

**Board of Election Commissioners Meeting  
Wednesday, May 16<sup>th</sup>, 2018  
6:30 p.m.  
Esther Howland Chamber, City Hall**

**Call to Order by the Chairperson**

**Pledge of Allegiance**

**Roll Call**

**Approval of the Minutes of the April 25<sup>th</sup> Meeting**

**Public Hearing:**

- 1. 6:30 p.m. – Hearing: concerning the proposed Early Voting locations for the upcoming November 6<sup>th</sup> State Election.**

**New Business:**

- 2. Discussion concerning relocating Ward 6 Precinct 5 Polling location. The current Location is the Bethlehem Covenant Church, 46 Greenwood St.**
- 3. Discussion concerning Early Voting by mail and the costs associated with it.**

**Old Business:**

- 4. Update concerning the implementation of Early Voting (EV) for the November 6, 2018 State Election.**
- 5. Update concerning the 2018 Student Poll Worker program.**
- 6. Update concerning the 2018 Street Listing and Inactive Confirmation Mailing.**

**Next Meeting Date:**

**Adjournment:**

**Worcester Board of Election Commissioners Minutes**  
**Wednesday, April 25, 2018**  
**6:30 pm**  
**Levi Lincoln Chamber, City Hall**

**Call to Order by Chairperson Perotto**

**Pledge of Allegiance**

**Welcome new Commissioners, Jack Stewart and Kim VanderSpek**

**Roll Call:**       Commissioner Perotto  
                  Commissioner Duffy  
                  Commissioner Octave  
                  Commissioner VanderSpek  
                  Commissioner Stewart

**Approval of March 22 Minutes**

Nomination of Michael Perotto as Chair by Jack Stewart. Second by Commissioner Octave.

Nomination of Kim VanderSpek as Secretary by Michael Perotto. Second by Commissioner Duffy.

Appointment of Winnie Octave as vice-chairperson

**2018 Polling Locations**

- September primaries: Ward 6 Precinct 5 will not vote at Bethlehem Covenant on Greenwood Street due to property sale.
- Between now and next meeting recommendations for other locations will be made.

**Accessibility to be considered:**

- ADA compliance
- width of doorway
- Guest restroom

**Per Niko Vangjeli, Assistant City Clerk:** ADA is a federal requirement and top priority. Accessible restrooms are an issue and we will look carefully at this as we assess new locations.

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**Old Business:**

**City Census and Voter Registration:**

Street listings are based on census. All residents who are registered voters are required to return census.

If not returned by June 1, the voter become inactive.

1. After June 1, the voter gets a notification, including a postpaid envelope, that they are inactive. They need to reply.
2. If they don't reply to the notice, they can still vote at poll, need to show that they still have proof of residency.

At this point, received approx. 8000 online and 25000 by mail.

**Motion by Stewart:** Commission would like a report of rate of return breakdown by district. Second by Perotto.

Niko Vangjeli, Assistant City Clerk, will provide report on this at next meeting.

**Student Civics Camp and Poll worker program:**

April vacation at WSU, DA, president of WSU, public officials, etc.  
40 students this year. these students will work the polls in Sept and November  
Students can be trained in the fall (October) if they couldn't make the Civics Camp.  
ESL students can be particularly helpful at the polls.

**Motion by Stewart:** Recruit WPS students who have disabilities. Second by Perotto.

**2018 November Early Voting:**

City manager has reviewed the approximately \$50K budget for proposed early voting but it has not been approved by City Council yet.

There will be a total of 12 days of early voting.  
Would like to have a public hearing in May on EV locations.

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**Motion by VanderSpek: Niko V to pursue looking at different methods of tabulation of early voting with the state. Seconded: Perotto**

Niko Vangjeli, Assistant City Clerk, will report back to the commission at the next meeting.

**Next meeting: 5/16/18 6:30pm public hearing re: 2016 early voting locations**

## Proposed November 2018 Early Voting Schedule

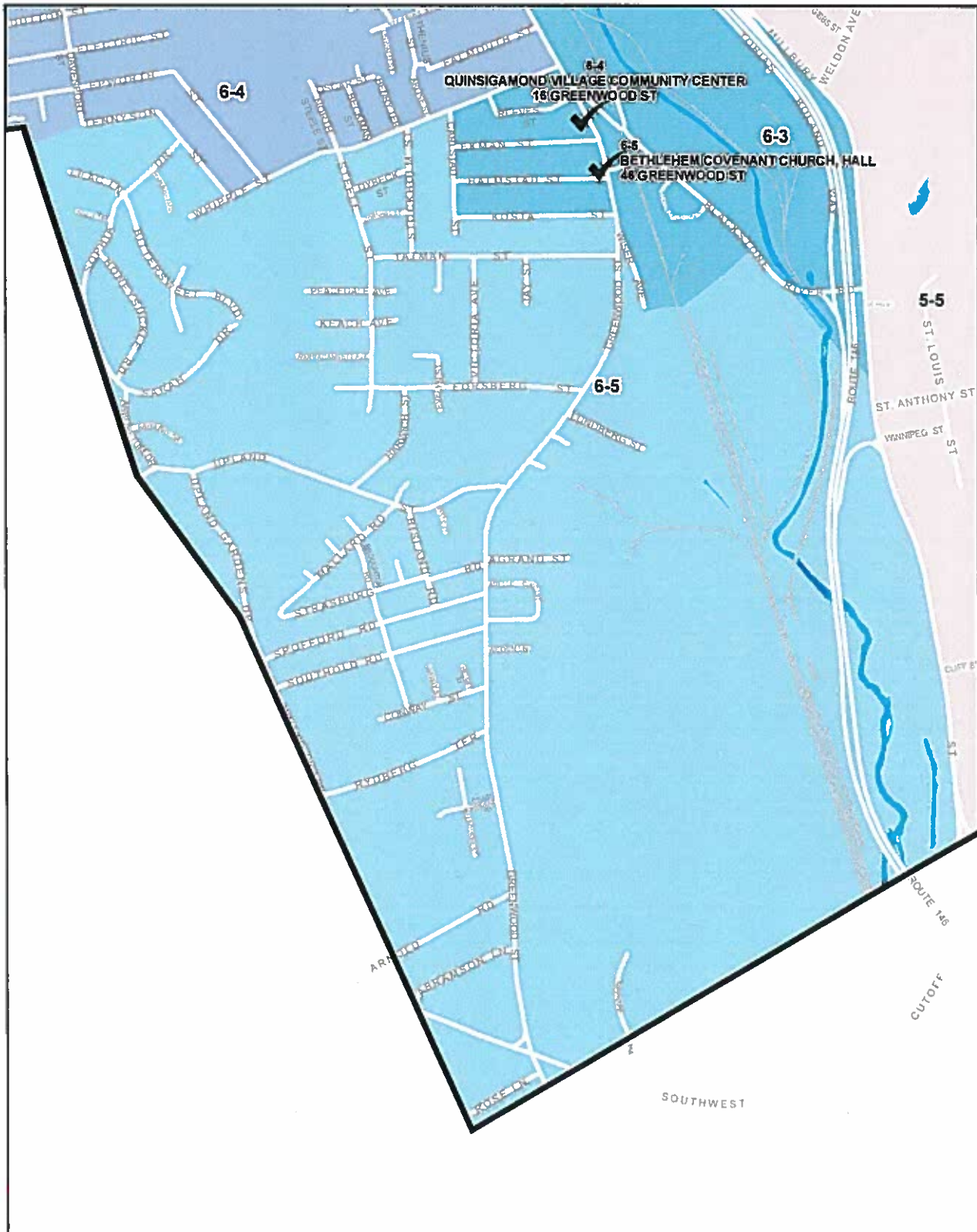
<b>Date</b>	<b>Time</b>	<b>Location</b>	<b>District</b>
<b>Monday October 22, 2018</b>	8:45 am to 7pm	<b>EV Precinct 1</b> Unitarian Universalist Church 90 Holden Street	<b>District 1 13th Worcester</b>
<b>Tuesday October 23, 2018</b>	8:45 am to 7pm	<b>EV Precinct 2</b> Worcester Senior Center 128 Providence Street	<b>District 2 15th Worcester</b>
<b>Wednesday October 24, 2018</b>	8:45 am to 7pm	<b>EV Precinct 3</b> Worcester Public Library 3 Salem St	<b>District 3 16th Worcester</b>
<b>Thursday October 25, 2018</b>	8:45 am to 7pm	<b>EV Precinct 4</b> Clark University 950 Main Street	<b>District 4 17th Worcester</b>
<b>Friday October 26, 2018</b>	8:45 am to 7pm	<b>EV Precinct 5</b> May Street building, Worcester State University 280 May Street	<b>District 5 13th Worcester</b>
<b>Saturday October 27, 2018</b>	10 am to 6 pm	<b>EV 1</b> Unitarian Universalist Church <b>EV 4</b> Clark University	
<b>Sunday October 28, 2018</b>	10 am to 6 pm	<b>EV 2</b> Worcester Senior Center <b>EV 5</b> May Street building	
<b>Monday October 29, 2018</b>	8:45 am to 7pm	<b>EV Precinct 1</b> Unitarian Universalist Church 90 Holden Street	<b>District 1 13th Worcester</b>
<b>Tuesday October 30, 2018</b>	8:45 am to 7pm	<b>EV Precinct 2</b> Worcester Senior Center 128 Providence Street	<b>District 2 15th Worcester</b>
<b>Wednesday October 31, 2018</b>	8:45 am to 7pm	<b>EV Precinct 3</b> Worcester Public Library 3 Salem St	<b>District 3 16th Worcester</b>
<b>Thursday November 1, 2018</b>	8:45 am to 7pm	<b>EV Precinct 4</b> Clark University 950 Main Street	<b>District 4 17th Worcester</b>
<b>Friday November 2, 2018</b>	8:45 am to 7pm	<b>EV Precinct 5</b> May Street building Worcester State University 280 May Street	<b>District 5 13th Worcester</b>

## LEGAL NOTICES

### CITY OF WORCESTER PUBLIC NOTICE TO VOTERS IN THE CITY OF WORCESTER

The Board of Election Commissioners shall conduct a meeting on Wednesday, May 16, 2018 at 6:30 p.m. in the Esther Howland Chamber, third floor of City Hall, at which time a hearing shall be held concerning the proposed Early Voting locations for upcoming November 6th State Election. All registered voters will be given an opportunity to speak. Testimony may be given at the hearing or in advance in writing to City Clerk Susan M. LeDoux, Room 208, City Hall, 455 Main Street, Worcester, MA 01608 or to [clerk@worcestermma.gov](mailto:clerk@worcestermma.gov).

PO 120 May 5, 2018 & May 12, 2018



**City of Worcester  
Ward and Precinct Map**

**6-5**  
*(Ward-Precinct)*  
Worcester, Massachusetts  
January 14, 2018

Produced by  
City of Worcester  
Technical Services Division  
Geographic Information System

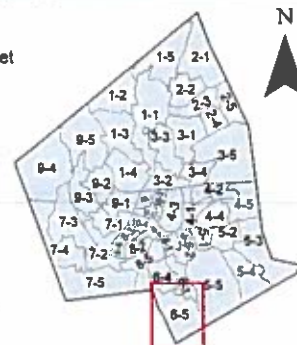


**Polling Places**



**Precincts**

Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Ward 6	Ward 7	Ward 8	Ward 9	Ward 10
1-1	2-1	3-6	4-5	5-5	6-5	7-5	8-5	9-5	10-1
1-2	2-2	3-4	4-4	5-4	6-4	7-4	8-4	9-4	10-2
1-3	2-3	3-3	4-3	5-3	6-3	7-3	8-3	9-3	10-3
1-4	2-4	3-2	4-2	5-2	6-2	7-2	8-2	9-2	10-4
1-5	2-5	3-1	4-1	5-1	6-1	7-1	8-1	9-1	10-5



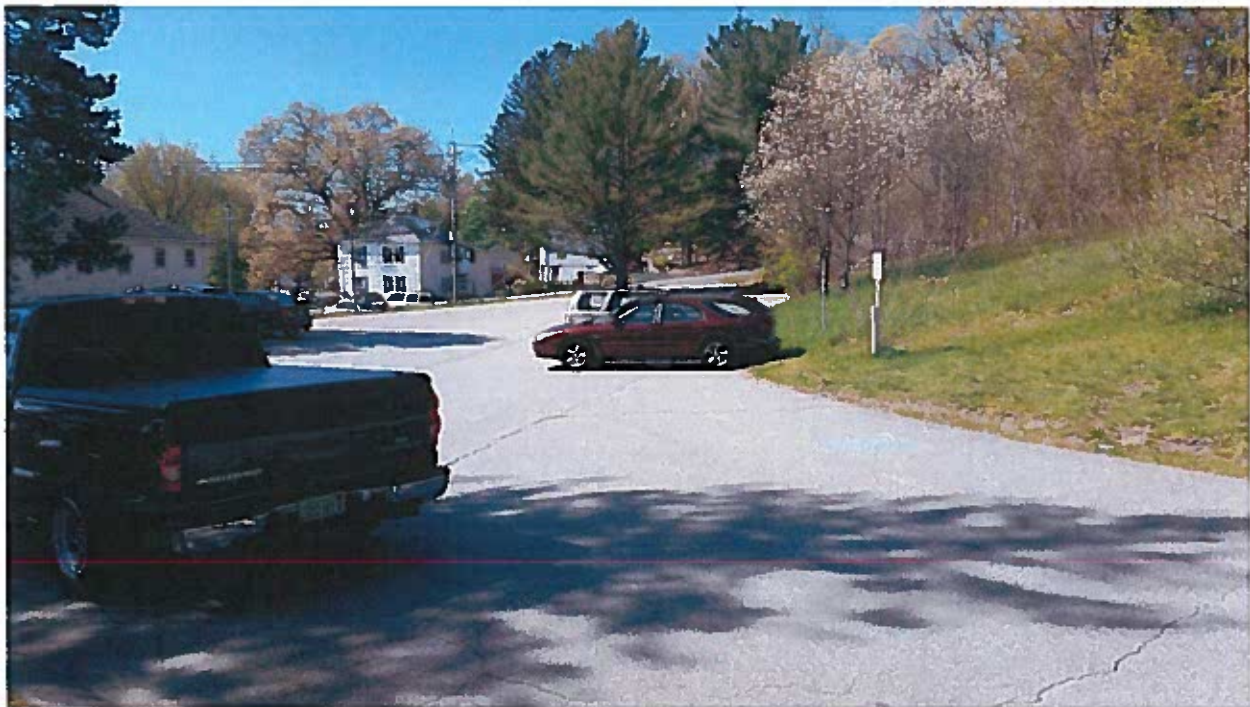
**DATA SOURCES:**

All Spatial data: City of Worcester Geographic Information System  
 Ward and Precinct data: Board of Election Commissioners effective December 31, 2011.  
 This map is for reference only and is not a legal document.  
 Please contact the City of Worcester Assessing Department for official property maps.

# Proposed Locations for Ward 6 - Precinct 5

Emanuel Lutheran Church

200 Greenwood Street, Worcester, MA

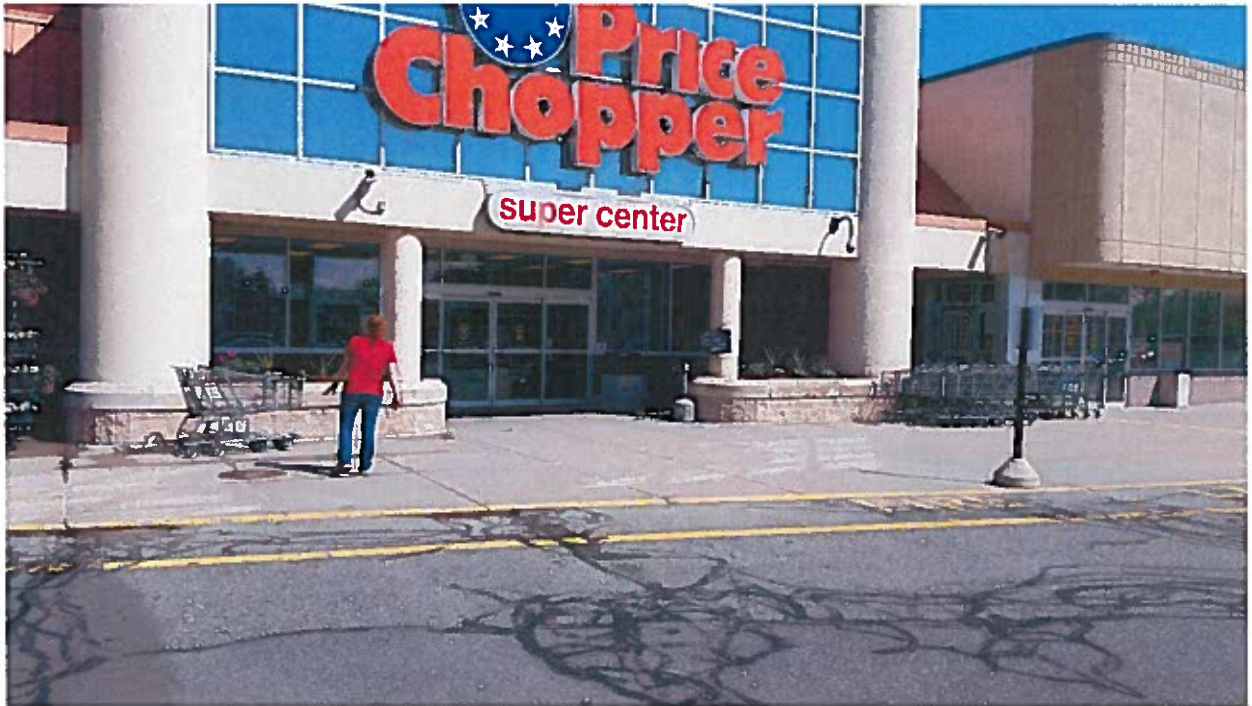








**Price Chopper**  
**564 SW Cutoff, Worcester, MA**



**Greenwood Gardens  
327 Greenwood St, Worcester**





Commonwealth of Massachusetts  
**EARLY BALLOT ENVELOPE**

*For Election Official use only*

Ward/Precinct: \_\_\_\_\_  
Location: \_\_\_\_\_

Under the penalties of perjury, I swear (or affirm) that I am a registered voter in Massachusetts at the address below, that I will not cast a ballot in any other city or town or voting location, and that the information below is true.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address at which you are registered to vote: \_\_\_\_\_

Street Address \_\_\_\_\_

City or Town \_\_\_\_\_ ZIP \_\_\_\_\_

**ASSISTING PERSON:**

The voter needed assistance in marking the ballot and signing above, because of blindness, other physical disability, or inability to read or to read English. I marked the ballot enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no other communication with the voter as to how he or she was to vote. The voter swore (or affirmed) the voter affidavit above, and I then signed the voter's name and completed the other voter information above. Signed under the penalties of perjury.

**ASSISTING PERSON SIGN HERE:**

1. Signature of assisting person \_\_\_\_\_

2. Assisting person's name printed \_\_\_\_\_

3. Assisting person's residence \_\_\_\_\_

**PENALTY FOR ILLEGAL VOTING:**

The penalty for voting or attempting to vote in violation of section 26 of chapter 56 of the Massachusetts General Laws is a fine of not more than ten thousand dollars, imprisonment for not more than five years, or both.

ATTENTION: READ ALL  
INSTRUCTIONS BEFORE VOTING

AV8

Enclosed is the Ballot of

Name \_\_\_\_\_ (as registered)

Return Address \_\_\_\_\_

STATE ELECTION BALLOT  
PLEASE FORWARD IMMEDIATELY  
**RUSH**



Voter:  
Place Stamp(s) here.  
Send by airmail  
from outside the U.S.A.

**FIRST CLASS**

City or Town Clerk or Election Commissioners

\_\_\_\_\_  
MA  
(City or Town) (Zip Code)

WARD \_\_\_\_\_  
PRECINCT \_\_\_\_\_  
VOTING ADDRESS: \_\_\_\_\_  
(street and number)

# Commonwealth of Massachusetts ABSENTEE BALLOT ENVELOPE

*Please read carefully the instructions on the back of (or with) your ballot before voting.*

**VOTER:** See instructions on the back of (or with) ballot. Fill out and sign below:

Under the penalties of perjury, I swear (or affirm) that I am eligible to vote in Massachusetts at the address below, that I will request a ballot only from the city or town below, that I cannot vote in person at the polls on election day because of absence from the city or town, physical disability, or religious belief, and that I am not currently incarcerated by reason of a felony conviction, and that the information below is true. I have carefully read the instructions on the back of (or with) the ballot, have marked the ballot while alone or with an assisting person (if required), and have sealed it in the envelope.

### VOTER SIGN HERE

1. *Signature of voter*

2. *Voter's Name Printed*

3. *Home Address (if a registered voter, address where registered)*

4. *Home city or town, and ward and precinct, if known*

5. *Date when ballot was mailed back to election official or when hand-delivered by voter or family member (if voted an election official's office or by hand delivery, to health care facility, then date when ballot was voted)*

6. *Place where ballot was voted: city or town, and state or county*

### ASSISTING PERSON: Complete and sign below.

The voter needed assistance in marking the ballot and signing above, because of blindness, other physical disability, or inability to read or to read English. I marked the ballot enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no other communication with the voter as to how he or she was to vote. The voter swore (or affirmed) the voter affidavit above, and I then signed the voter's name and completed the other voter information above. Signed under the penalties of perjury.

Reason why voter needed assistance: \_\_\_\_\_

*Reason*

### ASSISTING PERSON SIGN HERE:

1. *Signature of assisting person*

2. *Assisting person's name printed*

3. *Assisting person's residence*

4. *Assisting person's home city or town*

### Election official check, if applicable:

- Voted in office of city or town clerk, or election commission
- Delivered by assisting person to voter at health care facility
- Delivered by voter or family member



## **950 CMR 47.00: EARLY VOTING PROCEDURES**

### **47.01: General Provisions**

- (1) **Definitions.** Terms shall have the meanings provided in M.G.L. c. 50, § 1. In addition:
- (2) **Centralized Tabulation Facility**- a location designated by the local election official at least 14 days before Election Day for the tabulation of early voting ballots received before Election Day.
- (3) **Local Election Official**-a city or town clerk, members of the boards of registrars or election commissioners.
- (4) **Secretary**-the state secretary.
- (5) **Application.** 950 CMR 47.01 through 47.21 apply to all state elections, except to the extent provided otherwise.
- (6) **Effective Date.** 950 CMR 47.01 through 47.21 are effective as soon as publication occurs in the Massachusetts Register, under M.G.L. c. 30A, § 6.
- (7) **Amendment.** These chapters may be amended at any time in the manner provided by law. Any interested person may petition the Secretary requesting the adoption, amendment, or repeal of any regulation, under M.G.L. c. 30A, § 4. This petition shall be considered by the Secretary within 30 days after filing.
- (8) **Authority.** These chapters are promulgated under authority of M.G.L. c. 54, § 25B.

### **47.02 Methods of Early Voting**

Qualified voters may vote early in person at a designated early voting location or by mail. A voter may only vote early by mail or at an early voting location for the city or town in which he or she is registered to vote.

### **47.03 Timing of Early Voting**

- (1) The voting period for early voting shall run from the eleventh business day preceding the general election until the close of business on the business day preceding the business day before the election; provided, however, that if the eleventh business day before the election falls on a legal holiday the early voting period shall begin on the first business day prior to the legal holiday.
- (2) Early voting shall be conducted during the usual business hours of each local election official. A city or town may, in its discretion, provide for additional early voting hours beyond the hours required by this subsection, including weekend hours.

### **47.04: Designation of Early Voting Locations**

- (1) Each city and town shall establish one or more early voting site that shall include the election office for the city or town or other suitable location within the building in which the election

office is located; provided however, that if the city or town determines that the office is unavailable within the building or unsuitable for early voting, the local election officials of each city or town shall identify and provide for an alternative, centrally-located, suitable and convenient public building within each city or town as an early voting site.

- (2) The designation of an early voting site shall be made not less than 14 days prior to the beginning of the early voting period.
  - (a) Not less than 7 days prior to the beginning of the early voting period and at least once during the early voting period, the local election officials shall publish the location of the early voting sites as well as the applicable dates and hours.
  - (b) Notice shall be published in every newspaper listed for the city or town in the New England Newspaper & Press Association and shall be conspicuously posted in the office of the local election official or on the principal 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 Secretary.
  - (c) Local election officials must provide the Secretary with the designated early voting locations, including addresses and hours, within 2 business days of designation.
- (3) If city or town hall is not designated as an early voting site, the notice provided to the Secretary must contain a statement certifying that the city or town hall is unsuitable or unavailable. A city or town may also provide for additional early voting sites at the discretion of the local election officials for that city or town.
  - (a) Any proposed additional early voting site must be determined at least 14 days before the start of the early voting period and notice of such determination must be sent within 2 business days to the Secretary.
  - (b) The notice shall contain the name of the approved additional early voting site, the address, a statement certifying that the location complies with the accessibility regulations set forth in 950 CMR 51.00 and the dates and hours at which early voting will be conducted at this location.
- (4) Each early voting site shall be accessible to persons with disabilities in accordance with the provisions of 950 CMR 51.00 and must be equipped with an accessible marking unit.
- (5) Each early voting location must be suitably equipped to provide an early voter with sufficient privacy to mark their ballot.

#### **47.05 Staffing of Early Voting Locations**

Local election officials shall designate sufficient staffing for the orderly administration of early voting for each early voting site. The requirements of sections 11 and 12 of M.G. L. c. 54 shall not apply to early voting locations.

#### **47.06: Preparation of Early Voting Materials**

- (1) At least 21 days prior to each biennial state election, the Secretary shall deliver to each city or town, in quantities as the Secretary determines necessary, the following papers:
  - (a) official early voting ballots, similar to the official ballot to be used at the election; and
  - (b) envelopes of sufficient size to contain the early voting ballots bearing on their reverse the voter's affidavit in compliance with the requirements of M.G.L. c. 54, § 25B(j), hereinafter referred to as the "affidavit envelope."
- (2) The Secretary shall provide electronic files of early voting applications to local election officials for use in the early voting process. Local election officials may develop their own applications and/or accept any written request submitted from a registered voter for early voting purposes.

#### **47.07: Applications for Early Voting Ballots By Mail: Deadlines for Submission**

- (1) Any qualified voter wanting to vote early by mail may file with his or her local election official an application for an early voting ballot.
- (2) Any form of written communication evidencing a desire to have an early voting ballot be sent for use for voting at an election shall be given the same effect as an application made in the form prescribed by the Secretary.
- (3) No application shall be deemed to be seasonably filed unless it is received in the office of the local election official before noon on the last day of the early voting period as prescribed in M.G.L. c. 54, § 25B(c).

#### **47.08: Filing and Certification of Applications: Notation on Voting List**

- (1) If an application for an official early voting ballot is received by the local election official from a qualified voter containing an original signature of said voter, the local election official shall cause to be placed on the voting lists prepared as required by M.G.L. c. 51, § 60, opposite the name of each voter on whose application such certificate has been so executed, the letters EV.
- (2) If the local election official finds the person signing the application not to be a duly registered voter, the local election official shall send him or her written notice to that effect and shall preserve the application during the time fixed by law for the preservation of ballots cast in the coming election, after which time said application shall be destroyed.
- (3) If the name and address of a voter applying to vote early appears on the voting list as an inactive voter, the local election official shall allow such inactive voter to vote upon written affirmation by the inactive voter of his or her current and continuous residence in the municipality or residence in the municipality within the previous six months, signed under the penalties of perjury. Such written affirmation shall be preserved with the voting records, and such inactive voter shall be restored to the active voting list at his or her current residence, without requiring further action by the person.

- (4) If the inactive voter has moved within the city or town, the voter will write the address at which he or she last registered to vote, as well as his or her current address. The inactive voter will vote from the address which corresponds to his or her address as it appears on the inactive voting list. After the election, if the voter has moved within the city or town, the voter shall be restored to the active voting list at his or her current address, without requiring further action by the person.
- (5) All inactive voters shall be asked to provide suitable identification showing his or her name and current address. Suitable identification shall be defined in 950 CMR 52.03(5)(b) and 950 CMR 54.04(6B). Inactive voters who fail to show suitable identification must be allowed to vote. However, an election officer shall, and any other person may, challenge their right to vote under M.G.L. c. 54, § 85; 950 CMR 52.03(23) and 950 CMR 54.04(23).
- (6) The local election officials shall prepare lists arranged by voting precincts, of the names and addresses of all voters who have submitted applications for early voting ballot, as provided in 950 CMR 47.08(1), and shall have such lists available for public inspection upon request.
- (7) An applicant for an early voting ballot who has been furnished a certificate of supplementary registration, as authorized by M.G.L. c. 51, § 51, shall submit such certificate with his or her application, and the local election official shall cause to be placed on such certificate opposite the name of the applicant the letters EV. Every such certificate shall be kept with and considered part of the voting lists used for early voting.

#### **47.09: Early Voting in Person**

- (1) **Delivery.** Upon entering an early voting location in his or her city or town, a voter shall state his or her name and address to the local election official. Upon verification of the registration of a voter at an early voting location for the city or town, the local election official shall provide the voter with the appropriate early voting ballot and accompanying papers and indicate on the early voting list that the voter has been provided an early voting ballot.
  - (a) If an early voter is listed as inactive, the local election official shall require the early voter to complete an affirmation of current and continuous residence and show identification, as set forth in 950 CMR 53.03(5) and 950 CMR 54.04(6).
- (2) **Method of Voting.** Each early voting location shall have space available for early voters to mark their ballots privately. After marking his or her ballot, each early voter shall enclose it in the envelope provided, execute the affidavit contained thereon and seal the envelope.
- (3) **Instruction and Assistance to Early Voters:**
  - (a) **Instruct Voters.** A local election official may answer questions and instruct the voter on the proper method of marking the ballot.
  - (b) **Instruction is Different from Assistance.** Instruction shall consist of informing the voter on the proper method of marking a ballot; assistance shall consist of marking the ballot

at the request of the voter. Except as the law permits, a voter must mark his or her ballot in secret.

- (c) Assistance to Voter. If a voter asks for assistance in marking his or her ballot or executing the affidavit on the envelope due to blindness, physical disability or inability to read or to read English, he or she may be assisted by a person of his or her own choice or by a local election official. Such designated person shall add his or her name in the appropriate space on the affidavit envelope. Local election officials shall notify early voters requesting assistance that an accessible marking unit is available.
- (d) Do Not Influence Voter. Local election officials shall not in any manner request or seek to persuade or influence any voter to vote for or against any person or political party or ballot question.

(4) Spoiled Ballots. If an early voter makes a mistake in marking his or her ballot at an early voting location, the voter shall return the ballot to the local election official and request a new ballot. Voters shall be allowed up to a total of three ballots.

- (a) Upon receipt of a spoiled ballot, the local election official shall mark it "spoiled" and shall enclose it in a spoiled ballot envelope.

(5) Return of Early Voting Ballot. Each early voter shall return the sealed affidavit envelope containing his or her early voting ballot to the local election official.

- (a) Upon receipt of a sealed envelope containing a completed early voting ballot, the local election official shall examine the affidavit for completeness before accepting the ballot.
- (b) If the local election official finds that such affidavit has been improperly executed, or is incomplete, the local election official shall notify the early voter that the ballot cannot be processed without completion of the affidavit and provide the early voter with the opportunity to complete the affidavit.
- (c) If the affidavit is not executed, the local election official shall notify the early voter that the ballot cannot be processed.
- (d) If the early voter declines to remedy any deficiencies in the affidavit when notified by the local election official, the local election official shall mark across the face thereof "Rejected as defective", and shall place on the early voting disposition list required by 950 CMR 47.08, as the case may be, opposite the name of the voter the capital letter R.
- (e) If the affidavit appears to be complete, the local election official shall accept the early voting ballot.
  - (1) The local election official shall update the voting list used on election day to indicate voters whose early voting ballots have been received and accepted.

(6) Voters shall not remove an early voting ballot from the early voting location.

(7) Upon acceptance of an affidavit envelope containing an early voting ballot, the ballot shall be considered cast and such voter shall not be eligible to vote by mail, in person at an early voting location, or at the polls on Election Day.

#### **47.10: Early Voting by Mail**

(1) Delivery. Upon receipt of an application for an early voting ballot by mail by a registered voter, the local election official shall mail the ballot and accompanying papers to the address provided by the voter.

(a) The local election official shall provide the early voter with an early voting ballot, instructions for marking the ballot and returning it, an affidavit envelope, and an outer envelope for returning the ballot to the local election official.

(b) If the voter was listed as inactive, the local election official shall include an affirmation of current and continuous residence with the early voting materials, unless the voter has affirmed that the address at which he or she is listed as inactive is his or her address for voting purposes.

(2) Method of Voting. A voter who has received an official early voting ballot by mail shall mark it in the presence of no other person, except as provided below. The voter shall then enclose and seal the ballot in the affidavit envelope provided, and execute the affidavit on such envelope. The voter shall return the ballot, sealed in such envelope, as hereinafter provided.

(3) Assistance to Early Voters. If an early voter is unable to mark his or her ballot or execute the affidavit on the envelope due to blindness, physical disability or inability to read or to read English, he or she may be assisted by a person he or she designates. Such designated person shall add his or her name in the appropriate space on the affidavit envelope.

(4) Spoiled or Replacement Ballots.

(a) If an early voter who received his or her ballot by mail makes a mistake in marking his or her ballot, the voter shall return the ballot to the local election official and request a new ballot. Voters shall be allowed up to a total of three ballots.

(1) Upon receipt of a spoiled ballot, the local election official shall mark it "spoiled" on both the ballot and affidavit envelope and shall enclose it in the spoiled ballot envelope.

(2) No request for a substitute ballot from a voter who has received his or her ballot by mail shall be valid unless it is accompanied by the spoiled ballot and a request for a new ballot.

(b) If an early voter having requested an early voting ballot by mail fails to receive an early voting ballot the voter may notify the local election official in writing and request a replacement ballot.

(1) Upon receipt of written notice from an early voter that he or she did not receive the request early voting ballot, the local election official shall send a replacement ballot an accompanying paperwork to the voter.

(5) Return of Early Voting Ballot. A voter who receives the ballot by mail, as provided in this section, may return it by mail to the local election official in the envelope provided, or such voter may deliver it in person to the office of the local election official or to an early voting location during the prescribed early voting hours.

(a) The local election official, or a person designated by the local election official, shall open each outer envelope purporting to contain an official early voting ballot as soon as possible after receiving it, in the view of any persons who may be present. The local

election official shall remove therefrom the outer mailing envelope provided in 950 CMR 47.06(1)(b), without opening such affidavit envelope, and examine the affidavit on each such envelope. If the local election official finds that such affidavit has been improperly executed, or is incomplete, the local election official shall mark across the face thereof "Rejected as defective", and shall place on the early voting disposition list required by 950 CMR 47.08, as the case may be, opposite the name of the voter the capital letter R.

(b) The local election official shall notify, as soon as possible, each voter whose early voting ballot was rejected that such ballot has been rejected. Said notice shall be on a form prescribed by the Secretary and provided by the local election official. Unless the local election official determines that there is clearly insufficient time for the voter to return another ballot, the local election official shall then proceed as if the voter had requested a substitute ballot. If the local election official received the original ballot by mail, the local election official shall enclose the substitute ballot and other papers described in 950 CMR 47.06 with the mailed notice of rejection. If the local election official timely receives an affidavit envelope purporting to contain such a substitute ballot, and does not mark it "Rejected as Defective" under this section, the local election official shall strike the letter R from any list on which it has been placed under the preceding paragraph.

(c) If the affidavit on the affidavit envelope appears to be complete, the local election official shall mark the early voting list that the early voting ballot has been received and accepted.

(6) Deadline for Return. Early voting ballots returned by mail must be received by the local election official before the hour fixed for closing the polls.

(7) Return of Early Voting Ballot; Ineligibility to Vote Again by Mail or in Person. Upon acceptance of an envelope containing an early voting ballot, the ballot shall be considered cast and such voter shall not be eligible to vote by mail, in person at an early voting location, or at the polls on Election Day.

#### **47.11: Duties of Election Officials**

The local election official, on the day of the election, but no later than one hour after the close of polls, shall transmit all envelopes purporting to contain official early voting ballots received on or before the applicable deadline before the election and which have not been marked "Rejected as Defective," as provided in 950 CMR 47.10(5)(a) and 950 CMR 47.09(5)(d), or "spoiled," as provided in 950 CMR 47.09(4) and 950 CMR 47.10(4), to the election officers in the several precincts where the voters whose names appear on such envelopes assert the right to vote or the central tabulation facility, if one is designated in accordance with 950 CMR 47.13.

#### **47.12: Processing Early Voting Ballots**

Early voting ballots may be processed at the polls or at centralized tabulation facilities as set forth in 950 CMR 47.13.

#### **47.13: Designation of Central Tabulation Facility**

- (1) A city or town may determine to tally early voting ballots at a central tabulation facility.
  - (a) **Determination to use a central tabulation facility:** The local election official shall designate any central tabulation facility at least 21 days before Election Day and notice of such determination must be sent within 2 business days to the Secretary. The central tabulation facility must be in compliance with accessibility regulations found at 950 CMR 51.00.
    1. The notice shall contain the name and address of the approved early central tabulation facility and the time that the facility will open.
    2. If the city or town uses electronic voting equipment, the notice shall also contain a certification from the local election official that he or she understands that if the tabulator or tabulators used at the central tabulation facility fail or become unusable, all early voting ballots must be counted by hand.
  - (b) There shall be at least one tabulator or counting unit at each such tabulation center, which must be tested in accordance with the provisions of 950 CMR 54.02.
  - (c) The local election official shall designate sufficient staffing of election officers at the central tabulation facility for the orderly processing of early voting ballots.
  - (d) The hours of operation of the central tabulation facility shall be set by the local election official. Central tabulation facilities may open as early as the polling places, but once open must remain open until the closing of the polls.
  - (e) After the hour fixed for the closing of the polls, the central tabulation facility shall remain open for public viewing of the final tabulation of the early voting ballots.
  - (f) Only early voting ballots received prior to Election Day can be processed at a central tabulation facility.
  - (g) Any early voting ballots received on the day of the election shall be processed at the polls.
- (2) Each central tabulation facility must be open to the public for viewing the proceedings from behind a guard rail.

#### **47.14: Processing Early Voting Ballots at Polls**

- (1) **Deliver Early Voting Ballots.** The early voting ballots shall be delivered to the polls during the day, not later than one hour after the polls close.
- (2) **Warden Shall Process Early Voting Ballots.** The warden, or an election officer designated by the warden, may process early voting ballots whenever there is free time, from the time the polls open in the morning and throughout the day.
- (3) **Early Voting Ballots to be Processed.** Only the local election official shall determine whether to reject an early voting ballot as defective. The election officers at the polls may only reject early voting ballots as defective if, when opening the ballot envelope, more than one ballot is



contained therein as set forth in 950 CMR 47.15(6). If the ballot is transmitted to the polls, election officers shall process it unless the person's name has been marked on the voting list as having voted in person, or the name is not on the voting list. Election officers shall verify that the name of the person who signed the affidavit on the early voting ballot envelope is on the voting list. Election officers must inform the local election official if the name does not appear on the voting list.

**(4) Mark the Voting List.** The letters EV shall have already been written in front of the early voter's name and in the area used for marking a check on the voting list. A mark shall be made beside or through the name of the voter to indicate that the early voting ballot vote has been cast. An election officer shall announce the name and address of each early voter. This same process shall occur at the check-out table.

(a) If early voting ballots are processed at the polls but after the close of polls, it is not required to announce the name and address of each early voter at the check-out table.

**(5) Open Ballot Envelope.** Election officers shall open the ballot envelope carefully so as not to deface, mark or tear the ballot or the ballot envelope. Election officers shall place the ballot envelopes in the proper container.

**(6) One Ballot Per Envelope.** The ballot envelope must not contain more than one ballot. If more than one ballot is in the envelope, neither ballot shall be counted and those ballots shall be placed in the ballot envelope which shall be marked "Rejected as Defective" and placed in the proper container.

**(7) Challenging of Early Voting Ballots.** In the polling place, if an early voting ballot is challenged when opened at the polls, the name and address of the early voter shall be written on the ballot by the warden in accordance with the provisions set forth in 950 CMR 47.16. The challenger's name and address shall be recorded and the event shall be noted in the local election official's Election Record, and the letters CV shall be placed on the voting list next to the name of the challenged voter. After this, the ballot shall be deposited in the ballot box.

**(8) Remove Ballot and Place in Ballot Box.** The early voting ballot shall be removed from its envelope without examining it and in a manner that will ensure the privacy of the ballot and shall be fed through the vote tabulator, where voting systems are used, or wound into the ballot box where ballots are hand-counted. The envelope shall be kept separate.

**(9) Retention.** Early voting ballot envelopes shall be retained and returned to the local election official.

#### **47.15: Processing Early Voting Ballots at Central Tabulation Facility**

**(1) Deliver Early Voting Ballots and Voting List.** Before the opening of the central tabulation facility, a list containing the names of all voters whose early voting ballots have been cast shall be delivered to the central tabulation facility. The early voting ballots shall be delivered during the

day, not later than the close of polls. The election officers assigned to the central tabulation facility, shall, as soon as early voting ballots are delivered, record the total number of ballots received, by precinct.

- (2) Election Officers Shall Process Early Voting Ballots. The election officers at the central tabulation facility shall process early voting ballots from the time the central tabulation facility opens and throughout the day.
  - (a) Early voting ballots shall be processed one precinct at a time. All early voting ballots from one precinct shall be processed before another precinct can be processed.
  - (b) Once the tabulation of a precinct is complete, the tabulated ballots for the precinct may be removed from the ballot box and stored securely, but must remain in public view.
- (3) Early Voting Ballots to be Processed. Only the local election official shall determine whether to reject an early voting ballot as defective. The election officers at the central tabulation facility may only reject early voting ballots as defective if, when opening the ballot envelope, more than one ballot is contained therein as set forth in 950 CMR 47.15(6). If the early voting ballot is transmitted to the central tabulation facility, the election officers at the central tabulation facility shall process it unless the voter's name is not on the voting list. Election officers shall verify that the name of the person who signed the affidavit on the early voting ballot envelope is on the voting list. Election officers must inform the local election official if the name does not appear on the voting list.
- (4) Mark the Voting List. Reading the name and address of the voter from the affidavit envelope, the election officers shall find the voter's name on the voting list delivered to the central tabulation facility, which will have the letters EV already printed next to it. The election officer shall mark beside the name of the voter to indicate that the early voting ballot vote has been deposited into the tabulator .
- (5) Open Ballot Envelope. Election officers shall open the ballot envelope carefully so as not to deface, mark or tear the ballot or the ballot envelope. Election officers shall place the ballot envelopes in the proper container.
- (6) One Ballot Per Envelope. The ballot envelope must not contain more than one ballot. If more than one ballot is in the envelope, neither ballot shall be counted and those ballots shall be placed in the ballot envelope which shall be marked "Rejected as Defective" and placed in the proper container.
- (7) Challenging of Early Voting Ballots. If an early voting ballot is challenged when opened at the central tabulation facility, the name and address of the early voter shall be written on the ballot by the warden. The challenger's name and address shall be recorded and the event shall be noted in the local election official's Election Record, and the letters CV shall be placed on the voting list next to the name of the challenged voter. After this, the ballot shall be deposited in the ballot box.

- (8) Remove Ballot and Place in Ballot Box. The early voting ballot shall be removed from its envelope without examining it and in a manner that will ensure privacy of the ballot and shall be fed through the vote tabulator, where voting systems are used, or wound into the ballot box where ballots are hand-counted. The envelope shall be kept separate.
- (9) Print Results. After the hour fixed for closing of the polls, the election officer shall cause the voter tabulator to print the results of the election and shall remove the results paper tape from the vote tabulator.
- (10) Inspection of Ballots. After all ballots have been tabulated, the early voting ballots shall be removed from the box and shall be inspected by teams of two election officers. Such inspection shall include an examination for write-in or sticker votes.
- (a) If any such write-in or sticker votes are found, the ballot shall at once be examined, and shall be hand-counted and the precinct totals adjusted accordingly.
- (11) Seal the Counted Ballots. The counted ballots shall be sealed in an envelope or container and shall be transmitted, in accordance with the provisions of G.L. c. 54, § 107, to the office of the local election official forthwith. The early voting lists shall also be sealed in separate envelopes and transmitted to the office of the local election official.
- (12) Retention. Early voting ballot envelopes shall be retained and returned to the local election official.

#### **47.16: Challenges**

All ballots transmitted under any provision of 950 CMR 47.00 shall be subject to challenge. Any challenge must be made when the affidavit envelope containing the early voting ballot is opened and the ballot is deposited into the ballot box for non-compliance with any provision of sections 950 CMR 47.08; 950 CMR 47.09(5); 950 CMR 47.10(5) or for any other reason allowed by law. If an early voting ballot is challenged, it shall be processed in accordance with 950 CMR 52.03(23) and 950 CMR 54.04(23), except that so much of said section as involves the administering of an oath shall not apply thereto, and the writing of the name and address of the voter on the ballot shall be performed by the officer charged with depositing the ballot in the ballot box.

#### **47.17: Immaterial Irregularities Not to Cause Rejection**

No ballot transmitted under any provision of sections 950 CMR 47.09 and 950 CMR 47.10, inclusive, to the extent applicable, shall be rejected for any immaterial addition, omission or irregularity in the preparation or execution of any writing or affidavit required by said sections as determined by the election official.

#### **47.18: Disposition of Ballots Received Late**

All envelopes received by the local election officials after the close of polls shall be marked "Rejected: Received Too Late" and shall be retained by them unopened until the time set by law for

the destruction of ballots cast, at which time the envelopes shall likewise be destroyed, unopened and unexamined.

**47.19: Voting in Person on Election Day After Submitting Early Voter Ballot Prohibited; Death of Early Voter: Rejection of Certain Ballots**

(1) Except as hereinafter provided, no voter to whom an early voting ballot has been mailed or delivered and whose early voting envelope has been received and accepted by the local election official shall be permitted to vote in person.

(2) No ballot mailed or delivered under the provisions of 950 CMR 47.00, inclusive, shall be counted if the officers charged with the duty of counting the same are cognizant of the fact that the voter has died prior to the opening of the polls on the day of the election.

(3) Notwithstanding the foregoing, the local election official shall, on the day of the election, at his or her request, give to any person whose name has not been checked as provided in 950 CMR 47.08(1), a certificate of his or her name and residence, as stated on the voter list, signed by such local election official, and such local election official shall then forthwith place on the list of early voters, opposite the name of the person to whom such certificate is furnished, the capital letter C.

(a) On presentation of such certificate to the presiding election officer of the ward, voting precinct or town in which such voter is registered he shall, after his or her name has been checked on the voting list or on his or her certificate of supplementary registration, as the case may be, be allowed to vote.

(b) Such presiding officer shall preserve each certificate issued under this section and return it to the local election official in the manner in which the voting lists are required by G.L. c. 54, § 107 to be enclosed.

(c) The local election official shall by telephone authorize the presiding officer to issue such certificate if said local election official determines that a voter at the polling place is entitled to it, and said presiding officer shall then similarly sign and issue such certificate.

(d) If, after a certificate is furnished under this section, an envelope purporting to contain an early voting ballot is received from a voter to whom such a certificate has been issued, and opposite whose name on the list of early voters the capital letter C has been placed as herein required, said local election official shall mark across the face of such envelope "Rejected as Voted in Person," and such envelope shall be preserved and destroyed in the manner provided by law for the retention, preservation and destruction of official ballots.

**47.20: Information and Instructions**

The Secretary shall prepare for the use of election officers, local election officials and registrars of voters such printed information and instructions as he may deem proper to facilitate the operation of 950 CMR 47.00. Such printed matter shall be transmitted to said officials prior to each state

election. The Secretary may prepare and distribute such general information relative to said sections as he may deem expedient.

**47.21: Retention of Early Voting Materials**

Each envelope, so marked, all applications for early voter ballots and all lists referred to in this section shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

# HOUSE . . . . . No. 4320

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 22, 2018.

The committee on Election Laws to whom were referred the petition (accompanied by bill, Senate, No. 369) of Sonia Chang-Diaz, Jason M. Lewis, James B. Eldridge and Mary S. Keefe for legislation relative to the central registry of voters, the petition (accompanied by bill, Senate, No. 373) of Cynthia S. Creem, Carmine L. Gentile, Frank A. Moran, Jason M. Lewis and other members of the General Court for legislation relative to automatically registering eligible voters and enhancing safeguards against fraud, the petition (accompanied by bill, House, No. 2080) of Evandro C. Carvalho and others relative to voter registration, the petition (accompanied by bill, House, No. 2091) of Peter V. Kocot and others relative to voter registration, the petition (accompanied by bill, House, No. 2098) of Michael J. Moran, Jonathan Hecht and Michelle M. DuBois relative to reporting requirements of state agencies to the Secretary of the Commonwealth for the maintenance of the Central Registry of Voters, the petition (accompanied by bill, House, No. 2099) of Angelo M. Scaccia and William F. Galvin (Secretary of the Commonwealth) relative to Registry of Motor Vehicles participation in the Electronic Registration Information Center, and the petition (accompanied by bill, House, No. 2105) of Angelo M. Scaccia and William F. Galvin (Secretary of the Commonwealth) relative to voter registration for certain participants in the address confidentiality program, reports recommending that the accompanying bill (House, No. 4320) ought to pass [Representative Lombardo of Billerica dissents].

For the committee,

JOHN J. MAHONEY.

**HOUSE . . . . . No. 4320**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act automatically registering eligible voters and enhancing safeguards against fraud.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 9A of the General Laws, as appearing in the 2016 Official Edition,  
2 is hereby amended by inserting after section 7 the following section:-

3           Section 8. A program participant may register to vote as a confidential voter pursuant to  
4 sections 4 and 44 of chapter 51. To qualify as a confidential voter, a program participant must  
5 disclose his or her residential address to the registrar of voters, which shall not be a public  
6 record. Registrars, assistant registrars or boards having similar duties under any special or  
7 general law, shall not place on the street list or annual register or disclose to any person the name  
8 and residence of a voter providing the registrars with proof that he or she is a program  
9 participant.

10           SECTION 2. Section 4 of chapter 51 of the General Laws, as appearing in the 2016  
11 Official Edition, is hereby amended by inserting in line 47 after the figure “265” the following  
12 words:-

13 , or a program participant in the Address Confidentiality Program established under  
14 chapter 9A

15 SECTION 3. Section 42 of said chapter 51 of the General Laws, as appearing in the 2014  
16 Official Edition, is hereby amended by striking out the words “section forty-two A”, in line 13,  
17 and inserting in place thereof the following words:- sections 42A and 65.

18 SECTION 4. Section 42G of said chapter 51 is hereby amended by striking out section  
19 42G and inserting in place thereof the following section:-

20 Section 42G. (a) Registration agencies required to provide voter registration services by  
21 52 U.S.C. sections 20504 and 20506 shall conduct voter registration in a manner that is as  
22 efficient, comprehensive, and as automated as practicable. Registration agencies shall transmit  
23 each completed affidavit of voter registration and the information required below and in section  
24 65 of this chapter to the board of registrars or election commission of the city or town where the  
25 registrant resides as set forth below. The state secretary shall adopt regulations governing such  
26 transmission, which shall include, but not be limited to, provisions requiring electronic  
27 transmission, data security protocols, and integration with the online portals established by  
28 sections, 33A and 60.

29 (b) (1) The state secretary shall enter into cooperative agreements with the Registry of  
30 Motor Vehicles and MassHealth to serve as automatic voter registration agencies. The secretary  
31 may enter into cooperative agreements with state agencies that provide public assistance and  
32 state agencies that provide assistance to people with disabilities; provided, however, that the  
33 secretary determines that (i) the registration agency consistently collects reliable citizenship  
34 information for all applicants in the course of normal business; and (ii) enabling the registration



35 agency to serve as an automatic voter registration agency will materially increase voter  
36 registration or the accuracy of the register of voters. Registration agencies not designated as  
37 automatic voter registration agencies shall continue to provide voter registration services as  
38 required by 52 U.S.C. 20504 or 20506.

39 (2) The state secretary shall determine that an agency collects “reliable citizenship  
40 information” if the agency, in the regular course of business for serving applicants:

41 (A) requests, in a clear, understandable, and consistently stated manner, that customers  
42 affirm their citizenship status; and,

43 (B) collects a signed affirmation of citizenship status or documentary proof of citizenship  
44 status such that records of citizens are segregable from non-citizens.

45 (3) For each automatic voter registration agency, the state secretary shall:

46 (A) conduct appropriate training of agency staff;

47 (B) make available voter registration forms;

48 (C) specify all material, language, forms, and electronic interfaces necessary for the  
49 collection and transmission of the information needed to carry out activities under this section;

50 (D) eliminate to the extent practicable duplicative entries into the central voter registry;

51 and

52 (E) have oversight responsibility to insure proper compliance with applicable provisions  
53 of federal and state law.

54 (c) Automatic voter registration agencies shall:

55 (1) conduct automatic voter registration as specified by paragraphs (d) through (i) below;

56 (2) work with the state secretary to implement this chapter and meet the goals of

57 automatic voter registration enumerated in section 65; and,

58 (3) enter into cooperative agreements with the state secretary.

59 (d) Each eligible applicant for services at an automatic voter registration agency who

60 meets the qualifications to register to vote and does not decline to do so either in a postcard as

61 further specified in paragraph (f) and section 65 or at the point of service as specified in

62 paragraph (g) shall be registered as a voter under section 65 as of the date that the registration

63 agency collects this information. Each automatic voter registration agency shall provide notice to

64 each applicant:

65 (1) Explaining that the agency application will serve as an attestation to eligibility and an

66 application to register to vote unless the person declines to be registered;

67 (2) informing them of eligibility requirements to register to vote; and,

68 (3) advising them that non-citizens are ineligible to register, and they must decline unless

69 they are US citizens and otherwise eligible.

70 (e) For each applicant that has not declined to be registered to vote, voter registration

71 agencies shall transmit electronic records containing the legal name, age, residence, citizenship

72 information, and electronic signature of each person who meets qualifications to register to vote

73 as set forth by section 1, or to pre-register to vote as set forth in section 47A, as soon as

74 practicable but within 5 calendar days after receipt of this information, to the board of registrars

75 of the city or town in which the person resides in a manner prescribed by the secretary.

76 Registration agencies shall not transmit records that contain i) a home address designated as  
77 confidential pursuant to section 8 of chapter 9A or ii) any record that does not clearly and  
78 consistently indicate that the applicant meets the eligibility requirements to vote.

79 (f) Registration agencies that collect reliable citizenship information for all applicants  
80 shall transmit the data required under paragraph (e) and applicants will be provided the  
81 opportunity to decline according to the procedure established in section 65 of this chapter. These  
82 agencies may, in addition, provide a written form prescribed by the secretary, subsequent to the  
83 complete transaction for this purpose.

84 (g) Registration agencies that collect reliable citizenship information for some applicants,  
85 but not all, shall, in the regular course of business for applicants:

86 (1) insure that the person's transaction with the agency cannot be completed until the  
87 person has been offered an opportunity to decline to register as required under paragraph (d);

88 (2) offer to applicants who do not decline to register the opportunity to select a political  
89 party or designation; and

90 (3) transmit the data required under paragraph (e) for each person who has not declined to  
91 be registered to vote.

92 (h) The state secretary shall adopt regulations governing the collection and transmission  
93 of personal information under this subsection, which shall include, but not be limited to,  
94 provisions requiring automatic voter registration agencies to:

95 (1) employ the most cost-effective forms of transmission;

96 (2) implement measures to secure information such as encryption in order to prevent  
97 security breaches and the unauthorized use of personal information as required under section 3 of  
98 chapter 93H;

99 (3) implement measures for reporting security breaches or the unauthorized use of  
100 personal information as required under section 3 of chapter 93H;

101 (4) provide protections against disclosure of confidential information, including home  
102 addresses, designated as confidential pursuant to section 8 of chapter 9A;

103 (5) make application forms available in English and Spanish, and such additional  
104 languages as the secretary deems necessary or as required by law; and

105 (6) work with the state secretary to insure, by public education and other methods, that  
106 information sufficient to understand the process for and consequences of automatic voter  
107 registration is available in any language that is the primary language of at least 10,000 or 1/2 of  
108 1% of all residents of the commonwealth.

109

110 (i) Nothing in this subsection shall prevent an automatic voter registration agency from  
111 establishing and enforcing additional security measures to protect the confidentiality and  
112 integrity of inter-agency data transfers.

113 SECTION 5. Section 44 of said chapter 51, as so appearing, is hereby amended by  
114 inserting in line 12 after the figure "265" the following words:-

115 , or a program participant in the Address Confidentiality Program established under  
116 chapter 9A

117 SECTION 6. Section 47C of said chapter 51, as so appearing, is hereby amended by  
118 adding the following paragraph:-

119 The state secretary shall enter into an agreement with the Electronic Registration  
120 Information Center on behalf of the commonwealth that shall specify the terms and conditions of  
121 the commonwealth's membership in the Center. The agreement shall include terms providing for  
122 the periodic sharing of data between the central registry and the registry of motor vehicles and  
123 the Center, including, but not limited to, voter names and addresses.

124 SECTION 7. Said chapter 51 is hereby further amended by inserting after section 64 the  
125 following section:-

126 Section 65. (a) The state secretary shall promulgate regulations relative to the  
127 administration of automatic voter registration, which shall be in addition to the regulations  
128 otherwise authorized by this chapter, and which shall include, but not be limited to, provisions  
129 relative to:

130 (1) increasing the efficiency and limiting the total cost of voter registration for the  
131 commonwealth and its municipalities;

132 (2) ensuring that every eligible citizen of the commonwealth is registered to vote unless  
133 they do not want to be registered;

134 (3) increasing the completeness and accuracy of the register of voters;

135 (4) preventing erroneous disenfranchisement of eligible citizens;

136 (5) promoting greater participation of eligible voters in elections;

137 (6) protecting ineligible voters from improperly being registered;

138 (7) determining the extent to which automatic voter registration materials should be  
139 provided in languages other than English and Spanish, including but not limited to ensuring  
140 compliance with the Voting Rights Act;

141 (8) specifying the manner of registration for Address Confidentiality Program  
142 participants who interact with automatic voter registration agencies; and,

143 (9) preventing voter registration fraud.

144 (b) (1) Nothing in this section or in section 42G shall be construed to change the  
145 substantive qualifications of voters established by this chapter or the constitution.

146 (2) Nothing in this section shall be construed to interfere with the registrars' duties under  
147 sections 37, 38, 47B, 48 and 49 to ensure that the names of persons who are ineligible to vote do  
148 not appear on the register of voters.

149 (3) Nothing in this section shall be construed to interfere with the right of any person to  
150 decline to be a registered voter for any reason.

151 (c) (1) Upon receiving the electronic records described in section 42G, the board of  
152 registrars or election commission shall determine whether the names of persons included in the  
153 electronic records belong to persons who meet the qualifications of a voter under section 1. The  
154 registrars shall notify each qualified person whose name appears in those records of the  
155 automatic voter registration process.

156 (2) If the registrars determine that the person whose name appears in the electronic  
157 records does not meet the qualifications of a voter under section 1, the registrars shall notify the

158 person of the determination at the address included in the electronic record, unless that person  
159 has already declined to register to vote.

160 (3) If the person's voter registration information was transmitted under section 42G(f),  
161 and if not otherwise receiving the same information for a qualified applicant, the registrars shall  
162 notify each person under paragraph (1) an opportunity to:

163 (i) decline being registered to vote as required under section 42G(d); or,

164 (ii) adopt a political party affiliation, in which case the person must also sign an  
165 eligibility requirement acknowledgement, attestation, and signature.

166 Such notification shall be provided in English and Spanish.

167 (4) If a person so notified does not decline to be registered to vote within 21 calendar  
168 days after the registrar issues the notification, the registrars shall add the person's name and  
169 address to the register of voters.

170 (5) The registrars shall not include in the register of voters the names of persons who  
171 indicate in a signed writing that they do not wish to be registered voters.

172 (6) If the information transmitted under section 42G is for a person whose name is  
173 already included in the register of voters, and if the information indicates a subsequent change to  
174 the person's name, address or gender marker, the registrars shall ensure that the register of voters  
175 is updated accordingly.

176 (7) Upon adding the name of a person to the register of voters under paragraph (4), the  
177 registrars shall send written notice, which may be sent electronically, in a form approved by the  
178 state secretary, to the registrars or equivalent officers of the place where the person was last

179 registered as a voter. Upon receiving this notice, or a similar notice from another state including  
180 information from the Electronic Registration Information Center under section 47C, the  
181 registrars shall immediately remove the person's name from the register of voters.

182 (d) The state secretary shall ensure that information is provided to the registrars in as  
183 clear a manner as practicable, and automate the process to the extent practicable. The secretary  
184 may develop electronic interfaces with registration agencies under section 42 to carry out this  
185 section.

186 (e) The state secretary shall make an annual report to the joint committee on election laws  
187 of the general court, which the secretary shall post on a public website. The annual report shall  
188 include the following information:

189 (1) the number of records that have been transferred, by source;

190 (2) the number of voters newly added to the statewide voter registration list because of  
191 records transferred;

192 (3) the number of voters on the statewide voter registration list whose information was  
193 updated because of records transferred;

194 (4) the number of records transferred that do not relate to persons affirmatively identified  
195 as eligible to vote; and,

196 (5) the number of persons who opted out of voter registration.

197 Any report produced under this section shall exclude personal identifying information.



198 (f) The state secretary shall ensure that, upon receipt and verification of a person's  
199 express request to opt out of voter registration, the person's name and registration record is so  
200 designated, unless and until the voter consents to registration. Nothing in this section shall  
201 preclude a person who has previously declined voter registration from subsequently registering  
202 to vote.

203 (g) The state secretary shall ensure that election officials shall not provide the record of  
204 any person who has opted out of voter registration, in whole or in part, to any third party and  
205 shall establish standards and procedures to safeguard the privacy and security of the information  
206 used and obtained pursuant to this section.

207 (h) Any person who is not eligible to vote and who becomes registered under this  
208 provision shall not be found on that basis to have made a false claim to citizenship or to have  
209 committed an act involving moral turpitude, unless such person affirmatively asserts that he or  
210 she is a U.S. citizen. Where a person who is not eligible to vote becomes registered under this  
211 provision without affirmatively accepting registration, that person's voter registration shall be  
212 considered to have been effected with official authorization and at no fault of the person so  
213 registered. Where an ineligible person who becomes registered under this provision casts a ballot  
214 in an election, that person shall not be held criminally liable absent a showing beyond a  
215 reasonable doubt that the person knowingly and willfully intended to commit fraud, nor to the  
216 extent practicable, shall such ballot be counted.

217 (i) No person may use the statewide voter registration list to attempt to determine the  
218 citizenship status of any person for any purpose other than voter registration, election  
219 administration, or the enforcement of laws against election crimes. No information relating to a

220 person's declination to supply information for voter registration purposes at a source may be  
221 disclosed to the public, used to discriminate against that person, or used for any purpose other  
222 than voter registration, election administration, or the enforcement of laws against election  
223 crimes.

224 SECTION 8. Chapter 54 of the General Laws, as appearing in the 2016 Official Edition,  
225 is hereby amended by striking section 25B and inserting in its place thereof the following  
226 section:-

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

231 (b) The voting period for early voting shall run from the eleventh business day preceding  
232 the general election until the close of business on the business day preceding the business day  
233 before the election; provided, however, that if the eleventh business day before the election falls  
234 on a legal holiday the early voting period shall begin on the first business day prior to the legal  
235 holiday.

236 (c) Early voting shall be conducted during the usual business hours of each city or town  
237 clerk. A city or town may, in its discretion, provide for additional early voting hours beyond the  
238 hours required by this subsection, including weekend hours.

239 (d) Each city and town shall establish an early voting site that shall include the election  
240 office for the city or town; provided, however, that if the city or town determines that the office  
241 is unavailable or unsuitable for early voting, the registrars of each city or town shall identify and

242 provide for an alternative centrally-located, suitable and convenient public building within each  
243 city or town as an early voting site. A city or town may also provide for additional early voting  
244 sites at the discretion of the registrars for that city or town. Each early voting site shall be  
245 accessible to persons with disabilities.

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

255 (f) At least 21 days prior to each biennial state election, the state secretary shall deliver to  
256 each city or town, in quantities as the state secretary determines necessary, official early voting  
257 ballots, similar to the official ballot to be used at the election.

258 (g) An early voting ballot shall be provided to each qualified voter who participates in  
259 early voting.

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

263 (i) Prior to the beginning of early voting, the registrars for each city or town shall prepare  
264 a list for the early voting sites, containing the names and residences of all persons qualified to  
265 vote at each voting site, as the names and residences appear upon the annual register, and shall  
266 reasonably transmit the applicable list to the election officers at each early voting site designated  
267 by the registrars.

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

271 (k) The registrars shall prepare lists of all voters casting ballots during the early voting  
272 period and update the voter list in a manner prescribed by the state secretary. Early voting ballots  
273 are considered cast ballots and are not a public record as outlined in section 109 of Chapter 54.

274 (l) The state secretary shall promulgate regulations to implement this section including,  
275 but not limited to, a process for establishing additional early voting locations and a process for  
276 receiving, separating, compiling, recording, securing, and tabulating early voter ballots.

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

281 (n) No early voting ballot cast under this section shall be counted if the officer charged  
282 with the duty of counting the ballot is cognizant of the fact that the voter has died prior to the  
283 opening of the polls on the day of the election.

284 (o) After marking their early voting ballot, voters shall deposit ballots directly into a  
285 ballot box or tabulator. Tabulation of results will be in accordance with sections 105 and 105A of  
286 Chapter 54.

287 SECTION 9. Section 8 of chapter 56 of the General Laws, as appearing in the 2016  
288 Official Edition, is hereby amended by inserting after the word “register”, in line 10, the  
289 following words:-

290 ; whoever knowingly provides false information in connection with automatic voter  
291 registration under section 65 of chapter 51

292 SECTION 10. The state secretary shall implement upgrades to the central voter registry  
293 to implement this act, as necessary to ensure the central voter registry:

294 (a) incorporates interfaces with both the registry of motor vehicles and MassHealth and is  
295 capable of additional interfaces with other voter registration agencies in the future;

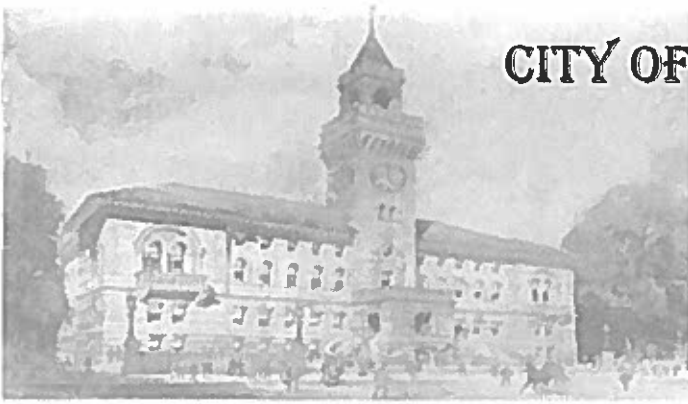
296 (b) includes programming that would:

297 (1) distinguish updates to existing voter registration records from new registration records  
298 before allowing them to be posted to the central voter registry;

299 (2) removes duplicate entries before allowing them to be posted to the central voter  
300 registry; and,

301 (3) to the extent practicable, maximize efficiency and automation and minimize staff time  
302 at the local level.

303 SECTION 11. Section 1, Section 2, paragraph (b) of Section 42G of Section 4, Section 5,  
304 Section 6, paragraph (a) of Section 65 of Section 7, and Section 8 of this act shall take effect  
305 immediately. This remainder of this act shall take effect on January 1, 2020.



**CITY OF WORCESTER, MASSACHUSETTS  
CITY CLERK DEPARTMENT**

**Susan M. Ledoux, City Clerk**

**Stephen A.J. Pottle, Assistant City Clerk  
Niko Vangjeli, Assistant City Clerk**

Michelle K. Tassinari, Director/Legal Counsel  
Elections Division  
Secretary of the Commonwealth Office  
One Ashburton Place, Room 1705  
Boston, MA 02108

Dear Ms. Tassinari,

At a meeting of the Worcester Board of Election Commissioners held on Wednesday, April 25, 2018, the Commissioners requested that I communicate to you some of the concerns and recommendations they have when it comes to processing Early Voting ballots on Election Day. In 2016 the City of Worcester processed over 32,000 folded ballots which caused major delays in the ballot separation process and issues with electronic tabulators. Moving forward the commission recommends that the Secretary of State explore the possibility of providing unfolded Early Voting ballots and envelopes that are the same size as the ballots. Furthermore, they also recommend that the Secretary explore the possibility of approving the use of the ES&S DS450 High-Speed Scanner & Tabulator for counting the 2018 Early Voting ballots. The DS450 continuously scans ballots to save election officials valuable time when tabulating Early Voting election results.

If you have any questions don't hesitate to contact me anytime.

For The Commission,

Susan M. Ledoux  
City Clerk



# DS450<sup>®</sup>

## High-Throughput Scanner & Tabulator

### Touch Screen Display

Walks the operator through every step of the tabulation process.

### Patented IMR™ and PTRAC®

IMR™ and PTRAC® technology provides unparalleled accuracy that reduces time-consuming manual ballot adjudication.

### C-Curve

C-Curve efficiently transports ballots into the appropriate output bin.



### Input Tray

### Output Bins

- Sorts ballots into:
- Counted
  - Requires Further Review
  - Write-Ins

### Paper Path Jam Management

LED light tracking feature enables easy management of ballot jams – prevents need to rescan entire batch.

# 72

The number of 14-inch flat ballots processed per minute





# DS450 Key Features

Customizable sorting is now more affordable than ever with the DS450 central scanner and tabulator. Process more ballots in less time, without stopping to sort overvotes, write-ins or blank ballots. ES&S sets the industry standard for high-speed scanners. The DS450 embodies the spirit of the DS850 while maintaining an efficient throughput along with affordability for jurisdictions.



## SECURE

System integrity and electronic audits make the DS450 part of the most dependable family of central vote scanners and tabulators in its class. Safeguards, such as data encryption and digital signatures, help protect sensitive data and verify authenticity, including certification of all firmware.



## FLEXIBLE

With three separate output bins, you can determine whether to outstack specific types of ballots for further review. Let the DS450 handle separating write-in votes, over-votes and blank ballots – all without missing a beat.



## ACCURATE

ES&S-patented IMR™ and PTRAC® technology ensures ballots are read accurately and consistently, protecting voter intent and minimizing manual adjudication.



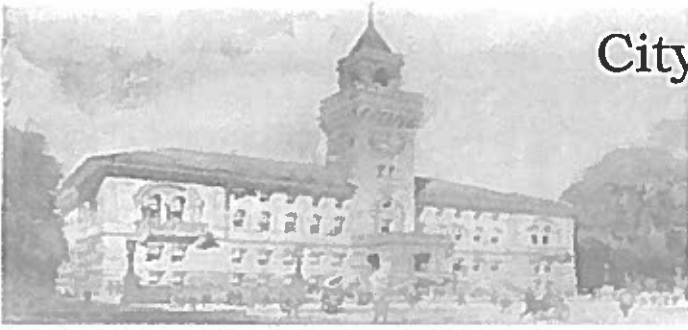
## HIGH THROUGHPUT

Achieve faster sorts without stopping for each blank ballot with the DS450. It scans and sorts 14-inch double-sided ballots at 72 per minute into three output bins.



## FOLDED BALLOT PROCESSING

The DS450 is designed with a series of TruGrip™ rollers, which maintain constant contact with the ballot surface, ensuring quality control throughout the entire tabulation process.



# City of Worcester, Massachusetts

## CITY CLERK DEPARTMENT

Susan M. Ledoux, City Clerk

Stephen A.J. Pottle, Assistant City Clerk  
Niko Vangjeli, Assistant City Clerk

Maureen Binienda  
Superintendent of Worcester Public Schools  
20 Irving Street  
Worcester, MA 01609

Dear Superintendent Binienda,

On April 25, 2018, at the meeting of the Board of Election Commissioners, the commission requested that I write to you and request your assistance in recruiting additional students to work the polls for the State Election November 6, 2018. We currently have a few vacancies and we would like to work with the school department and the high school principals to fill the positions. Please let me know a date and time that is most convenient for you to meet and discuss this matter.

Furthermore, one of the efforts the City Clerk's office would like to undertake this upcoming fall semester is pre-registering to vote the student population who are 16 or 17 years old. Although you must be 18 years old in order to vote, students may pre-register to vote at 16 years of age. Students, who are 16 or 17, may submit voter registration forms to the Worcester election office, which will then place the student name on the list of pre-registrants. Once the student is old enough to vote, the election office will mail them an acknowledgement notice that will include party affiliation and the location of the polling place. The central goal of preregistration is to encourage voting among young people, the group that consistently has the lowest turnout rates.

On behalf of the Commission members, I look forward to working with you and to discuss additional efforts you feel we might make to encourage civic engagement and open access to the registration and voting processes in 2018.

For The Commission,

Susan M. Ledoux  
City Clerk

**Part I** ADMINISTRATION OF THE GOVERNMENT**Title VIII** ELECTIONS**Chapter 54** ELECTIONS**Section 11B** FILING FOR APPOINTMENT IN CITIES; PROCEDURE;  
ELIGIBILITY; EXAMINATIONS

Section 11B. The chairman of the city committee of each political party entitled to representation in the appointment of election officers may, not later than June first in each year, file with the registrars lists of enrolled members of such party who desire appointment as election officers as submitted to him by the several ward committees. The registrars shall, not later than April fifteenth of each year, make written notification to the chairman of record of the city committee of each political party and the chairman of record of the ward committee of each political party that said list must be submitted no later than June first of the same year. Upon the filing of such lists the registrars shall forthwith proceed to the consideration thereof and shall, on or before June thirtieth, submit to the mayor or other appointing authority the names of persons whose names appear on the lists, who in their opinion are qualified to act as election officers. The lists submitted

by the several ward committees shall contain not more than eight names for each office to be filled. Supplemental lists for any election district as submitted by the several ward committees therein may be filed by the said chairman at any time before the appointments for such district are made, for the purpose of filling vacancies which may occur in the original lists. No person shall be appointed as an election officer until he is found qualified to act as such as herein provided. Appointments shall be made from the original list before any names are taken from any supplemental list.

If, upon the expiration of fifteen days after notice given in writing prior to June fifteenth, in any year by the mayor or other appointing authority to the chairman of any political committee by whom lists are to be filed hereunder, and to the chairman of the state committee of such political party, neither the state nor city chairman shall have filed original or supplemental lists, the mayor or other appointing authority may appoint as election officers registered voters in the commonwealth, except as otherwise provided in this section recommended by the city clerk or election commission, who, in the opinion of the mayor or other appointing authority, are qualified to act as such.

Not more than 2 such election officers may be appointed who: (1) are 16 or 17 years of age; (2) are residents of the commonwealth; (3) are United States citizens when appointed; (4) are able to speak, read and write the English language; (5) have provided a letter from a parent or guardian giving permission for them to

serve as election officers; (6) have provided a letter from their school principal giving permission for them to be absent from school to serve as election officers if the election or a training will take place when school is in session or, if home schooled, have provided a copy of the document indicating approval to be home schooled; and (7) agree to attend required training sessions. If an election officer under this paragraph attends a school that encourages or requires community service, serving as an election officer may be considered a community service activity. In no case shall a person 16 or 17 years of age serve as an election officer on the day of an election for more than the number of hours permitted for such a person to work pursuant to section 66 of chapter 149.

The registrars may, if they deem it necessary, conduct examinations of persons whose names appear on the lists filed hereunder. Five days' notice shall be given of any such examination. The chairman of each city committee may appear and be heard either in person or by counsel, during the conduct of such examinations.

Ward No	Prnct No	Active	Inactive	Non-Voter	Grand Total
01	01	2286	517	387	3190
	02	2424	439	336	3199
	03	1348	258	210	1816
	04	2236	496	360	3092
	05	2024	618	339	2981
<b>01 Total</b>		<b>10318</b>	<b>2328</b>	<b>1632</b>	<b>14278</b>
02	01	2040	530	324	2894
	02	2072	575	333	2980
	03	1887	545	275	2707
	04	1624	792	224	2640
	05	1055	832	180	2067
<b>02 Total</b>		<b>8678</b>	<b>3274</b>	<b>1336</b>	<b>13288</b>
03	01	1547	754	232	2533
	02	495	514	52	1061
	03	1370	808	187	2365
	04	1121	1025	145	2291
	05	1506	696	218	2420
<b>03 Total</b>		<b>6039</b>	<b>3797</b>	<b>834</b>	<b>10670</b>
04	01	1016	914	159	2089
	02	1300	728	162	2190
	03	1073	1146	102	2321
	04	1387	689	217	2293
	05	1665	594	253	2512
<b>04 Total</b>		<b>6441</b>	<b>4071</b>	<b>893</b>	<b>11405</b>
05	01	1188	767	172	2127
	02	1718	749	315	2782
	03	2080	613	345	3038
	04	1759	616	236	2611
	05	1807	597	303	2707
<b>05 Total</b>		<b>8552</b>	<b>3342</b>	<b>1371</b>	<b>13265</b>
06	01	944	1022	132	2098
	02	1160	1002	203	2365
	03	1306	892	177	2375
	04	569	609	116	1294
	05	1507	698	259	2464
<b>06 Total</b>		<b>5486</b>	<b>4223</b>	<b>887</b>	<b>10596</b>
07	01	1707	613	230	2550
	02	1234	758	174	2166
	03	1693	690	250	2633
	04	1595	585	275	2455
	05	1742	613	298	2653
<b>07 Total</b>		<b>7971</b>	<b>3259</b>	<b>1227</b>	<b>12457</b>
08	01	918	823	127	1868
	02	957	818	116	1891

Ward No	Prnct No	Active	Inactive	Non-Voter	Grand Total
08	03	642	1488	79	2209
	04	1138	898	146	2182
	05	1002	754	197	1953
<b>08 Total</b>		<b>4657</b>	<b>4781</b>	<b>665</b>	<b>10103</b>
09	01	1724	644	292	2660
	02	2082	490	314	2886
	03	1472	435	250	2157
	04	2070	526	306	2902
	05	2115	432	366	2913
<b>09 Total</b>		<b>9463</b>	<b>2527</b>	<b>1528</b>	<b>13518</b>
10	01	986	777	136	1899
	02	1011	750	92	1853
	03	1072	922	90	2084
	04	969	976	123	2068
	05	1016	977	87	2080
<b>10 Total</b>		<b>5054</b>	<b>4402</b>	<b>528</b>	<b>9984</b>
<b>Grand Total</b>		<b>72659</b>	<b>36004</b>	<b>10901</b>	<b>119564</b>