

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Fetterman offered the following:

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3 **Substitute Amendment to Amendment (214733) (with title**  
4 **amendment)**

5 Remove lines 62-103 and insert:

6 WHEREAS, constitutional equality for men and women  
7 continues to be timely in the United States and worldwide, and  
8 many other nations have achieved constitutional equality for  
9 their men and women, and

10 WHEREAS, in 1998 Florida voters, by a margin of 65 percent  
11 to 35 percent, approved a similar amendment to the Florida  
12 Constitution, which added and clarified that "all natural  
13 persons, female and male alike, are equal before the law,"  
14 therefore clearly indicating that ratification of the Equal  
15 Rights Amendment would be fully consistent with the will of the  
16 majority of voters in this state, and

601133

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Amendment No.

17 WHEREAS, elements of gender discrimination remain in  
18 statutory and case law, and courts have had difficulty applying  
19 a consistent standard to gender classifications that is not  
20 inherently suspect or comparable to racial or ethnic  
21 classifications under equal-protection analysis, and

22 WHEREAS, the Equal Rights Amendment for men and women is  
23 necessary in order to have a clear constitutional guarantee that  
24 gender is considered a suspect classification and entitled to  
25 the same strict scrutiny that courts reserve for race, religion,  
26 and national origin, and

27 WHEREAS, Article V of the Constitution of the United States  
28 makes provision for amending the Constitution on the application  
29 of the legislatures of two-thirds of the several states, calling  
30 a convention for proposing amendments that shall be valid to all  
31 intents and purposes if ratified by the legislatures of three-  
32 fourths of the several states, or by conventions in three-  
33 fourths thereof, as one or the other mode of ratification may be  
34 proposed by Congress, NOW, THEREFORE,

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36 Be It Resolved by the Senate of the State of Florida, the House  
37 of Representatives Concurring:

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39 That the Legislature of the State of Florida, with all due  
40 respect and great reluctance, does hereby make application to  
41 the Congress of the United States pursuant to Article V of the  
42 Constitution of the United States to call an Article V  
43 amendments convention for the purpose of proposing amendments to  
44 the Constitution of the United States:

601133

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Amendment No.

- 45 (1) To achieve and maintain a balanced budget by:
- 46 (a) Requiring that such balanced budget account for all
- 47 obligations of the Federal Government;
- 48 (b) Allowing flexibility in federal balanced budget
- 49 requirements by providing exceptions related to exigencies such
- 50 as national emergencies or threats to the nation's security;
- 51 (c) Imposing spending limits on the Federal Government;
- 52 (d) Setting extraordinary vote requirements for new or
- 53 increased federal taxes and other revenues; and
- 54 (e) Prohibiting federal mandates on states to impose taxes
- 55 or fees.
- 56 (2) To control the ability of the Congress and the various
- 57 federal executive agencies to require states to expend funds by:
- 58 (a) Limiting the ability of Congress and the various
- 59 federal executive agencies to pass legislation requiring states
- 60 to spend money or to take actions requiring the expenditure of
- 61 money unless federal funds are provided in ongoing amounts
- 62 sufficient to offset the full costs of such requirements; and
- 63 (b) Limiting the ability of Congress to dictate to states
- 64 requirements for the expenditure of federal funds other than
- 65 such requirements as may be necessary to measure outcomes to be
- 66 achieved through the expenditure of the federal funds, leaving
- 67 to the several states the ability to decide how to best
- 68 accomplish those outcomes.
- 69 (3) To ensure equality of rights under the law shall not
- 70 be denied or abridged by the United States, by any State, or by
- 71 any entity acting on behalf of the United States or any State on
- 72 account of sex.

601133

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**T I T L E   A M E N D M E N T**

Remove lines 5-8 and insert:

balanced federal budget, limit the ability of Congress to  
dictate to states requirements for the expenditure of federal  
funds, and ensure that equality of rights under the law shall  
not be denied on account of sex.