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SENATE MEMORIAL 7

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Jacob Candelaria

A MEMORIAL

REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION IN WASHINGTON, D.C., TO VOTE TO SUPPORT LEGISLATION THAT WOULD REMOVE THE DEADLINE FOR RATIFICATION OF THE EQUAL RIGHTS AMENDMENT.

WHEREAS, equal rights for women are not specifically included in the United States constitution; and

WHEREAS, the rights of women in the United States to receive equal pay for equal work, be protected against domestic violence and have fair work-leave policies and access to the reproductive health care services of their choice, among others, are daily being questioned and restricted; and

WHEREAS, protection of women's rights at present is through a patchwork of existing laws, executive actions and judicial decisions that address individual cases of

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1 discrimination one by one as they arise; and

2 WHEREAS, each or all of these individual existing laws,  
3 executive actions and judicial decisions may be ignored, eroded  
4 or overturned; and

5 WHEREAS, an amendment that would guarantee rights for  
6 women that are equal to those of men would provide a  
7 fundamental legal remedy against all cases of discrimination  
8 based on gender; and

9 WHEREAS, resolutions to pass an amendment to the United  
10 States constitution that would guarantee equal rights for women  
11 and men have been introduced into congress each year since  
12 1923; and

13 WHEREAS, thirty-five of the thirty-eight states required  
14 for the amendment to become part of the constitution ratified  
15 the equal rights amendment by the deadline of 1982; and

16 WHEREAS, the deadline for ratification is not in the  
17 binding text of the document itself and, in fact, was later  
18 extended by another congress for an additional three years,  
19 thus establishing the precedent that congress has the power to  
20 do so; and

21 WHEREAS, in the one hundred twelfth congress, Senate Joint  
22 Resolution 39, introduced by Senator Ben Cardin, and House  
23 Joint Resolution 47, introduced by Representative Tammy  
24 Baldwin, would remove the deadline for ratification of the  
25 amendment so that an additional three states may ratify it; and

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1 WHEREAS, New Mexicans feel justly proud that New Mexico  
2 was one of the first states in the union to ratify the equal  
3 rights amendment in 1973, and it passed its own equal rights  
4 amendment to the constitution of New Mexico in 1972;

5 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
6 OF NEW MEXICO that it call upon the New Mexico congressional  
7 delegation in Washington, D.C., to vote in favor of legislation  
8 that would remove the deadline for ratification of the equal  
9 rights amendment so that efforts can proceed to get  
10 ratification by the necessary additional three states so that,  
11 finally, the guarantee of equal rights for women and men in the  
12 United States will become the law of the land; and

13 BE IT FURTHER RESOLVED that copies of this memorial be  
14 transmitted to each member of the New Mexico congressional  
15 delegation and to the chief clerks of the house of  
16 representatives and the senate of the United States congress.