CITY OF MOAB, THE TOWN OF CASTLE VALLEY, AND GRAND COUNTY, UTAH
JOINT RESOLUTION ____ (2020)

A RESOLUTION IN SUPPORT OF RATIFICATION BY UTAH OF THE EQUAL RIGHTS AMENDMENT TO THE UNITED STATES CONSTITUTION

WHEREAS, the Utah territory granted women the right to vote in 1870, decades before statehood; and

WHEREAS, on February 14, 1870, two days after the Utah territory enfranchised women, Seraph Young, the grandniece of Brigham Young, was the first woman to legally cast a vote in any election in the United States; and

WHEREAS, Article IV, Section 1 of the Utah Constitution, adopted in 1895, states: "The rights of citizens of the State of Utah to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this State shall enjoy equally all civil, political and religious rights and privileges;" and

WHEREAS, when Utah joined the nation in 1896 as the third state to include women's voting rights in its constitution, Anna Howard Shaw, one of the nation's greatest suffrage leaders, proclaimed, "Utah is . . . dear to the heart of every woman who loves liberty in these United States;" and

WHEREAS, in Utah in 1896, Dr. Martha Hughes Cannon became the first woman in the United States ever to be elected as a state senator, and a statue of her will join that of Brigham Young in the National Statuary Hall in Washington, D.C., recognizing Martha Hughes Cannon as a pioneer for women's equality in government; and

WHEREAS, Utah should tout our history of being a leader in equal political rights; and

WHEREAS, Utah must reaffirm this historical example of women leadership and highlight the advances of Utah women today;

WHEREAS, there is reason to celebrate the historic and ongoing accomplishments of women and their role in numerous positions of importance in the state and to affirm the autonomy and independence of women to pursue opportunities to serve as elected, appointed, and hired leaders in the state, and to recognize our historical roots of women's equal political rights; and

WHEREAS, the Utah constitution is a leading example to the nation that women everywhere shall have equal political rights and enjoy equally all civil, political, and religious rights and privileges; and

WHEREAS, equality under the law is a fundamental value of the United States and the people of Utah; 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, inclusion of the Equal Rights Amendment in the United States 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, Utah residents value the continued participation of women in education, the military, public service, and other spheres of our society; and

WHEREAS, the Equal Rights Amendment to the United States Constitution was passed in 1972 by Congress, which imposed a seven-year ratification deadline on states, later extended to ten years; and

WHEREAS, the United States 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, 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, Virginia in 2020 became the 38th state to ratify the Equal Rights Amendment – crossing the three-fourths threshold of support required from the states to become a constitutional amendment; 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 Moab City Council, the Council for the Town of Castle Valley, and the Grand County Council, urge the Legislature of the State

of Utah to ratify the Equal Rights Amendment to the United States Constitution, as proposed by Congress on March 22, 1972, during the 2020 legislative session.

PASSED AND ADOPTED in open meeting by a majority vote of the legislative bodies of the City of Moab, the Town of Castle Valley, and Grand County this 18th day of February, 2020.

CITY OF MOAB

ATTEST:

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Emily S. Niehaus, Mayor Sommar Johnson, City Recorder

TOWN OF CASTLE VALLEY, UTAH

ATTEST:

_____ _____

Jazmine Duncan, Mayor Jocelyn Buck, Town Clerk

GRAND COUNTY, UTAH

ATTEST:

_____ _____

Mary McGann, Chair Chris Baird, Clerk/Auditor