

Regular Meeting

Agenda Item	5
Meeting Date	May 13, 2013
Prepared By	Jessie Carpenter City Clerk
Approved By	Suzanne R. Ludlow Acting City Manager

Discussion Item	Right to Vote Resolution -- Affirming the Right to Vote, Establishing a Task Force on Voting, and Supporting a Constitutional Amendment to Grant an Individual Right to Vote
Background	<p>The City Council has been considering a number of proposals to make voter registration and voting in City elections more accessible for residents and to increase participation. On January 22 and March 4 of this year, the Council discussed these initiatives and indicated an interest in moving forward. Some of the proposals required an amendment to the City Charter for implementation. That amendment is scheduled for a vote at second reading on May 13.</p> <p>The Right to Vote resolution affirms the right to vote and seeks to strengthen the ties that connect residents, elected officials, and City government. The resolution establishes a Task Force on Voting, which is charged with making recommendations to the City Council on any policies or regulations needed to strengthen the right to vote and voter participation in regular and special City elections. Finally, the resolution endorses a U.S. Constitutional Amendment that affirms the individual right to vote and supports a number of State and National voting initiatives.</p>
Policy	<ul style="list-style-type: none"> • The Council wishes to increase strengthen the ties that connect residents, elected officials, and City government. • The Council may establish any administrative agencies, boards and commissions that may be deemed necessary to further the purposes of the City. • The Council may sponsor, promote and otherwise advance legislation at any level, including County, State and Federal, and to expend funds and resources for the same.
Fiscal Impact	Establishment of the Task Force on Voting will require staff support in advertising for and appointing members as well as general support for the work of the Task Force.
Attachments	Right to Vote Resolution
Recommendation	Consider and vote on the Right to Vote Resolution
Special Consideration	

Introduced by:
DRAFT 5-9-2013

CITY OF TAKOMA PARK, MARYLAND

Resolution 2013-

**Right to Vote Resolution
Affirming the Right to Vote, Establishing a Task Force on Voting, and
Supporting a Constitutional Amendment to Grant an Individual Right to Vote**

WHEREAS, the United States Elections Project reports that voter turnout in the 2012 presidential election was 59 percent of eligible voters and the Maryland Secretary of State reported turnout of 66 percent in Montgomery County, Maryland; and

WHEREAS, even though only 18 percent of registered voters voted in the 2011 Takoma Park municipal election, that percentage was higher than the two previous citywide elections; and

WHEREAS, expanding opportunities at local agencies for voter education and non-partisan voter registration beyond the requirements of the National Voter Registration Act would promote more engaged City residents and increase civic participation; and

WHEREAS, ten states and the City of Rockville have established Election Day registration so that voters can register at the same time they cast their ballot and the State of Maryland is considering legislation to do so; and

WHEREAS, local governments like ours have the power to enact laws and procedures for local elections that meet or surpass federal and state election standards, that create more accountable representation, that uphold voting rights, that encourage increased voter participation, and that promote greater awareness of our political process through civic education; and

WHEREAS, Takoma Park has a long history of innovative voting policies, including the adoption of instant runoff voting and provisions for non-citizen voting in municipal elections; and

WHEREAS, an individual right to vote is a fundamental American right, and fundamental rights should be guaranteed to all Americans in the U.S. Constitution; and

WHEREAS, the U.S. Supreme Court wrote in *Bush v. Gore*, “the individual citizen has no federal constitutional right to vote” which necessitates the creation of laws and practices that establish and promote voting.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. Affirmation of the Right to Vote

1. The Council does hereby affirm that the right to vote is a fundamental right to be cherished, protected and exercised.
2. The over-arching intent of this Right to Vote Resolution is to strengthen the ties that connect residents, elected officials and City government.
3. The City Council will actively encourage and facilitate voter education and voter registration by the City, residents, and organizations active in our community, and commit to initiating voter registration drives (for citizens and non-citizens) focused on areas of the City with the lowest levels of registration.
4. In order to correct misinformation and encourage voter turnout on City Election Day, we will communicate to all voters through means of mail, posters for apartment buildings, City television and online, social, and print media the following information: general information about voting on Election Day, information on early voting for municipal elections, and the format of the ballot.
5. We encourage effective training of poll workers and election officials to uphold the individual right to vote.

SECTION 2. Task Force on Voting

1. A Task Force on Voting is established to make recommendations to the City Council on any policies or regulations needed to strengthen the right to vote and voter participation in regular and special City elections.
2. The Task Force shall consist of up to ten members appointed by the City Council.
3. Members shall be Takoma Park residents or shall represent organizations with expertise in election laws or policy, voting rights or voter registration.
4. At least two members of the Task Force shall be selected by the Takoma Park Board of Elections and recommended to the City Council for appointment.
5. The Task Force shall elect from among its members two Co-Chairs and a Secretary.
6. The City Manager may designate one or more staff members to assist the Task Force in its work.
7. The Task Force shall focus on the following in the course of its work:
 - Recommend actions by the City before the 2013 elections to promote new suffrage opportunities for residents who have turned 16, same-day voter

registration and residents who are currently on parole or probation as a result of a felony conviction.

- Study the impact of Takoma Park's longstanding and new laws on voting to make recommendations for voter outreach and voting procedures in future City elections.
 - Recommend to the City Council steps that would strengthen early voting efforts and extend early voting as practical and desirable.
 - Research and recommend practical steps that may be taken by the City and community organizations to boost electoral awareness and participation, particularly in neighborhoods and community segments that have historically had the lowest participation rates.
 - Review all City laws, regulations, processes, and practices that may affect the right to vote and that may affect the power of voters to elect candidates and hold representatives accountable.
 - Recommend changes to City law, regulations, processes, and practices that would better uphold voting rights, encourage increased electoral participation, and promote greater awareness of our political process.
 - Make recommendations on a means to monitor and report on the effect of City ordinances, regulations and practices on voting rights, voter participation and voter awareness over time.
 - Report on recommendations regarding state legislation the City Council could promote with our representatives in the House of Delegates and State Senate that would strengthen the right to vote in Maryland.
 - Identify needs for addition voter registration efforts designed to register eligible individuals who are at least 16 years old.
 - Recommend policies that would increase opportunities for civic engagement with tenants living in apartment buildings.
 - Recommend languages appropriate to Takoma Park into which all written and recorded City voter resources including ballots should be translated.
8. The Task Force shall issue a preliminary report with recommendations for the 2013 election by September 15, 2013 and a final report with its findings and recommendation to the City Council by June 30, 2014 unless its term is extended by the Council.

SECTION 3. Call to Elected Officials

1. We call on our Members of Congress to support an amendment to the U.S. Constitution that would grant an individual right to vote to every United States citizen of voting age.
2. We affirm our support for maintaining and enforcing the Voting Rights Act of 1965 as most recently amended in 2006, when the Senate voted 98-0 and the House voted 390 - 33 to extend the Act's provisions requiring jurisdictions with a history of lower racial minority voter turnout to have any changes in election law or process reviewed by the Department of Justice or federal courts to ensure the change does not dilute the voting strength of racial minorities.
3. We call on our delegation in the Maryland General Assembly to promote legislation to establish instant runoff voting in state elections, similar to the instant runoff elections used in municipal elections in Takoma Park.
4. We call on Congress and the State of Maryland to take action to uphold voting rights, including ensuring that our nation has a modern voter registration system that meets the basic goal of complete and accurate voting rights, that citizens of the District of Columbia have congressional voting rights, that all jurisdictions have an option to purchase publicly owned or non-profit managed voting equipment, and that all voters can be confident that their local jurisdiction meets certain minimum performance standards involving election administration.
5. We endorse a call for all elected officials to stand with voters by supporting actions to increase voter turnout and voter education, oppose tactics to game elections through manipulation of voting rights and election laws, and evaluate proposed electoral reforms based on whether they promote participation and a level political playing field rather than their impact on incumbent elected officials or political parties.

Adopted by the Council of the City of Takoma Park, Maryland this ____ day of May, 2013.

Attest:

Jessie Carpenter, CMC
City Clerk