



Legislation Text

File #: 38069, **Version:** 1

Fiscal Note

No appropriation required.

Title

Supporting U.S. Representatives Mark Pocan (D-WI) and Keith Ellison (D-MN) efforts to amend the U. S. Constitution to grant an explicit right to vote.

Body

WHEREAS, voter turnout in Wisconsin was approximately 70% of eligible voters in the 2012 presidential election, which means about 1.3 million of Wisconsin's eligible voters did not cast a vote; and,

WHEREAS, Wisconsin has enacted legislation ("Act 23") that could impact eligible voters' ability to vote, specifically by requiring voters show certain forms of photo identification before being allowed to cast regular ballots; and

WHEREAS, Wisconsin's Act 23 has been classified as "strict" by the National Conference of State Legislatures, which means Wisconsin is among those states that place the highest barriers to casting a ballot; and

WHEREAS, the legality of Act 23 has been the subject of litigation in both state and federal court; and

WHEREAS, following an initial injunction against Act 23's enforcement by a Wisconsin district court, the state judiciary continues to evaluate the law; and

WHEREAS, plaintiffs in the federal litigation have raised serious claims as to the racially discriminatory effects of Act 23's photo ID requirement; and

WHEREAS, of the 199 nations that elect their public officials using democratic elections, the United States is one of only 11 nations that does not have an explicit right to vote in its constitution; and

WHEREAS, the 15th, 19th, and 26th Amendments to the U.S. Constitution provide that the right to vote shall not be denied or abridged based on race, sex, and age respectively, and the 24th Amendment prohibits poll taxes, but these amendments do not guarantee Americans an explicit right to vote; and

WHEREAS, in 2013, the Supreme Court ruled in *Shelby County v. Holder* that the coverage formula in Section 4 of the Voting Rights Act (VRA) is unconstitutional, thereby invalidating the formula used to determine which states are covered by Section 5 of the VRA; and

WHEREAS, Section 4 of the VRA was an effective tool in curbing racial discrimination in elections in 1965; and continued to be a critical instrument for free, fair and accessible elections, helping block laws making it more difficult to vote for nearly a half century; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Madison Common Council supports U.S. Representative Mark Pocan and Keith Ellison's efforts to to amend the U.S. Constitution to grant an explicit right to vote.

BE IT FURTHER RESOLVED, that the City Clerk shall send a copy of this resolution to the Wisconsin Congressional Delegation.