



TAKE BACK ELECTIONS DRAFT LANGUAGE June 2017 - ADDITIONS/REVISIONS

Election Reform

Leveling the Playing Field:

Sweeping Comprehensive Election Reform

Together, these reforms are designed to ensure fair, transparent, secure, verifiable voting and elections.

This language is intended to be enacted via uniform amendments to the constitutions of all 50 states, as well as by an amendment to our federal constitution

Amendment Outline Draft

Part 1: Premise of Elections

1. Voting Days and Voter Holiday

- States and local legislative areas will have a minimum of 2 annual voting days, to be held on Tuesdays, on the first* (or second? Add rule) Tuesday of the month*, one to be held, as usual, in November. Special elections may additionally be held. National voting days will be held as they are now in November on Tuesday* (define/rule) according to our current voting schedule. All Voting Days will be declared Voter Holidays, during which essential service job hours will be adjusted to provide time for employees to vote.* [Details under consideration: During these national Voter Holidays, only essential service jobs are to remain staffed, as the purpose of this national holiday is to protect the election process and allow citizens to learn about and participate in elections. Essential workers like fire, police, hospital workers, and the like will utilize half-day staffing shifts allowing these workers time to vote – possibly this can be accomplished by giving a full day off on a regular working day for them to be able to, at a minimum, vote in the 2 week early vote timeframe (under debate), with half-day bonus pay for the half-day worked, if not allowing other accommodation.]

2. Campaign finance reform — removes effects of Citizens United, state by state, via the following and other language herein.

A. Elections will be publicly funded: all candidates and ballot questions (with pro/con views for all ballot questions) will receive equal amounts to spend; no additional funds will be needed, raised or spent outside of the public funding. This will be a public election and campaign, therefore only public funding will be spent on any election and campaign by any candidate or any ballot question.* (Protocol/Scale)

B. Bribery will further be eliminated from elections by eliminating lobbying,* (define this term, perhaps in terms of money, gifts, or promises but avoiding restrictions of free speech), revolving-door influence, and any other kind of financial or quid pro quo donations for candidates, senior staff, elected officials, and their staff for a minimum of 7-8 years after any campaign or any office held or worked in. Candidate, elected or appointed officials, staff or senior staff will not be allowed to accept money, gifts, jobs, etc. Public funding of elections relieves elected officials from spending time on fundraising, allowing them to focus only on the issues and serving their constituents.



Candidates must be able to fulfill certain requirements for holding public office to include the provision of personal accessibility to constituents, the holding of a minimum number of public meetings for constituents, responsiveness to constituents, and the like.* (Define requirements.)

In the case of Presidential candidates, the public will pay for least expensive travel and accommodations as presidential candidates will be required to tour every state of the nation to enhance their knowledge of these states/areas and thus their real ability serve the nation as a whole. All candidates will also have access to the voters via mainstream media and other media.* (See Media, Part I, 7. Also, refer to any previous legislation for wording, such as Fairness Doctrine repealed in 1987?)

C. Corporate bodies will not be allowed to donate to elections except through our Central Public Fund.* (Money is not free speech! Corporations and unions are not people, not flesh and blood human beings. Organizations such as corporations, unions, churches, etc., not being human citizens, cannot be allowed the rights of flesh-and-blood humans and human rights and freedoms under the U.S. Constitution. (THIS LANGUAGE IN OR OUT)?

D. To insure impartial campaigns, all candidates and proponents/opponents of proposed laws must be afforded, relatively speaking,* (Define*) the same amount of mainstream and other media exposure to communicate their message.* (See Part I, #7. Exposure will be achieved in varied ways/mediums such as interviews, town hall meetings, debates, and balanced reports. With their equal funding and no additional money allowed per campaign to purchase campaign media – paper materials, televised advertising, buttons and swag, etc. - equal exposure during elections will be accomplished! Nothing less will be allowed or tolerated for fair and impartial equitable handling of our public elections and campaigns!)

· 3. Campaigns for candidates and/or public ballot referendums, recalls, initiatives or any ballot questions will be allowed to spend ONLY the designated, allowable, public funds from our Central Public Fund.* (No additional monies or fundraisers will be necessary or allowed beyond financing through our fairly and equally collected publicly funded tax for elections. This public funding of election infrastructure will be understood as critical national infrastructure. If individuals would like more ‘freedom of speech expression’ than this tax contribution to our elections and its general public infrastructure, they may also give more than is required by the appropriate tax for our public elections and its infrastructure to our Central Public Fund created for our public election process, in amounts they so choose but which will be distributed equally to any and all campaigns and equitably, as needed for public infrastructure of our process.) Public funds will also be used to provide registered voters with election guides noting the date of the election, the location of that voter’s polling place, and information about their candidates and measures and all needs of our entire election process.* (Who provides this voter information?)

4. Abolish/reform the Electoral College* (And other language it is linked with - the 12th Amendment, etc. Read: <http://www.history.com/topics/electoral-college#> View: <http://www.history.com/topics/us-presidents/presidential-elections/videos/america-101-what-is-the-electoral-college?m=528e394da93ae&s=undefined&f=1&free=false> . National popular vote consideration) In line with X number of states that have directed by law that those states’ members of the Electoral College cast their votes to reflect their states’ popular vote counts, all members of the Electoral College will be required to vote according to the popular vote in their respective states.* (This remedy for the election process will reflect the true will of the people.) Not to preclude the expected future elimination of the Electoral College process and any language/provisions linked to it, no longer needed.



5. Over 51% of the vote will be required to win any election* (other percent/formula); if no candidate receives this, there will be runoffs, automatically triggered, with set dates all will know, which will be publicized for this occurrence.* (Further discussion in Voting Styles/Methods)

6. Citizen oversight of debates and town hall meetings will include citizens in charge of content and mainstream media hosting as part of mainstream media's FCC licensing requirements.* Real time fact-checking will be required in this process and will be publicized in real-time at the event. (Debates with/without attendees/other? - Discuss) Public facilities and publicly funded media (colleges, universities, public TV, public radio) can be used and involved.

7. Role of Media

A. On Voting Day: Vote-count totals will not be announced by MSM or non-MSM* (define) on the national holiday reserved for the voting process until all polls are closed and all voters have left, all ballots have been turned in, and the observed multiple-count process has begun. Neither will pre-emptive reporting, on any earlier day, as to any election outcome prior to the official vote tabulation be allowed.

Exit polling will be well regulated, supervised by impartial non-media election observers (serving this and other observation capacities) with exit poll results immediately reported*(to whom?*).

B. During political campaigns: Mainstream media will be required, as part of their contracts for operation as public news services, to air or print a number of debates on the issues, on any given ballot question,* (what about small, local elections not covered by MMS?) and report on, air, or cover debates among all candidates during the campaign-cycle* (twice a week: 4 minutes for each candidate; 3 minutes for pro and 3 minutes for con on any questions on the ballots in any election being held in their broadcast/viewing coverage area* (what about national news services covering the entire country?)), to commence 4 weeks before any election, and held/aired/broadcast at high viewership/listenership times, then provided online, free, for the public to view/hear later via an archived "library" of campaign and election issues, candidates and ballot questions.

A mix of debate and town hall-style presentations, facilitated by neutral, randomly picked* (from what group?) moderators, will be broadcast/published by MSM. Before these presentations, the public will be able to contribute to lists of questions to be addressed during these presentations; these question lists will also be overseen by members of the public. Candidates and those representing pro's and con's on issues will also be given time during these presentations to address points/issues not on these lists. There will be instant fact checking provided by a mixed team from the public involved.

Media will be required to provide reasonably equal time* (define*) for airtime interviews, etc., outside of the public presentations described above that will provide equal time* (provide guidelines*).* [Citizen oversight teams unaffiliated with any party or candidate will be set up to assure fair and balanced coverage and debate/interview questions will be determined by the public via these teams, representatives of all parties and non-party-affiliated candidates, proponents and opponents of propositions appearing on the ballot, replacing the Presidential Debate Commission and other groups now doing this work. The FEC and FCC will oversee these requirements/terms of service to insure that they are observed by MSM, failure to comply will have reasonable consequences* (define*)]



Paid advertisements for candidates or measures to be voted on will not be permitted.* (Discuss: If ads are permitted, steep fines for lying or false advertising will be levied, and corrections for untrue statements will be required to be published/broadcast at major viewing times, on front pages, and at high-listening times for television, printed media, and radio.* (This will effectively put an end to the current Debate Commission on Presidential Debates. A citizen's oversight group will be devised to administer and ensure an unbiased public role and direction in these public debates, town halls meetings, forums, etc., to educate our populace on important issues and choice of candidates from the local to national levels.

8. Congressional district lines will be redrawn according to equitable criteria.* (Under consideration: District Citizen Commissions with set prescribed criteria and oversight; other types of proportional representation, such as Choice or Representation, Multi-Member Proportional Representation to solve Gerrymandering – discuss!)

9. Official campaigns, that is, those actions by candidates and proponents or opponents of propositions utilizing funds provided by the public, will not be permitted more than three months prior to the first vote.* (first run-off/primary election)

10. Endorsement limitations: Current or former public officials, elected or appointed, will not be allowed to endorse candidates, ballot initiatives, referendums, or recalls during their office-holding and for the subsequent 3 years after leaving an elected or appointed public office/post.* (Discuss free speech limitation implied here.)

11. Term limits:* (This section will address problems inherent in the discussions of the number of terms an individual can serve. As our process will be more accountable and will inherently remove many of the current concerns over term limits, voters may decide that a good public servant can be allowed to serve as long as desired by both the servant and the public. Also under discussion – are term limits appropriate to this document?)

12. Write-in candidates.* No rules, anyone can write-in anyone they wish and be counted, immediately (by hand at minimum if actual handwritten write-in). Discuss - there are in place in states' provisions/regulations for write-in candidates; we need best practices in this area - does this need to be addressed? Who will take this research task*?

13. Party primary state caucuses: Parties may hold any caucuses or meetings they choose regarding their party candidates, platforms, etc., to be paid for by these respective parties, and not by our general public fund established for funding our public elections. Candidates from any party or no party will receive funding equal to that of other candidates for the same office, to be used only for campaigns, thus providing opportunity for equal media exposure, and equal, easy access to our public ballot.* (Our language allows access regardless of what parties do, or do not do, in running one or more candidates in the public's first run-off, aka 'primary' (define) election(s) for public offices. Our system will replace the current system of parties using our public elections for their primaries, being conducted and paid for as our public election, used by the parties to decide on their own candidates to run in our later elections and this will permit the public to vote for any candidate choosing to run, with or without party backing. All candidates, having access to equal financing and allowed only this funding, with equal media exposure, and equal access to the ballot, will be able to run in our public elections, even if a candidate is not chosen to run as a candidate of any party. Parties will not be able to stop any individual from running outside of their party elections (which will be held at the expense of that



party in whatever way that party chooses), even if that individual was involved in any party's process, but was not chosen, and decides to run again, outside of any party or as another party's candidate in the public's process utilizing 1, 2 (or 3) election run-off steps* (define process*). Candidates cannot be pressured by parties not to run in our open, public elections, even if a candidate also ran within the party's process but was not chosen. Parties attempting to prevent any candidate from running in the public process would draw strict fines and strict penalties for thwarting the fair outcome of our public elections.)