanced degree.
- Women are underrepresented in high-paying trade and science, technology, engineering, and mathematics (STEM) jobs.
- The shortage of affordable childcare and the lack of widespread paid family leave further disadvantages women economically.

There is an urgency to foundationally address inequality based on discrimination.

We support passing the ERA bills in 2023 so voters have time to learn and understand the value of legal equality. We believe that elected legislators should allow Minnesotans to vote for themselves whether or not to add the Equal Rights Amendment to our state constitution in 2024. Equality for all people is necessary and long overdue!

Thank you,

Suzann Willhite, President
ERA Minnesota (ERAMN)
suzann@eramn.org (612) 554-4008
www.eramn.org