



MARYLAND STATE & D.C. AFL-CIO

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HB 1088 - Election Law - Automatic Voter Registration - Alterations
House Ways and Means Committee
February 27, 2024

SUPPORT

Donna S. Edwards
President
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Madame Chair and members of the Committee, thank you for the opportunity to provide testimony in support of HB 1088. My name is Donna S. Edwards, and I am the President of the Maryland State and DC AFL-CIO. On behalf of the 300,000 union members in the state of Maryland, I offer the following comments.

HB 1088 changes Maryland's automatic voter registration (AVR) system through the Motor Vehicle Administration to require opt-outs to not be registered, instead of the current opt-in standard. Proposals like this, known as upgraded automatic voter registration, were adopted in Colorado, Oregon, Alaska, Nevada, Massachusetts, Delaware, Minnesota, New Mexico, Michigan, and Washington. Upgraded AVR requires agencies like the Motor Vehicle Administration to automatically send newly updated residency information to election officials, unless the applicant opts out, any time they provide new information to the MVA with an accompanying proof of citizenship. These same AVR processes would apply to applicants for state benefits like Medicaid or using plans on the Maryland Health Exchange.

HB 1088 would lead to higher voter registration rates, in-person time and cost savings for the MVA through streamlined registration procedures, and more up to date voter rolls. We urge a favorable report on HB 1088.

Appendix 1 - National AFL-CIO Position on Voting Rights

Voting Rights Should Be Expanded

The U.S. government needs to expand voting opportunities in America and support universal voter registration—not erect new hurdles, like strict voter ID laws.

We support legislative and administrative reforms at the federal, state and local levels to expand voter registration and greater access to voting, including expanded early voting, no-excuse absentee voting, same day registration and voter registration modernization. We also think voting rights should be restored to individuals who have committed crimes but served their time.

According to the Brennan Center for Justice, the Voting Rights Act was passed in 1965 to ensure state and local governments do not pass laws or policies that deny American citizens the equal right to vote based on race. As one of the world's leading democracies, the United States should work to keep voting free, fair and accessible. That's why the Voting Rights Act is so important. It makes sure every citizen, regardless of race, has an equal opportunity to participate in our great democracy.

On June 25, 2013, the U.S. Supreme Court invalidated Section 4, a key provision of the Voting Rights Act, thereby removing a critical tool to combat racial discrimination in voting. Under Section 5 of the act, jurisdictions with a history of discrimination must seek pre-approval of changes in voting rules. This process, known as “preclearance,” helps to block discrimination before it occurs. In *Shelby County v. Holder*, the court found that the formula in Section 4—which determines the states and localities covered by Section 5—was unconstitutional, meaning the formula could no longer be used as a basis for subjecting jurisdictions to preclearance. The court claimed that a more current coverage formula was needed.

This is a giant step backward and Congress needs to take up legislation to fully restore the Voting Rights Act and ensure all who want to vote, can vote.

Appendix 2 - 2017 National AFL-CIO Convention Resolution 14

Voting Rights: Building An Inclusive Pro-Voter Democracy to Move A Winning Agenda for Working People - October 24, 2017

The labor movement believes that ensuring and protecting the right of every citizen to vote is a bedrock principle of our democracy. One major way we advocate for ourselves to great affect is through the ballot box—by electing and protecting champions of working people and winning policy fights that matter to all workers. However, our democracy suffers from deliberate voter suppression and disenfranchisement that severely limits the labor movement and other progressive movements' ability to move a winning agenda for working men, women, their families and their communities that we serve.

We see the common threads among the continued erosion of rights for working families, the attack on an economy that works for everyone, and the assault on one of our most fundamental democratic rights—the right to vote. The right to vote, fair representation and access to democracy are key in moving a winning agenda for all people and ensuring that not one community continues to suffer needlessly. Moreover, a number of states have reversed efforts to make it easier for citizens to vote by mail or vote early. Some have rescinded same-day voter registration and provisional ballots. Others have reduced the number of polling places and caused long delays in of-color and low-income

neighborhoods. These are some of the same states that have waged a full attack on the labor movement.

We believe that voting in elections should be as convenient, fair and secure as possible. Yet some citizens face voter suppression tactics such as limits to early voting, fewer polling locations and voting machines, long lines, and intimidation at polling stations. Three states that currently hold elections entirely by mail, Colorado, Oregon and Washington, have significantly higher voter participation during elections. Vote by mail is efficient and cost effective, and creates a verifiable paper trail. Studies have shown that voting by mail does not give an advantage to any political party, and support for vote by mail includes all demographic groups, geographic areas and political affiliation. This is one of many pro-voter reforms that we know works to deliver a democracy that is inclusive.

America's hardworking families and communities deserve full access to the ballot box. As a movement of working people we demand that a pro-voter agenda be adopted immediately, starting with the restoration and expansion of the Voting Rights Act and passage of legislation that expands opportunities for citizens to vote. We join with hundreds of other civic organizations across the political spectrum in calling for real integrity in our democracy, and urge our leaders to expand and protect the right to vote.

WHEREAS, labor union members must be engaged as voters, activists, volunteers and stakeholders. Our unique infrastructure, which is in place in 50 states, allows us to catalyze organizing, mobilizing and resourcing the work to build an inclusive democracy with and through our affiliates, constituency groups and national strategic partners.

THEREFORE, BE IT RESOLVED, that the AFL-CIO shall stand firm with the principles of an inclusive democracy through:

Prioritizing a pro-voter platform within our fight forward to reclaim the economic narrative that speaks for working families, as well as an opportunity to build an independent political movement that aligns with our shared values;

Advocating to expand and protect voting rights at the federal and state level, including the full restoration of the federal Voting Rights Act; ensuring the modernization of voting through automatic registration, online registration and same-day registration; making it easier for working people to vote by expanding early voting, permanent mail ballot and vote by mail through legislation and ballot initiatives at the local, state and federal levels; restoring the rights of returning citizens; and maintaining and expanding the availability of straight-ticket voting and a host of other voter protections that happen prior to elections;

Fighting to protect the voting rights of working people and all people of color when they come under attack, especially against attempts to suppress votes in the lead-up to elections, including through support for community-focused voter education and voter protection efforts;

Preventing corporations and the wealthy few from buying elections;

Changing structural rules to ensure that every vote and every voice counts equally; and

Reshaping the political debate to demand full democracy at every level of government.

The institutions of our government need to function on behalf of the people, regardless of whom has power—it is bigger than parties, politics or profits.

**Appendix 3 - “The Labor Movement Is Ready to Ensure that Voting Rights Are Fully Restored”
By Fred Redmond, Secretary Treasurer, AFL-CIO - June 16, 2023**

The right to vote is the cornerstone of democracy and was at the heart of the civil rights movement.

Dr. Martin Luther King Jr., John Lewis and other civil rights leaders and allies—including the labor movement—called attention to the pervasive and pernicious tools used to disenfranchise Black voters in the South. Work that led to the enactment of the Voting Rights Act (VRA) in 1965, which put an end to the physical intimidation, harassment, poll taxes and literacy tests Black voters were subjected to just to exercise our right to vote.

But the VRA has been chipped away ever since it became law. A number of states have made it more difficult to vote through restrictive photo identification requirements, and by rescinding same-day voter registration, provisional ballots and early voting periods.

Other states have reduced the number of polling places—often in communities of color where voters have to endure the long lines and extra steps meant to dissuade us from casting a ballot.

And some states have redrawn congressional districts in an attempt to dilute the power of certain racial demographic groups.

Racial gerrymandering is prohibited by the VRA, and was at the heart of a case taken up by the Supreme Court last week. In *Allen v. Milligan*, the high court ruled Alabama violated the Voting Rights Act when it drew its congressional map following the 2020 census.

It was a surprising decision by this Supreme Court, given this bench’s track record and conservative ideological leanings, but it shouldn’t have been—not for a country that values democracy and the democratic process.

And, unfortunately, this decision does nothing to repair the one it made a decade ago that ripped a gaping hole in the VRA and empowered extremist lawmakers to restrict access to the ballot box.

Shelby County v. Holder was a wake-up call—that we must always be vigilant to protect our freedoms and rights, and that political extremists will go to terrific lengths for power and personal gain, even if that means jeopardizing our democracy.

It also was a wake-up call for the labor movement to re-engage and tighten our relationship with civil and voting rights coalitions.

The labor movement has a long history of supporting civil and voting rights and the Voting Rights Act. We educate union members about the importance of voting rights. We mobilize union members in support of positive voting rights reforms. We advocate, along with our allies at the state and federal levels, for improvements to our voting laws. And we fight discriminatory voter ID legislation and other voter suppression laws that restrict the right to vote.

And we will continue to do so.

When President Liz Shuler and I were elected to lead the AFL-CIO a year ago, we pledged to ensure racial and social justice is in everything we do—in all of our programmatic work and at every level of the federation. We are committed to advancing racial justice in our outreach and programs, and to opening pathways for young people and people of color to enter leadership positions. We are committed to vanquishing oppression in all its forms.

That includes fighting state legislatures that try to prevent people of color, women, young adults, LGBTQ+ people and other marginalized people from exercising their right to take part in our electoral process.

And we will continue to push Congress to do its job and pass the John R. Lewis Voting Rights Advancement Act to fully restore and permanently protect voting rights, and ensure access to free and fair elections.