Amendment ID: H3788-1

Amendment 1

Senate, January 16, 2014 – Text of the Senate amendment to the House Bill relative to election laws (House, No. 3788), being the text of Senate document numbered 1975, printed as amended.

NONE moves to amend the bill SECTION 1. Section 1 of chapter 51 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- A person otherwise qualified to vote for national or state officers shall not, by reason of a change of residence within the commonwealth, be disqualified from voting for national or state officers in the city or town from which the person has removed residence until the expiration of 6 months from that removal, but a person having changed residence shall be eligible to register under section 34A.

SECTION 1A. Section 3 of said chapter 51, as so appearing, is hereby amended by inserting after the word "registration", in line 7 and in lines 15 and 16, the following words:- or under section 34A.

SECTION 1B. Section 4 of said chapter 51, as so appearing, is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) Registrars, assistant registrars or boards in cities or towns communicating with residents by mail for the purpose of obtaining such information may require a response under the penalties of perjury.

SECTION 2. Said chapter 51 is hereby further amended by inserting after section 17 the following section:-

Section 17A. In each municipality, the city or town clerk and a registrar or election commissioner, as designated by the board of registrars or the board of election commissioners, shall attend an annual training conducted by the office of the state secretary, and offered at no cost to the municipality or to the individual, on the applicable state and federal election laws and regulations. Upon completion of the training, they shall inform the board of registrars and election commissioners.

SECTION 3. Said chapter 51 is hereby further amended by inserting after section 33 the following section:-

Section 33A. The state secretary shall create and maintain a secure online portal allowing a citizen to complete an affidavit of registration online. The registration shall be transmitted by the state secretary to the appropriate local registrar. The online affidavit shall use the citizen's signature from the registry of motor vehicles records and the registrar of motor vehicles shall make appropriate provisions to facilitate the electronic transfer of the image of the signature to the central voter registry. If the citizen's signature cannot be found using the online affidavit of registration form, the citizen shall be so informed and given the option to print the affidavit of registration, append the citizen's signature and mail or hand deliver the signed affidavit directly to the appropriate registrar of voters. The citizen shall receive an acknowledgement notice

confirming the final disposition of a voter registration. Nothing in this section shall be construed to change any registration deadline or qualification of voting.

SECTION 3A. Said chapter 51 is hereby further amended by inserting after section 34 the following section:-

Section 34A. (a) An individual who is eligible to vote may register on the day of an election by (i) appearing in person at the polling place, during the hours it is open for voting, for the precinct in which the individual maintains residence; (ii) by completing a registration affidavit in a form prescribed by the state secretary which complies with the identity requirements of 42 U.S.C. § 15483; (iii) by presenting to the appropriate election officer proof of residency; and (iv) by making a written oath which shall be as follows:

I certify that I am a citizen of the United States; I am at least 18 years old; I am not under guardianship or otherwise prohibited from voting; I am not temporarily or permanently disqualified by law because of corrupt practices in respect to elections; and I have read and understand this statement; I further understand that giving false information is a felony punishable by not more than 5 years imprisonment or a fine of not more than $10,000 or both.

(b) For purposes of this section, the term "proof of residency" shall mean 1 of the following, so long as it includes the name of the applicant and the address from which the applicant is registering:

(i) a current and valid photo identification including, but not limited to, a Massachusetts driver's license or other state-issued identification card; or

(ii) other documentation demonstrating the name and address where the applicant maintains residence and seeks to register including, but not limited to, a copy of a current utility bill, bank statement, government check, residential lease agreement, wireless telephone statement, paycheck, other government document or correspondence or a current student fee statement or other document from a post-secondary educational institution that verifies the student's current address.

(c) Upon meeting the identity requirements and the making of the oath requirements of subsection (a) and the production of proof of residence under subsection (b), the election officers shall permit the affiant to vote on the day of an election and the registrars shall place the applicant's name and address on the annual register of voters as soon as reasonably practicable following the date of the election as prescribed by the state secretary. Any person who registers to vote on the day of an election under this section shall, unless determined to be illegally or incorrectly registered under sections 48 and 49, be registered to vote at all subsequent primaries and elections.

(d) The state secretary shall make available to the election officers at each polling place, to the extent possible, access to the central registry of voters set forth in section 47C. For the purposes of this section, a printed copy of all voters registered to vote in the precincts in that polling place as of the last day of the registration period, as required by sections 55 and 60, shall be sufficient.

(e) This section shall apply to all primaries and elections, including the early voting period established in section 25B of chapter 54, but shall not apply to an annual town meeting or special town meeting.

(f) A registered voter shall not re-register on the day of an election for the exclusive purpose of altering the party affiliation of that voter.

(g) The state secretary shall adopt regulations to implement this section.

(h) Upon credible information or allegation of illegal voter registration or credible information or allegation of illegal multiple voting, there shall be an investigation of that information or allegation by the attorney general or by the district attorney having jurisdiction over the municipality in which the alleged illegal registration or illegal multiple voting occurred. Nothing in this subsection shall prevent enforcement of this section by any means otherwise provided by law.

(i) A violation of this section shall be punishable under sections 8, 26 and 27 of chapter 56.

SECTION 4. Section 37 of said chapter 51, as appearing in the 2012 Official Edition, is hereby amended by striking out the sixth to eighth sentences, inclusive, and inserting in place thereof the following 3 sentences:- They shall, on or before the first Monday of June subsequent to a general election for federal office, send notice in writing to each voter who has not voted in the preceding 2 general elections for federal office that the name of the voter (i) shall be placed on an inactive voters list if the voter fails to respond to the notice and (ii) may be removed from the voting list after the voter fails to respond to the notice and does not vote in the next 2 general elections for federal office following the mailing of the notice. The notice shall (i) be postage prepaid; (ii) contain a preaddressed and postage prepaid return card; (iii) be sent by forwardable mail; (iv) instruct the voter to return the card before the last day to register if the voter did not change residence from the city or town; and (v) contain additional information about remaining eligible to vote, as prescribed by the state secretary. The registrars shall prepare an inactive voters list, which shall be open to public inspection in their principal offices, and shall be posted by copy under the same schedule of times and in the places where copies of voting lists are required to be posted under section 57.

SECTION 5. Said chapter 51 is hereby further amended by striking out section 37A, as so appearing, and inserting in place thereof the following section:-

Section 37A. The name and address of a voter that has failed to vote in 2 consecutive general elections for federal office shall be maintained on an inactive voters list until the voter has failed to vote in 2 consecutive general elections for federal office subsequent to receiving the notice required by section 37 and has thereafter been notified by mail of removal from the inactive voters list.

SECTION 6. Section 42 of said chapter 51, as so appearing, is hereby amended by inserting after the word “chapter”, in line 2, the following words:- by any person at least 16 years of age or older.

SECTION 7. Section 42H of said chapter 51, as so appearing, is hereby amended by inserting after the word “mail”, in line 4, the following words:- , through the online portal.

SECTION 8. Said chapter 51 is hereby further amended by striking out section 47A, as so appearing, and inserting in place thereof the following section:-

Section 47A. If, after examination of an affidavit of registration, it appears to the registrars that the person has all the qualifications to be registered as a voter except that of age and the person has obtained the age of 16, then they shall enter the person’s name in the current annual register of voters with the designation “pre-registrant” or other term or code as specified by the state secretary. The designation shall be removed when the person, on or before the day of the next preliminary, primary, special or general election or town meeting, attains full age. No pre-registrant shall be allowed to vote until the pre-registrant obtains full age unless otherwise permitted by law.

SECTION 9. Said chapter 51 is hereby further amended by adding the following 2 sections:-

Section 64. The state secretary shall create and maintain an online portal through which a member of the public, including those who have pre-registered pursuant to section 47A, may check to determine whether they are registered or pre-registered to vote. The portal shall allow a member of the public to enter the person’s name, date of birth and residential zip code. The portal shall subsequently display whether a voter with that name, date of birth and residential zip code is registered or pre-registered to vote, whether the registration of the voter is active or inactive pursuant to section 37A, the polling location for the voter and state and federal elected officials who represent the voter. The portal shall not display any other biographical information about the voter except the information provided by the user of the site. If there is no voter in the central registry of voters matching the information submitted to the portal or if the voter’s registration is inactive, the website shall inform the user how the user may obtain a voter registration form or restore the user’s registration to active status. The portal shall not display or allow downloadable voter lists by cities and towns for any member of the public. The portal shall not display any biographical information of a person that is subject to subsection (a) of section 4 with the designation “pre-registrant” or other term or code as specified by the state secretary.

Section 65. (a) Notwithstanding any general or special law to the contrary, the state secretary shall obtain data from the registry of motor vehicles and the United States Postal Service at least every 3 months to ascertain whether any person who currently has a valid and complete affidavit of voter registration has changed the person’s address within the commonwealth. The registry of motor vehicles and the United States Postal Service shall electronically transmit to the state secretary information for any person who has changed the person’s address within the commonwealth in the past 3 months including, if available: (i) name, current address, mailing address, date of birth, driver’s license number or last 4 digits of the social security number and telephone number; (ii) date, time and nature of the last change to the information; and (iii) any additional information designated by the state secretary for such purposes and reasonably related to the management of elections. If information is sent because the information has changed since the last transmission from the source agency, the source

agency shall transmit both the new information and the old information, labeled accordingly, to the state secretary.

(b) If the information transferred reflects a person already included in the central registry of voters as a duly registered voter and reliably indicates a more recent update to the person's name or address than is currently contained in the central registry of voters, the state secretary shall ensure that the person's record in the central registry of voters is updated accordingly and shall alert the appropriate municipal registrars to update the person's record in the annual register of voters accordingly.

(c) The state secretary shall ensure that each voter whose address is changed in the central registry of voters is promptly sent written notice of the change and the new voting location. Any notice required by this section may be sent with other notices required or permitted by law.

SECTION 10. Section 38 of chapter 53 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word "primary", in line 19, the following words:- ; provided further, that a voter registered in a political designation that is not a political party as defined in section 1 of chapter 50 shall be considered unenrolled for the purpose of the primary and shall be eligible to receive a ballot of a political party of the voter's choosing.

SECTION10A. Section 11 of chapter 54 of the General Laws, as so appearing, is hereby amended by striking out, in lines 5 and 6, the words "one warden, one deputy warden, one clerk, one deputy clerk, four inspectors and four deputy inspectors" and inserting in place thereof the following words:- a minimum of 1 warden, 1 clerk, 2 inspectors and a ballot box inspector.

SECTION10B. Section 12 of said chapter 54, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words "one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors" and inserting in place thereof the following words:- a minimum of 1 warden, 1 clerk, 2 inspectors and a ballot box inspector.

SECTION 11. Chapter 54 of the General Laws is hereby further amended by inserting after section 25A the following section:-

Section 25B. (a) The election officers and registrars of every city or town shall allow any qualified voter, as defined in section 1 of chapter 51, to cast a ballot for any biennial state election or primary during the early voting period as set forth in this section including, but not limited to, any city or town election held at the same time. Cities and towns may also provide for early voting in elections not held in conjunction with state elections.

(b) The voting period for early voting shall run: (i) for all cities and towns, from the tenth business day preceding a primary or general election; provided, however, that if the tenth business day before the primary or election falls on a legal holiday the early voting period shall begin on the first business day prior to the legal holiday, until the close of business on the business day preceding the business day before the primary or election; (ii) in a city or town with 1 precinct, a combined total of not less than 3 hours on the Saturday and Sunday immediately preceding the day of the primary or election; and (iii) in a city or town with more than 1 precinct,

a combined total of not less than 10 hours on the Saturday and Sunday immediately preceding the day of the primary or election.

(c) Early voting shall be conducted during the usual business hours of each city or town clerk except as otherwise provided in subsection (b). A city or town may, in its discretion, provide for additional early voting hours beyond the hours required by this subsection.

(d) Each city and town shall establish an early voting site that shall include the election office for the city or town; provided, however, that if the city or town determines that the office is unavailable or unsuitable for the purposes of early voting, the registrars of each city or town shall identify and provide for an alternative centrally-located, suitable and convenient public building, which may include any building open to the public and used for voting on the day of the primary or election, within each city or town as an early voting site. A city or town may also provide for additional early voting sites at the discretion of the registrars for that city or town. Each early voting site shall be accessible to persons with disabilities.

(e) The designation of an early voting site shall be made not less than 14 days prior to the beginning of the voting period established in subsection (b). Not less than 7 days prior to the commencement of the early voting period and at least once during the voting period, the registrars for each city or town shall publish the location of the early voting sites as well as the applicable dates and hours. Notice shall be published in every newspaper listed for the city or town in the New England Newspaper & Press Association and shall also be conspicuously posted in the office of the city clerk or on the principal official bulletin board of each city or town, on any other public building considered necessary, on the city or town's website, if any, and on the website of the state secretary.

(f) At least 21 days prior to each biennial state election or primary, the state secretary shall deliver to each city or town in quantities as the state secretary determines necessary the following papers: (i) official early voting ballots, similar to the official ballot to be used at the election; and (ii) envelopes of sufficient size to contain the ballots specified in clause (i) bearing on their reverse the voter's affidavit of compliance with the requirements of subsection (h).

(g) An early voting ballot along with an envelope shall be provided to each qualified voter who participates in early voting.

(h) A qualified voter casting a ballot at an early voting site shall complete an affidavit under the regulations promulgated pursuant to this chapter, which shall include a notice of penalties under section 26 of chapter 56.

(i) Prior to the commencement of early voting, the registrars for each city or town shall prepare a list for the early voting sites, containing the names and residences of all persons qualified to vote therein, as the same appear upon the annual register, and shall reasonably transmit the same to the election officers at every early voting site designated by the registrars.

(j) The registrar or presiding official at the early voting site shall cause to be placed on the voting lists opposite the name of a qualified voter who participates in early voting the letters "EV" designating an early voter.

(k) The registrars shall prepare lists of all voters casting ballots during the early voting period and update the voter list in a manner prescribed by the state secretary.

(l) The counting of early voting ballots including, but not limited to, informing election officers and any challengers present under section 85A shall be set by regulations promulgated under this chapter. All envelopes referred to in this section shall be retained with the ballots cast at the election and shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

(m) The state secretary shall promulgate regulations to implement this section including, but not limited to, a process for separating, compiling, recording and securing early voter ballots.

(n) Section 72 shall not apply to this section; provided, however, that a city or town may opt to detail a sufficient number of police officers or constables for each early voting site at the expense of the city or town to preserve order, protect the election officers and supervisors from any interference with their duties and aid in enforcing the laws relating to elections.

(o) A person may register to vote during the early voting period under section 34A of chapter 51.

SECTION 12. Section 33 of said chapter 54, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 10, the words ", registering and cancelling" and inserting in place thereof the following words:- and registering.

SECTION 12A. The first paragraph of section 53 of said chapter 54, as so appearing, is hereby amended by striking out the second to fifth sentence, inclusive, and inserting in place thereof the following 4 sentences:- The secretary shall cause to be printed and sent to all residential addresses and to each voter residing in group residential quarters, with copies of the measures to which they refer, a summary prepared by the attorney general, a ballot question title prepared jointly by the attorney general and state secretary, fair and neutral 1-sentence statements describing the effect of a yes or no vote prepared jointly by the attorney general and the state secretary, a statement of not more than 100 words prepared by the secretary of administration and finance in consultation with impacted stakeholders and interested parties, of the fiscal consequences of the measure for state and municipal government finances and, as provided in section 54, arguments for and against measures to be submitted to the voters under Article XLVIII of the Articles of Amendment to the Constitution of the Commonwealth. The secretary shall make available for public examination a copy of the ballot question titles, 1-sentence statements describing the effect of a yes or no vote and fiscal effect statements and shall publish the same in the Massachusetts register on or before the second Wednesday in May. Any 50 voters may petition the supreme judicial court for Suffolk county to require that any title or statements be amended; provided, however, that the petition shall be filed within 20 days after the publication of the title and statements. The court may issue an order requiring amendment by the attorney general and state secretary only if it is clear that the title, 1-sentence statement or fiscal effect statement in question is false, misleading or inconsistent with the requirements of this section.

SECTION12B. Said chapter 54 is hereby further amended by striking out section 67, as so appearing, and inserting in place thereof the following section:-

Section 67. The voting list shall be delivered to the warden at the entrance to the precinct in the polling place. When a ballot is delivered to a voter, the voter's name shall be checked on the voting list at the entrance of the precinct. The inspector in charge of the voting list and the inspector in charge of the ballot box shall be of different political parties. The ballot box inspector shall ensure that each voter casts a ballot into the ballot box before exiting the precinct. No person shall vote if that person's name is not on the voting list, nor until the inspector shall check the person's name on the voting list, unless the person presents a certificate from the registrars as provided by sections 51 or 59 of chapter 51 or unless the person is voting by provisional ballot under section 76C.

SECTION 13. Section 72 of said chapter 54, as so appearing, is hereby amended by inserting after the word "elections", in line 6, the following words:- ; provided, however, that this section may apply to section 25B at the discretion of the election officers and registrars for a city or town.

SECTION13A. Section 83 of said chapter 54 is hereby repealed.

SECTION 13B. Said chapter 54 is hereby further amended by inserting after section 109 the following section:-

Section 109A. (a) For the purposes of this section, "audited precinct" shall mean any precinct selected under subsection (c) to conduct audits as provided in this section.

(b) An audit shall be conducted pursuant to this section following any biennial state election, presidential primary or special general election for senator in Congress or representative in Congress.

(1) Following a biennial state election in which the office of governor is contested, each precinct selected pursuant to subsection (c) shall conduct a hand-counted audit of votes cast on the day of election of races in which more than 1 candidate's name appears on the ballot for: (i) governor, representative in Congress and senator in Congress; (ii) 2 of the following offices chosen by random drawing, including representative in the general court, senator in the general court, state secretary, attorney general, auditor and treasurer, if the office appears on the ballot; and (iii) 1 statewide ballot question, if any appear on the ballot, chosen by random drawing.

(2) Following a biennial state election in which the candidates of each party for president and vice president appear on the ballot, each precinct selected pursuant to subsection (c) shall conduct a hand-counted audit of votes cast on the day of election of: (i) races in which more than 1 candidate's name appears on the ballot for president and vice president, representative in Congress, senator in Congress, representative in the general court and senator in the general court; and (ii) 1 statewide ballot question, if any appear on the ballot, chosen by random drawing.

(3) Following a presidential primary or special general election for representative in Congress or senator in Congress, each precinct selected pursuant to subsection (c) shall conduct

a hand-counted audit of each race in which more than 1 candidate's name appears on the ballot in that precinct.

(4) If a valid petition for a recount is made pursuant to section 135 for a race subject to audit by this section, then the votes for that race shall not be audited in any precinct named in the petition; provided, however, that if an audit has commenced in a precinct where the valid petition for a recount is made, the audit in the precinct shall be suspended. The audit of the race in question shall proceed in any precinct selected pursuant to subsection (c) not included in the petition for a recount.

(5) Any random drawing required by this subsection shall be conducted by the state secretary. The drawing shall occur at the same time and place as the drawing required by subsection (c).

(c) The precincts to be audited shall be chosen in a random, publicly verifiable, non-computerized drawing supervised by the state secretary within 48 hours after polls are closed. The drawing shall be fully observable to the public and representatives of each political party and shall use a procedure that can be easily understood to be random by members of the public. Notice of the time and place of the drawing shall be given at least 10 days before the election on the electronic website of the state secretary. The number of precincts selected to be audited in this drawing shall be equal to 3 per cent of all precincts in the commonwealth, rounded up to the next highest whole number; provided, however, that if the audit is prompted by a special general election for representative in congress, the number of precincts selected to be audited in this drawing shall be equal to 3 per cent of all precincts subject to that special election, rounded up to the next highest whole number.

(d) (1) The board of registrars or election commission in a municipality where 1 or more precincts selected to be audited are located shall conduct the audit. The board of registrars or election commission may employ tally clerks to count the ballots. Audits shall begin not later than 2 business days following the random drawing of precincts supervised by the state secretary and shall continue on each successive business day or other day at the discretion of the board or commission in each municipality. The time and place of the audits in a municipality where 1 or more precincts selected to be audited are located shall be publicly announced in advance. The audits shall be performed in full public view and conducted pursuant to the procedures for hand counts of ballots in sections 135 and 135A.

(2) The state secretary shall issue uniform written training materials for audit personnel to each municipality in the commonwealth at least 10 days prior to any election to be audited pursuant to this section.

(3) Notwithstanding any general or special law to the contrary, to conduct the audit the board or commission shall unseal the envelopes or containers containing the ballots. The board or commission shall, when the audit is complete, enclose all the ballots in their proper envelopes or containers, seal each envelope or container with a seal provided and certify upon each envelope or container that it has been opened and again sealed in conformity to law.

(4) Voter intent shall be the standard for counting votes. Individuals charged with tabulating votes during the audit shall disregard the omission or inaccuracy of initials, the omission, inaccuracy or misspelling of given names and the misspelling of surnames if the intent of the voter to express a preference for any particular individual can be ascertained. The statements of voters shall be counted, tabulated and entered, together with any other votes cast, on official audit report forms provided by the state secretary.

(e) Upon completion of the audit in each municipality, the board of registrars or election commission shall record each race audited in each precinct on a separate audit report form provided by the state secretary. The registrars shall submit the completed audit report forms to the state secretary not later than 14 days following the election. An audit report form shall provide for the entry of:

(i) the number of votes for each candidate or each yes and no vote and the blank votes and over-votes as recorded in the audit hand count;

(ii) the election night tallies reported for each candidate or each yes and no vote, the blank votes and over-votes for the same ballots that were counted in the audit;

(iii) the differences between the audit hand count results and the election night tallies for each candidate, yes and no question and blank votes;

(iv) the number of votes for each contest for which voter intent is discernible but that are not marked by the voter according to the instructions provided to the voters under section 48 and any explanatory notes related thereto; and

(v) any additional notes on perceived causes of discrepancies.

(f) Upon receipt of the results of the audit, the state secretary shall calculate the total number of votes for each candidate and ballot question as recorded in the audit hand count and shall compare this total to the sum of the originally reported votes for each candidate and ballot question in the audited precincts. When the comparison reveals a discrepancy between the hand-counted audit and the originally reported tally of the audited precincts the discrepancy shall be analyzed to ascertain its cause. The state secretary shall oversee the analysis and shall publish the findings and make the findings available online, along with the factual information on which such findings were based, within 180 days of commencing the analysis.

(g) If there is a discrepancy between the results reached pursuant to an audit and originally reported tallies, the hand count of the official paper ballots conducted pursuant to the audit shall be the official vote of record and the board of registrars or election commission shall amend each precinct tally sheet, official return book and check list delivered to the office of the registrars.

(h) If there is a discrepancy between the results reached in a precinct pursuant to an audit and the originally reported tallies in that precinct in any audited race or any audited ballot question that reasonably leads to doubt about the outcome of the election or systemic failure to accurately count ballots, the state secretary may order audits of additional precincts, offices or

ballot questions as shall be necessary to ensure that the outcome of the election is accurate and that the cause of the systemic failure is identified.

(i) (1) Upon receipt of the results of the audit, the state secretary shall make information in the audit reports publicly available on a precinct-by-precinct basis as soon as practicable, but not later than 10 days after receipt of the audit report form, in both human and machine readable formats, such as a spreadsheet or comma-separated-value file. This information shall also be posted on the electronic website of the state secretary.

(2) The state secretary shall publish the results of the audit in the report required by section 133 or in some other document in which the results of the audit can easily be compared with the number of votes received by each candidate for nomination and for election for a state and federal office.

(3) The audit and publication of the results shall be completed prior to the time the commonwealth shall make a final determination concerning the appointment of its presidential electors.

(j) The state secretary shall promulgate rules and regulations to implement the requirements of this section.

SECTION 14. (a) There shall be established an elections task force. The task force shall undertake a study of election issues which shall include, but not be limited to: (i) the state and local costs of providing early voting under section 25B of chapter 54 of the General Laws; (ii) the administrative requirements of implementing and providing early voting, including their impact on municipal clerks offices during the early voting period; (iii) violations of laws prohibiting fraudulent voting or voter impersonation; (iv) reductions in the length of lines, waiting in lines and congestion at polling places on election day; (v) the feasibility of requiring additional early voting sites and hours based on population size or the number of registered voters; (vi) processes for early voting in other states; (vii) voter turnout; (viii) the efficacy of checking names at early voting sites under section 67 of said chapter 54, notwithstanding the use of voting machines in that city or town; (ix) expanding the use of technology including, but not limited to, employing election day mobile alerts, computer automated auditing, electronic transferring of absentee ballots and online voting or so-called “e-voting"; (x) the feasibility and state and municipal cost of requiring any person who casts a ballot during the early voting period under section 25B of said chapter 54 to present a valid photo identification; and (xi) requiring all voters to present identification at their polling location before voting; provided, however, that valid identification may include: (A) a current and valid photo identification; or (B) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; and provided further, that any voter who is unable to provide valid identification may cast a provisional ballot.

(b) The task force shall consist of the house of representatives and senate chairs of the joint committee on election laws or their designees, who shall serve as co-chairs; the minority leader of the house of representatives or a designee; the minority leader of the senate or a designee; the state secretary or a designee; a representative of the Massachusetts Town Clerks’ Association; a representative of the Massachusetts City Clerks’ Association; and a representative

of the election laws advocacy community designated by the house and senate chairs of the joint committee on election laws.

(c) The task force shall submit its report and recommendations, together with drafts of legislation to carry its recommendations into effect, with the clerks of the house and senate not later than April 1, 2017. The report shall be made available on the website of the general court.

SECTION 14A. (a) Notwithstanding section 1 of chapter 51 of the General Laws or any other general or special law to the contrary, every citizen 17 years of age who is not a person under guardianship or incarcerated in a correctional facility due to a felony conviction, who is not temporarily or permanently disqualified by law because of corrupt practices with respect to elections, who is a resident of the city of Lowell where the citizen claims the right to vote at the time of registration and who has complied with the requirements of this chapter may have the citizen's name entered on a separate list of persons designated to vote in any elections of candidates for municipal office in the city of Lowell.

(b) Any qualified residents of the city of Lowell who are 17 years of age on the date of any elections of candidates for municipal office in the city of Lowell who register to vote in the city of Lowell in any elections of candidates for municipal office shall be designated “Special Registered Minors”.

(c) Qualified residents of the city of Lowell who are 17 years of age shall be registered by completing a “Special Registered Minors Registration Form”. The form shall be created, maintained and disseminated by the election and census commission in the city of Lowell. The Special Registered Minors Registration Form shall require the applicant to provide the applicant's full name, former name if applicable, current address, address where the applicant receives mail, date of birth, identification number in the form of a Massachusetts driver’s license number or the last four digits of the applicant’s social security number and party enrollment or designation. The applicant may provide a telephone number. The applicant shall sign a Special Registered Minors Registration Form and affirm that the information provided is true and accurate upon penalty of perjury. If the applicant is unable to sign the Special Registered Minors Registration Form, a person helping the applicant shall provide the assisting person's name and address on the form. The assisting person may also provide a telephone number.

(d) Special Registered Minors shall have their names placed on a separate election roll list that is compiled and maintained by the election and census commission in the city of Lowell, separate and apart from the regular elector roll.

(e) Any such Special Registered Minors shall, on the applicable local election day, be granted a specially prepared ballot that shall contain only those local elections for which Special Registered Minors are entitled to vote pursuant to this chapter.

(f) When a Special Registered Minor becomes 18 years of age, the person's name shall immediately be stricken from the city of Lowell’s separate election roll list compiled under section 4. The former Special Registered Minor shall be barred from voting in any state, local or federal election unless the person registers to vote as required by section 1 of said chapter 51.

(g) The city of Lowell, by and through its election and census commission, shall send notice by mail to Special Registered Minors when they become 18 years of age informing them of their removal from the city of Lowell's separate election roll list compiled under section 4. The notice shall also provide instructions regarding how to qualify and register as an official voter of the commonwealth.

(h) Notwithstanding any general or special law to the contrary, chapters 50 through 54 of the General Laws shall apply to Special Registered Minors so far as applicable.

(i) Nothing in this chapter shall be construed to qualify a Special Registered Minor for any rights, privileges or titles provided to voters as so referenced under section 1 of said chapter 51, the Constitution of the Commonwealth or the Constitution of the United States.

(j) Nothing in this chapter shall be construed to grant a Special Registered Minor any right or claim to run or otherwise qualify as a candidate to become any elected official in any local, state or federal election.

(k) Nothing in this chapter shall be construed to grant any Special Registered Minor the right to vote in any election for any office or candidate other than an office or candidate for the Lowell city council, the Lowell school committee or any other body politic in Lowell for which a Special Registered Minor becomes qualified to vote after the passage of this act. Nothing in this act shall be construed to enable any Special Registered Minor to vote for any state ballot initiative, regional school committee election or any other regional, state or federal election.

(l) Nothing in this chapter shall be construed to grant any Special Registered Minor enrolled in a public school in Lowell the right to excuse the minor without permission from school authorities to vote or otherwise participate in an election during school hours. Participation is defined as skipping school without permission on an applicable election day to vote, hold, sponsor or attend any election-related event or meeting, distribute campaign literature, transport voters or other Special Registered Minors to polling locations or otherwise participate in an election during school hours.

(m) This act shall take effect upon its passage by the voters of the city of Lowell.

(n) The exact question as it would appear on the ballot in the next general election of the city of Lowell is:

Do you approve of a law summarized below, on which a vote was taken by the Senate and the House of Representatives on _____?

Summary:

This proposed law would lower the voting age for all local municipal elections in the city of Lowell to citizens 17 years of age who register as "Special Registered Minors". Potential "Special Registered Minors" must still comply with all other state and city electoral requirements before having their names entered on a separate designated election roll list compiled and maintained by the city of Lowell.

"Special Registered Minors" may only vote in any local municipal election and only for positions pertaining to the governance of the city of Lowell. Nothing in this law would grant "Special Registered Minors" any rights to vote in any other regional, state or federal election.

When a "Special Registered Minor" becomes 18 years of age, his or her name will be stricken from the city of Lowell's designated elector roll list for "Special Registered Minors." He or she will be unable to vote in any election unless he or she registers to vote as required by section 1 of chapter 1 of the General Laws.

A YES VOTE would lower the voting age in all local municipal elections in the city of Lowell to all qualified citizens 17 years of age or older.

A NO VOTE would make no change in the voting age for local municipal elections in the city of Lowell.

SECTION 14B. The official website of a city or town, if the city or town maintains an official website, shall prominently display a link to the online portal for public access.

SECTION 14C. Notwithstanding any general or special law to the contrary, the state secretary shall conduct a study to review existing laws with regard to residency requirements for purposes of voting. The state secretary shall make any recommendations to strengthen and clarify residency requirements as they pertain to eligibility for voting in municipal, state and federal elections and participation in town meetings, so as to ensure for the maximum extent possible that the requirements are clear, easily understood and enforceable in an efficient manner. The state secretary shall submit the study and recommendations to the clerks of the senate and the house of representatives and to the joint committee on election laws by September 30, 2014.

SECTION 14D. The commonwealth shall reimburse cities and towns for the costs incurred by this act consistent with the process set forth in section 27C of chapter 29 of the General Laws.

SECTION 15. The first training session under section 17A of chapter 51 of the General Laws shall occur not later than October 1, 2014.

SECTION 16. The online portal established under section 33A of said chapter 51 shall be accessible not later than August 1, 2015.

SECTION 16A. Section 65 of chapter 51 of the General Laws shall take effect 1 year after the effective date of this act.

SECTION 17. The online portal established under section 64 of said chapter 51 shall be accessible not later than August 1, 2014.

SECTION 18. The state secretary shall promulgate regulations under section 25B of chapter 54 of the General Laws not later than August 1, 2015.

SECTION 18A. The first audit under section 109A of said chapter 54 shall begin not later than January 1, 2015.

SECTION 18B. Sections 1, 1A and 3A shall take effect on January 1, 2015.

SECTION 18C. Sections 6 and 8 shall take effect 90 days after the effective date of this act.

SECTION 19. Section 11 shall take effect on January 1, 2015 and shall be implemented for the 2016 biennial state election and the 2016 presidential primary.