



Legislation Text

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Res. No. 181

Resolution urging the United States Congress to pass House Joint Resolution 28, a resolution that calls for a voting rights amendment to the United States Constitution to guarantee the right to vote.

By Council Members Foster, Comrie, Dickens, Gonzalez, James, Mark-Viverito, Palma, Sanders Jr., White Jr. and Liu

Whereas, Congressman Jesse L. Jackson, Jr. has introduced House Joint Resolution 28 (“H.J. Res. 28”), a resolution that calls for a voting rights amendment to the United States Constitution; and

Whereas, H.J. Res. 28, Section 1, proposes an amendment that reads, “All citizens of the United States, who are eighteen years of age or older, shall have the right to vote in any public election held in the jurisdiction in which the citizen resides. The right to vote shall not be denied or abridged by the United States, any State, or any other public or private person or entity, except that the United States or any State may establish regulations narrowly tailored to produce efficient and honest elections”; and

Whereas, The ability to cast a vote is considered to be of paramount importance within our democratic society; and

Whereas, In *Alexander v. Daley* (2000), the Supreme Court stated that “[t]he Equal Protection Clause does not protect the right of all citizens to vote, but rather the right of all qualified citizens to vote”; and

Whereas, The Tenth Amendment, by reserving to the states all powers “not delegated to the United States by the Constitution,” gives states the power to determine who is qualified to vote; and

Whereas, Given that voting rights are reserved to the states under the Tenth Amendment, only a constitutional amendment would provide every American citizen a federally protected right to vote; and

Whereas, A joint study by the Massachusetts Institute of Technology and Cal Tech showed that between

four and six million votes nationally went uncounted in the 2000 Presidential election; and

Whereas, This constitutional amendment would give authority to Congress to create standards that ensure a uniform voting system for public elections, so that that all votes will be counted in a complete, fair and efficient manner; now, therefore, be it

Resolved, That the Council of the city of New York urges the United States Congress to pass House Joint Resolution 28, a resolution that calls for a voting rights amendment to the United States Constitution to guarantee the right to vote.

DJ
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