

RESOLUTION NO. 051103

PASSED March 27, 2006

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF GAINESVILLE, FLORIDA;
SUPPORTING REAUTHORIZATION OF
CERTAIN KEY PROVISIONS OF THE VOTING
RIGHTS ACT; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE.**

WHEREAS, the City of Gainesville supports the Reauthorization of the 1965 Voting Rights Act Provisions; and

WHEREAS, forty years ago, after the march on Selma, Congress passed and the President signed the historic Voting Rights Act creating federal enforcement power to strike down centuries of voter discrimination against blacks and people of color; and

WHEREAS, the key provisions of the 1965 Voting Rights Act will expire in August 2007 unless Congress acts to reauthorize them; and

WHEREAS, Section 5 contains the “pre-clearance” provisions requiring jurisdiction in all or part of 16 states to prove to the US Department of Justice that changes in voting locations or other administrative procedures will not have a discriminatory purpose or effect on minority voters; and

WHEREAS, Section 203 requires more than 450 counties and townships under the Voting Rights Act to provide bilingual language assistance to limited English speaking voters; and

WHEREAS, Sections 6-9 collectively authorize the US Department of Justice to appoint examiners and send observes to the polls to deter, witness or report discriminatory activities; and

WHEREAS, the original 1965 Voting Rights Act made these provisions “temporary” subject to reauthorization by Congress based on evidence that the need for these provisions continue to exists; and

WHEREAS, there is an effort to make these provisions “national and permanent” that could cause these Voting Rights Act provisions to be ruled unconstitutional by the Supreme Court; and

WHEREAS, there are several legal precedents that require that the provisions be “narrowly tailored” or “congruent and proportional” to address the harms it is designed to cure; and

WHEREAS, to meet constitutional muster there is a need to establish a new record of evidence to document for Congress the continued need for the Voting Rights Act enforcement provisions; and

WHEREAS, a National Commission on the Voting Rights Act, spearheaded by the Lawyers Committee for Civil Rights, has been established and is holding hearings, gathering evidence to submit a comprehensive report to Congress;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; that the City of Gainesville, Florida urges the National League of Cities to adopt a policy statement in support of the reauthorization of the key enforcement provisions of the 1965 Voting Rights Act; and

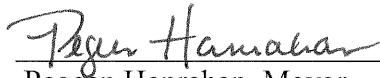
BE IT FURTHER RESOLVED, that the City of Gainesville urges Congress to conduct the appropriate due diligence to investigate and establish a record of evidence to determine the need for reauthorization of the Act’s key provisions; and

BE IT FURTHER RESOLVED, that the City of Gainesville urges Congress to reauthorize Section 5, 6-9 and 203 which are the key enforcement provisions of the 1965 Voting Act that are set to expire in August of 2007; and

BE IT FINALLY RESOLVED, that the City of Gainesville urges Congress to conduct the due diligence necessary to ensure that the provisions are “narrowly tailored” to address the harms it is designed to address, and not make these provisions “national and permanent” which may result in the provisions being ruled unconstitutional.

The Clerk of the Commission is authorized and directed to send copies of this Resolution to members of the Florida Congressional Delegation, the National League of Cities and the National Black Caucus of Local Elected Officials.

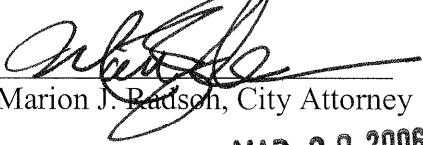
PASSED AND ADOPTED this 27th day of March 2006.


Pegeen Hanrahan, Mayor

ATTEST:


Kurt Larion,
Clerk of the Commission

APPROVED AS TO FORM AND LEGALITY:


Marion J. Radsch, City Attorney
MAR 30 2006