

Dear Committee Members,

Please render a DO PASS on Senate Concurrent Resolution 4010.

Passage of the ERA would have many unintended negative consequences including the overturning of laws and practices that benefit women because they would be viewed as showing preferential treatment. Women do not need the ERA because their rights are already protected by the Constitution, including the 14th and 19th Amendments, and several federal and state laws.

In addition, the ERA would be used to overturn all restrictions on abortion, including the partial birth abortion ban, 3rd-trimester abortion ban, and parental notice of minors seeking an abortion, all of which would contribute significantly to the continued killing of the unborn. In both New Mexico and Connecticut, their state ERAs were used in the courts to overturn restrictions on abortions and mandate taxpayer funding of elective Medicaid abortions with the rationale that since abortion is unique to women, restricting abortions is a form of sex discrimination. (*N.M. Right to Choose/NARAL v. Johnson*, 975 P.2d 841, 1998; and *Doe v. Maher*, 515 A.2d 134 [Conn Super. Ct. 1986])

For these reasons and more, please render a DO PASS on Senate Concurrent Resolution 4010 as North Dakotans do not need or want a