

March 1, 2023

Senator Ron Latz, Committee Chair
Senator Clare Oumou Verbeten, Vice Chair
Judiciary and Public Safety Committee
Minnesota Senate
St Paul, MN

Dear Chair Latz and Vice Chair Oumou Verbeten,

As President of the Equal Rights Amendment Minnesota (ERAMN) organization, I am writing to document our organization's support for both of the Equal Rights Amendment Bills SF37 and SF47 before the committee March 3, 2023.

The mission of ERAMN is to work to make equal legal rights for all people a reality 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 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 these ERA bills. 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. Equality for all people is necessary and long overdue!

Thank you,

Suzann Willhite, President
ERA Minnesota (ERAMN)
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www.eramn.org

Good Morning,

Thank you, Chair Latz and Senators, for the opportunity to tell my equity story. I'm Joan Wittman, I live at Carondelet Village in St. Paul, in SD 64B,

A justice issue that I care deeply about and that touches me – personally - is the Equal Rights Amendment.

My gender equity story covers a span of over 80 years, that addresses almost a lifelong interest and commitment for enactment of the Equal Rights Amendment, commonly known as the ERA.

The original wording of the ERA was just 14 words.

"Equality under the law shall not be abridged or denied on account of gender."

The 2023/24 bills, both national and state have added additional words to name those who are included and protected.

My story.

I grew up on the farm in the 30's and 40's between 2 brothers who had a lot more privileges than I did simply because I was a girl.

When I was around 8 years old, One of our cows was about to give birth and I told my dad I wanted to see the baby calf being born. I don't remember exactly what he said, but I clearly got the message, "No, you can't. that's not appropriate for girls." But it was OK for my brother who was 10. I snuck up into the hay loft and watched the baby calf being born.

The Gender discrimination continued.

Going to catholic grade school, I wanted to be an altar server. This was in the early 40's. I knew the Latin responses better than my older brother, but I couldn't be a server because I was a girl.

As a highschooler, I was intrigued with the stories of the early women suffragists who lectured, lobbied, suffered, went to prison, some lost their lives, but after decades, due to their persistence and their strong belief that women should have the right to vote, they succeeded. On August 18, 1920, the 19th Amendment was ratified by congress. A year later, these same women started their campaign for broader equal rights for women, the beginning of the work toward an ERA. They were my role models.

After college, I was a primary teacher. After I married, this was late 50's. and was pregnant, I couldn't teach, not because I wasn't qualified, but because of rules that pregnant women were physically unfit - but the unsaid belief was that pregnant women would be a scandal to the students.

If you were pregnant and didn't disclose, you risked losing your teaching license.

Male teachers were paid a higher salary.

Another inequity of those times was I could not get a credit card or a loan in my own name. When I was ready to buy a car my dad had to be the signer. When Wayne, my husband and I bought our first house, only he was on the legal document as the owner.

And of course, we had and still do have – work advancement issues.

These are just some of my personal experiences for why I believe we still so need the ERA. I'm sure you could add to this list.

Today many of the experiences I had in those earlier years have been addressed but still the 2022 Gender Pay Gap report shows income disparities where women earn 82% of what men make for doing the same work.

I fear, with our current Supreme Court and with their reversal (after 50 years) of the Dobb's amendment, woman's rights are again endangered. Opponents will argue that women are already protected by law. Yes, that's somewhat true but laws can easily be changed; it's much more difficult to change an amendment.

We still have work to do. Women are half the world's population, but we do-not have equal rights with men.

My dream before I leave this planet, is to see the ERA included in our own MN Constitution and for it to be enacted in our US constitution.

I was 92 on February 23rd; my time is running out.

Minnesota ratified the US constitution (which will be the 28th amendment) in 1973 and after 50 years, it still is not included in our own MN state constitution.

Let's get a question for Minnesota voters, for or against, including the ERA amendment in our MN constitution on the November 2024 ballot .

To quote President Biden from his State of the Union address, which he repeated 12 times
"Let's finish the job!"

We can do it!!! Let's get the ERA approved in 2024.

Thank you, Mr chair and senators for listening.

February 28, 2023

Senator Ron Latz
Chair, Judiciary and Public Safety Committee
Minnesota Senate
St. Paul, MN

Dear Chair Latz,

As the President and CEO of the Women's Foundation of Minnesota, I write to express our support of the bills to advance equality for women, girls, gender-expansive and all people across Minnesota, SF37 and SF47. The Equal Rights Amendment bill would provide for a vote by Minnesotans to amend our constitution with an amendment prohibiting the infringement of rights based on "race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry or national origin." We also support the resolution calling for the recognition of ratification of the Equal Rights Amendment to the United State Constitution.

For 40 years, the Women's Foundation has invested more than \$45 million in communities across the state, and advanced policy to create a state where women, girls, and their families thrive. Our commitment to systems-level change centering communities extends from our historic investments in MN Girls Are Not For Sale to the Young Women's Initiative of Minnesota, and continues today with investments in research and policy change.

With the Center on Women, Gender, & Public Policy at the Humphrey School, we produce the state's leading research on the well-being of women and girls every two years.

Our research shows that even after accounting for education, field of study, industry in which they work, and experience, Minnesota women five years out of school are still paid 5% less than men.

- The gender wage gap in Minnesota is persistent; it hasn't narrowed over the past five years.
- On average, Minnesota women who work full time all year make \$0.79 for every dollar that men make, with further disparities among women depending on race or ethnicity.
- On average, women in Minnesota lose an estimated \$447,960 in lifetime earnings due to the gender wage gap.
- When we disaggregate Minnesota's wage gap by race and ethnicity, the income disparities are striking. For example, the wage gap is more than two and half times as large for Somali women, and twice as large for other African immigrant and Hmong women than it is for white women in Minnesota.

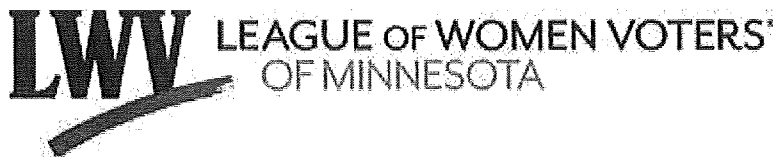
The ERA bill and resolution before you are needed to provide additional legal foundations to ensure equality for all – particularly for women, girls, and gender-expansive people who have faced gender-based violence, discrimination in employment, and unequal access to health care. We urge you to act to create on HF3599 and HF3661 to make Minnesota a place where women, girls, and gender-expansive people from all zip codes and backgrounds can thrive.

Thank you,



DRIVING SYSTEMS CHANGE FOR GENDER & RACIAL JUSTICE

Gloria Perez
CEO & President
Women's Foundation of Minnesota



March 3, 2023

Chair & Senator Ron Latz
Senate Judiciary and Public Safety Committee
c/o, Nicole Kaplan, Committee Administrator
1200 Minnesota Senate Bldg., 95 University Avenue W.
Saint Paul, MN 55155

Re: Testimony in Support of SF 37 and SF 47

Dear Chair Latz and Members of the Committee,

The League of Women Voters Minnesota urges your support for **both ERA bills** on your agenda this morning. For 103 years, the League has defended democracy and empowered voters in non-partisan ways.

We grew out of the 72 year struggle for women's suffrage and have participated in the decades long fight for a national Equal Rights Amendment. Equal rights should not be denied in our founding documents, and we urge you to **act now** on behalf of voters!

The League is pleased with the expansive language for equality in SF37. After all, in Minnesota, as in America, shouldn't we all be afforded "equality under the law"? Many are surprised that equal rights are not already in our constitution, they are not, while some doubt that this is needed. It is. This is not just an oversight....there have been MANY years of opposition.

Minnesota should join half of the States in the US, red or blue, who already have an "equal rights" statement in their constitutions; pass SF37; and let the people vote to place equality under the law **for all** into our constitution. We also ask you to pass SF47 urging the US Congress to accept the fact that 38 states have passed the Equal Rights Amendment, and the impediment of the 10 year deadline should be removed.

LWVMN urges you to vote YES on SF 37 and SF 47.

Sincerely,

Amy Caucutt
LWVMN and LWV Rochester Member

info@lwvmn.org - 546 Rice Street, #200, St. Paul, MN 55103

JANETTE DEAN

Environmental Policy & Human Rights Advocate – MN, WI, CA, NV + Nat'l
Equal Rights Amendment Advocate (2014-Present) – NV, IL, VA, MN + Nat'l.
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March 2, 2023

Senate Judiciary & Public Safety Committee
Minnesota Senate
Minnesota Senate Bldg.
95 University Ave. W.
St. Paul, MN 55155

RE: Support for Senate File 37 “Constitutional amendment providing for equality under the law.”

Dear Chair Latz, Vice Chair Oumou Verbeten and Committee Members:

The State of Minnesota ratified the essential Equal Rights Amendment (ERA) as the 26th state to do so on February 8, 1973 and should do all it can to help make equal rights a reality in Minnesota itself as well.

During this 2023 session and Women’s History Month, please therefore vote for passage of Senate File 37 (<https://www.revisor.mn.gov/bills/bill.php?f=SF37&y=2023&ssn=0&b=senate>) authored by Honorable Senators Mary Kunesch, Kari Dziedzic, Sandra Pappas, Erin Murphy and Jennifer McEwen.

Upon its passage, I — as one of many — will be very elated and proud to vote yes in 2024 to the question which will be asked of us voters:

“Shall the Minnesota Constitution be amended by adding a specific guarantee that equality of rights under the law shall not be denied or abridged by this state or any of its cities, counties, or other political subdivisions on account of race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry, or national origin?”

Not one person in Minnesota who believes our constitutional republic is meant to be “one nation, indivisible, with liberty and justice for all” should be satisfied with — nor tolerate — having unequal rights in Minnesota nor our country.

It is certainly every generation’s moral responsibility to help stop the continuing social injustice of our state and national constitutions’ failures to protect all of its residents and citizens as well as visitors who are living in or traveling in our state and country.

Without an ERA at the national level nor the state level presently, many of the harmful social problems and individual situations that sex discrimination still causes right here in Minnesota will be able to continue.

Social justice is defined on the Oxford Reference website as:

“The objective of creating a fair and equal society in which each individual matters, their rights are recognized and protected, and decisions are made in ways that are fair and honest.”

Utilizing ethical human thought as well in its publication, the U.S.-based Merriam-Webster Dictionary defines social justice in a way that also strongly reveals the necessity of the Equal Rights Amendment with its definition of social justice being:

“a state or doctrine of egalitarianism” and egalitarianism being “1: a belief in human equality especially with respect to social, political, and economic affairs, and 2: a social philosophy advocating the removal of inequalities among people.”

Social justice — plus the willingness to act for it — are indeed essential to human ethics, progress and democracy.

I, therefore, call upon all Minnesotans (including all legislators in the Minnesota Legislature) to help each other in many areas of needed social justice, including by helping to pass Senate File 37 as well as the 2024 General Election question which stipulates that essential and comprehensive equal rights will be added to Minnesota’s own constitution with an effective date of January 1, 2025.

Per the DFL Action Agenda that I and many others worked on through the submission of resolutions at our 2022 DFL caucuses and convention, our party (along with several of our fair-minded non-partisan allies and some allies in other parties):

“Supports banning discrimination on the basis of gender/sex by strongly advocating for the removal of the deadline for ratification of the Equal Rights Amendment (ERA) and also for the passage of legislation to add an Equal Rights Amendment to the Minnesota State Constitution. (see: page 2 of the category of Civil, Human, Natural, & Constitutional Rights at: <https://dfl.org/wp-content/uploads/2022/07/DFL-Action-Agenda-2022-1-1.pdf>.)”

Please therefore join our all-important effort this session that 1) Congress recognize that the Equal Rights Amendment is already valid due to the required 38 state ratifications without regard to any former unethical and unfair deadline on something as basic as equal rights to any true democracy and that 2) the State of Minnesota also pass its own all-important and comprehensive state ERA to support and protect the equality of ALL Minnesotans.

Thank you,

Janette Dean

Minnesota-raised Janette Dean is an environmental policy and human rights advocate and organizer who helped Nevada ratify the Equal Rights Amendment as the lead grassroots organizer there from 2014-2017 (see: <https://sites.google.com/view/nevadansfortheera/>). She currently lives and works in her home state of Minnesota. To see the beginning steps of the Equal Rights Amendment’s journey and Nevada’s steps to ratification victory, visit: <https://prezi.com/view/ClzKezAQAE41V9dBHb/>.

**Testimony to MN Senate Judiciary and Public Safety Committee
in support of ERA bills (SF37 and SF47)**

Ann Treacy, Board Member, Women's March MN atreacy@treacyinfo.com 651-239-4581
Elaine Treacy, Retired Systems Analyst, treacy2579@gmail.com 651-470-3302
Aine O'Donnell, Robotics Teacher, Create Minneapolis, aineod43@gmail.com 651-888-0444

Ann: Madame Chair, Representatives, thank you for having us. My name is Ann Treacy; I am on the board of Women's March Minnesota. Last year I testified with my mom and my eldest daughter to give a three-generation view of Equal Rights. My mom is on an airplane coming home from Arizona today but here in spirit and this year I have my youngest daughter but we're here again to ask you to insure equal rights now and for future generations.

Elaine: Madame Chair, Representatives, I am Elaine Treacy, a retired senior systems analyst, mother of 3, grandmother of 7. As a girl I was told I couldn't be a police patrol or a server at church because I was a girl; there were no sports teams for girls – and I would have loved to play sports. I was the first in her family to graduate from college and some people thought it was a foolish waste of time. Married in the mid-1960s with a full-job, I needed my husband's signature for a credit card or major purchases. He did not need mine. Bigger than the than the loss of opportunity I learned to reduce expectations for myself. I wanted to go to law school, to become a judge but didn't think it was possible. I didn't feel equal because I wasn't, and I couldn't dream equally.

Ann: Madame Chair, Representatives, again I am Ann Treacy I have three daughters and I am self-employed in a high-tech field. I walked easily through some doors opened by my mom. I played a sports, it was assumed I'd go to college, even get graduate degrees. BUT one year into my first career job, I learned I was being paid considerably less than male counterparts. The employers fixed it, but it happened 30 years after the equal pay act of 1963. Greater protections of the ERA would have helped enforce equality. But the ERA also sets a tone to respect all genders. Recently I was interviewed to do research, write proposals and communications including website development for a company. The guy looked at me and said – you know a girl Friday. I have 2 Masters degrees and 20+ years in telecom policy and he thought it was ok to call me a "girl Friday." It is demeaning, demoralizing and we need to set a new tone.

Aine: Madame Chair, Representatives, I am Aine O'Donnell, recent high school graduate and full-time robotics teacher. Some things are better for me now; some things aren't. In high school, the boys seemed to get best times or spaces for sports events and practices. In my grade school, girls couldn't wear yoga pants because they were too distracting to the boys; the boy clothing was not restricted based on reactions of girls. I see in the classroom with my students, the subtle ways girls are turned off or turned away from robotics, many times in fear of having to face the patronization of their male peers. I've seen smart, talented girls treated

like inadequate imposters for trying to have the same opportunities as the boys. So, we're still not equal.

But more worrisome now, I'm seeing that transgender and nonbinary friends are running into roadblocks like my grandma did – and worse. Sports opportunities are limited – even bathroom access can be difficult. There is discrimination. The impact is, that like my grandma, students are still limited in expectations and dreams. Because of limited gender equality, the community is not reaping the benefits of our best selves.

Ann: Madame Chair, Representatives, thank you again for your attention and for taking up the Equal Rights Amendment. It's necessary; it's time; it's past due.

Dear Committee Chair and Members,

I am writing as a woman, a grandmother, a mother, and a contributing member of our economy and society. I am not sure why we are still debating the EQUAL RIGHTS AMENDMENT, but we are and so I want to say loudly and clearly that I support SF37 and SF47!

It is late, but as the saying goes, better late than never and NOW is the time to pass the ERA!

Thank you,

Nancy Jost

Fergus Falls, MN

Honorable Members of the Senate Judiciary and Public Safety Committee:

I am writing this testimony in support of the Equal Rights Bills SF37 and SF47. As a woman who has recently retired I have experienced the unequal treatment in employment over my 40 year career. My pay has been consistently, significantly less than my male counterparts. In 1972 during my first job, the blatant discrepancy between the female and male employees was very evident. At the time, we felt there was nothing to be done about it. Fast forward through all the changes in opportunities for women and it really hadn't changed that much. In 2019, a compensation study at the organization I worked for revealed pay inequality was significant (thousands of dollars less per year) because of the compensation disparity between the women in the organization and the men who had similar jobs, education levels and years of experience. Because of the years of underpayment my Social Security for the rest of my life will be less. The amount I could save for retirement is less. This is unfair and needs to be addressed once and for all. For the sake of our daughters, end this unequal treatment by passing these bills.

Joan Bulfer

Roseville, MN 55113



MINNESOTA
FAMILY COUNCIL

March 3, 2023

Members of the Judiciary and Public Safety Committee
Minnesota State Senate
Minnesota Senate Building
95 University Ave. W.
Saint Paul, MN 55155

Re: OPPOSE SF47 and SF37

Dear Members,

Minnesota Family Council represents tens of thousands of families across the state, and on their behalf, **we urge you to oppose SF47 and SF37, more properly titled the “Female Erasure” bills.**

Minnesotans support equality before the law for *all* Americans, not privileging males against females. Men and women already have equal protections under the 5th and 14th Amendments, and numerous Minnesota laws already prohibit sex discrimination in employment, education, housing, and many other areas.

The Supreme Court has ruled, “Neither federal nor state government acts compatibly with the equal protection principle when a law or official denies to women, simply because they are women, full citizenship stature-equal opportunity to aspire, achieve, participate in and contribute to society based on their individual talents and capacities.”¹ State laws cannot discriminate against women or men. This language has been tested in court and upheld countless times as the ultimate legal protection for all persons residing in Minnesota.

Rather than protecting the rights of women, these bills prohibit discrimination on “gender identity or expression” while not defining “gender” in either bill. Since the bills’ language of “gender identity” ends legal distinctions between males and females, the bill privileges males at the expense of females. Assuming these bills pass, males will have the rights to female prisons, female private spaces, and female sports teams.

If, like the original ERA of the 1970s, the revived bill used the word “sex,” few would claim that these bills were necessary in 2022 because federal and state laws already guarantee equal protection for women. **The efforts to revive these bills are not about women’s rights; these bills erase females.** These bills trade a definition of biological sex in state law for subjective “gender identity,” preventing the government from protecting female privacy rights in public accommodations like domestic violence shelters and school locker rooms, eroding designated female sports teams fought for under Title IX, mandating taxpayer funding for abortions, requiring coverage of sex change surgeries, and threatening the status of churches and religious organizations.

Women deserve better - they deserve the equal protections already granted to them by the Constitution, not erasure of those rights. They deserve legal protections based on sex, which include pro-woman legislation that would strengthen privacy protections, increase penalties for human trafficking, and ban sex-selective abortions. **Don’t erase females. Vote no on SF47 and SF37.**

Sincerely,
Rebecca Delahunt
Acting Director of Public Policy

¹ United States v. Virginia, 518 U.S. 515 (1996).



Testimony in Opposition to S.F. 37 (Kunesh) (Constitutional amendment providing for equality under the law)

Senate Judiciary and Public Safety Committee

March 3, 2023

Chair Latz and Members of the Committee,

The Minnesota Catholic Conference, the public policy voice of the Catholic bishops in Minnesota, writes to oppose a constitutional amendment aimed at establishing “gender equality.” Undoubtedly, some proponents want to stop discrimination in all its forms. We share that goal because each person, regardless of biological sex or asserted gender identity, is made in the image and likeness of God.

This bill and the proposed constitutional amendment does not appear to be solving an identified problem. Rather, it seems unnecessary. Digging further, however, we note that this amendment is just the replacement for past “gender equality” amendments that will undermine the well-being of women, lead to a host of unforeseen consequences, and be used as a sword against people of faith and others who recognize that human nature is not endlessly malleable. Biology is not bigotry, and not all distinctions are discrimination. Vote no on the ERA in its current form.

Sex and gender discrimination is already banned in state and federal law

Under existing case law, the Minnesota Constitution commands that all persons must receive the equal protection of the laws. In addition to longstanding federal and state constitutional protections barring discrimination, the Minnesota Human Rights Act (MHRA) bans sex and gender discrimination (including sexual orientation and gender identity), rendering this ballot measure redundant. Further, after the *Bostock* decision by the U.S. Supreme Court, federal civil rights law also forbids discrimination based on sexual orientation and gender identity in the employment context. And federal courts are already applying *Bostock* to other areas of the Civil Rights Act.

With both state and federal law already shielding people from gender-based discrimination, one wonders about the actual legislative intent? It is important that the legislative intent is fleshed out during the consideration of the amendment, as future courts will have to figure out the contours of what sets of problems this amendment attempts to solve.

During last year’s hearing in the House Judiciary Finance and Civil Law Committee on a similar amendment, when questioned about the intent of the amendment, the proponents were unable to answer simple questions, such as “what is the definition in statute of gender, what definition are we working with?”¹ Representative Kristin Bahner, who was carrying the “gender equality” amendment that contained the following statement: “Equality under the law shall not be abridged or denied on account of gender,”² could not herself define what “gender” means. This is extremely problematic. Legal counsel for

¹ <https://www.house.leg.state.mn.us/hjvid/92/895211>

² <https://www.revisor.mn.gov/bills/bill.php?b=House&f=HF0726&ssn=0&y=2021>

proponents at the time noted that “there *obviously* is not, in this specific amendment, a definition of gender [. . .] but it is *understood* to be inclusive.”³

The terms gender and sex are both used throughout state statute, but are not typically defined, and no definition of gender has been assigned to this amendment. Again, in other words, by passing this bill, we will be asking voters to take a stance on an issue that is problematic and undefined and will be giving an invitation to courts to define it how they please in myriad claims. And in a climate where the number of so-called genders seems to be rapidly expanding, we are opening up a Pandora’s box of novel claims that will have impacts on other rights when this equality mandate is made constitutional.⁴

The amendment is not a shield against discrimination, but instead a sword against those who disagree

As described above, the amendment is unnecessary as a *shield* against discrimination. We are concerned, however, that it will be used instead as a *sword* against people of faith and others who reject the concept of gender identity. The MHRA does not (quite reasonably) preclude all distinctions based on sex or gender. It further provides conscience protections and religious liberty for those persons and groups who make sex- and gender-based distinctions in education, employment, housing, and association. The MHRA thus represents a balancing of interests that were carefully crafted during the legislative process.

This amendment, however, gives judges a new tool to override both statutory and state constitutional protections for conscience and religious freedom when those come into conflict with new forms of gender equality. In particular, it will undermine the ability of religious non-profits, charities, and healthcare facilities to serve consistent with their views on sexual identity.

The ongoing rebellion against human nature by gender activists will likely lead to a host of unforeseen consequences

The amendment would empower judges to identify new forms of sex and gender discrimination, unthinkable even just five years ago. Here is just a short list of the possibilities: the mandatory mixing of the sexes in homeless shelters; gender-neutral restrooms and changing facilities in both public and private facilities; mandated state-funded assisted reproduction technology or surrogacy arrangements for transgender persons and same-sex couples; mandatory insurance coverage (public and private) for gender transition therapies; and the erosion of healthcare rights of conscience.

As with taxpayer funding of abortion, already mandated by our state Supreme Court to supposedly ensure equality for all women, taxpayers will foot the bill for these emerging mandates.

The triumph of gender identity is the real war on women

The irony of an amendment that protects gender equality is that it undermines the equality of the sexes, seen most plainly in the absurd spectacle of biological males dominating women’s sports. The amorphous concept of gender swallows whole the matter of the equality of the sexes, not to mention the reality of sexual difference and the distinctions that are made because of those differences. Though there is an

³ <https://www.house.leg.state.mn.us/hjvid/92/895211>, at 38:05-38:40

⁴ One partial remedy is to limit the amendment to barring sex discrimination only, not gender identity, as 25 of the other 26 states that have adopted the ERA have done.

Re: Testimony in Opposition to S.F. 37 (Kunesh)
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errant view of the sexes that depicts equality as sameness, thereby making women's equality dependent on their ability to behave like men, at least it recognizes the reality of the sexual binary. Gender identity, however, allows men to play women, and vice versa, undermining both women's equality and the dignity of the unique nature of women altogether.

Ironically, proponents of the Equal Rights Amendment in Minnesota are no longer fighting for women, as once may have been the intention. Instead, they are trying to further entrench radical gender ideology into law, without even being able to offer a definition to Minnesota voters.

For all these reasons, the Legislature should reject this that is a redundancy in combatting unjust discrimination and will empower judges to impose many unforeseen consequences. Thank you for your consideration.

Respectfully submitted,

Maggee Hange, Policy Associate, mhangge@mncatholic.org

