



Massachusetts Information For Voters 2018 Ballot Questions Large Type Edition

State Election

Tuesday, November 6, 2018

To receive a Mail-in Voter Registration Form, call the
Elections Division at 617-727-2828 or 1-800-462-VOTE

Massachusetts Register to Vote Online: registertovotema.com

Published by

William Francis Galvin

Secretary of the Commonwealth



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the Commonwealth

Dear Voter:

On Tuesday, November 6, 2018, voters of Massachusetts have the opportunity to elect candidates of their choice and decide on statewide ballot questions that can change state law. Polling places are open from 7:00 a.m. to 8:00 p.m. statewide on Election Day. **Early voting is available for this election beginning October 22, 2018 and ending November 2, 2018.** If you are unable to go to the polls or vote early, absentee ballots are easily available before the election.

If you have not yet registered to vote or need to re-register because you moved, we have enclosed a form for you to fill out and mail back, or, if you have a Massachusetts driver's license or ID, you can register to vote online at www.RegisterToVoteMA.com. State law requires that you must register by October 17, 2018 to have your name appear on the voting list. You can also check your voter registration status on the website as well.

There are three binding statewide ballot questions appearing on the state election ballot. The 2018 official Information for Voters booklet lists each question with the text of the proposed law, statements describing the effect of a yes or no vote, a

summary, and brief argument for and against each question. This information will assist you in making a thoughtful decision before you enter your polling place and you can even take it with you into the voting booth if you wish.

This booklet contains important information for the upcoming election. The choices you make in this election are going to shape the course of government for our nation, state and local communities. The leadership that you select will make important decisions affecting you and your family. I urge you to participate in this process because your vote matters.

Please VOTE and exercise the most essential right of our democratic system.

Very truly yours,

A handwritten signature in cursive script that reads "William Francis Galvin".

William Francis Galvin
Secretary of the Commonwealth

Offices on the Ballot in 2018

Senator in Congress

Governor and Lieutenant Governor

Attorney General

Secretary of State

Treasurer

Auditor

Representative in Congress

Councillor

Senator in General Court

Representative in General Court

District Attorney

Clerk of Courts

County Commissioner (Barnstable, Bristol, Dukes, Norfolk, Plymouth, or Franklin Council of Governments)

Register of Deeds

County Treasurer (Norfolk County only)

Register of Probate (Dukes County only)

Deadline to Register to Vote!

To vote in the State Election, your Mail-in Voter Registration Form must be postmarked by Wednesday, October 17, 2018!

To receive Mail-in Voter Registration Forms, visit our website at www.sec.state.ma.us/ele or call the Elections Division at 617-727-2828 or 1-800-462-VOTE.

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QUESTION 1:

Law Proposed by Initiative Petition

Patient-to-Nurse Limits

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

As required by law, summaries are written by the State Attorney General.

This proposed law would limit how many patients could be assigned to each registered nurse in Massachusetts hospitals and certain other health care facilities. The maximum number of patients per registered nurse would vary by type of unit and level of care, as follows:

- In units with step-down/intermediate care patients: 3 patients per nurse;
- In units with post-anesthesia care or operating room patients: 1 patient under anesthesia per nurse; 2 patients post-anesthesia per nurse;
- In the emergency services department: 1 critical or intensive care patient per nurse (or 2 if the nurse has assessed each patient's condition as stable); 2 urgent non-stable patients per nurse; 3 urgent stable patients per nurse; or 5 non-urgent stable patients per nurse;
- In units with maternity patients: (a) active labor patients: 1

- patient per nurse; (b) during birth and for up to two hours immediately postpartum: 1 mother per nurse and 1 baby per nurse; (c) when the condition of the mother and baby are determined to be stable: 1 mother and her baby or babies per nurse; (d) postpartum: 6 patients per nurse; (e) intermediate care or continuing care babies: 2 babies per nurse; (f) well-babies: 6 babies per nurse;
- In units with pediatric, medical, surgical, telemetry, or observational/outpatient treatment patients, or any other unit: 4 patients per nurse; and
 - In units with psychiatric or rehabilitation patients: 5 patients per nurse.

The proposed law would require a covered facility to comply with the patient assignment limits without reducing its level of nursing, service, maintenance, clerical, professional, and other staff.

The proposed law would also require every covered facility to develop a written patient acuity tool for each unit to evaluate the condition of each patient. This tool would be used by nurses in deciding whether patient limits should be lower than the limits of the proposed law at any given time.

The proposed law would not override any contract in effect on January 1, 2019 that set higher patient limits. The proposed law's limits would take effect after any such contract expired.

The state Health Policy Commission would be required to promulgate regulations to implement the proposed law. The Commission could conduct inspections to ensure compliance

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with the law. Any facility receiving written notice from the Commission of a complaint or a violation would be required to submit a written compliance plan to the Commission. The Commission could report violations to the state Attorney General, who could file suit to obtain a civil penalty of up to \$25,000 per violation as well as up to \$25,000 for each day a violation continued after the Commission notified the covered facility of the violation. The Health Policy Commission would be required to establish a toll-free telephone number for complaints and a website where complaints, compliance plans, and violations would appear.

The proposed law would prohibit discipline or retaliation against any employee for complying with the patient assignment limits of the law. The proposed law would require every covered facility to post within each unit, patient room, and waiting area a notice explaining the patient limits and how to report violations. Each day of a facility's non-compliance with the posting requirement would be punishable by a civil penalty between \$250 and \$2,500.

The proposed law's requirements would be suspended during a state or nationally declared public health emergency.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

WHAT YOUR VOTE WILL DO

As required by law, the statements describing the effect of a "yes" or "no" vote are written jointly by the State Attorney

General and the Secretary of the Commonwealth.

A YES VOTE would limit the number of patients that could be assigned to one registered nurse in hospitals and certain other health care facilities.

A NO VOTE would make no change in current laws relative to patient-to-nurse limits.

STATEMENT OF FISCAL CONSEQUENCES

As required by law, statements of fiscal consequences are written by the Executive Office of Administration and Finance.

This proposed law may affect both state and municipal revenues and expenditures, with state-owned hospitals required to expend between an estimated \$67,800,000 and \$74,800,000 annually to comply with the proposed law, and the Health Policy Commission required to expend an estimated \$1,281,200 annually to monitor compliance. There will also be an impact on MassHealth, the state's Medicaid program, and state-funded employee and retiree health care obligations to the extent that the initiative increases hospital costs or causes hospital closures. The overall fiscal consequences to state and municipal finances, however, are difficult to project due to the lack of reliable data.

ARGUMENTS

As provided by law, the 150-word arguments are written by proponents and opponents of each question, and reflect their opinions. The Commonwealth of Massachusetts does not endorse these arguments, and does not certify the truth or

accuracy of any statement made in these arguments. The names of the individuals and organizations who wrote each argument, and any written comments by others about each argument, are on file in the Office of the Secretary of the Commonwealth.

IN FAVOR: I have worked as a bedside nurse for 40 years. I joined nurses from across Massachusetts to write this law and place safe patient limits on the ballot to improve the quality of patient care in Massachusetts hospitals. Independent scientific studies have consistently found that quality of care decreases dramatically when nurses are forced to care for too many patients at once, putting patients at increased risk for complications like pneumonia, medication errors, and more. This initiative establishes a safe maximum limit for the number of patients assigned to nurses in all hospital areas to ensure our patients receive the care and attention they need. It provides maximum flexibility, requiring hospitals to adjust Registered Nurse staffing levels based on the needs of patients and does so without reducing other members of the health care workforce. A recent survey found that 86% of Registered Nurses in Massachusetts favor this question.

Donna Kelly-Williams, RN
Massachusetts Nurses Association
340 Turnpike Street
Canton, MA 02021
(781) 821-4625 x 777
www.safepatientlimits.org

AGAINST: Nurses are asking you to Vote No on Question 1.

Massachusetts hospitals rank among the best in the nation, but Question 1 will put that patient care quality and safety at risk. It forces rigid, government-imposed nurse staffing ratios at every hospital, overriding the professional judgment of nurses and doctors.

Question 1 would create a massive unfunded government mandate costing more than one billion dollars in higher healthcare costs annually, causing community hospitals to close and forcing others to reduce emergency, addiction and behavioral health services. Question 1 has been called “the most irresponsible approach to healthcare”.

There is no scientific evidence that these rigid ratios improve patient care.

Question 1: higher costs, rigid mandates, and one-size-fits-all healthcare.

Nurses and over one hundred healthcare organizations, including American Nurses Association Massachusetts, Massachusetts Medical Society, Massachusetts College of Emergency Physicians, and every Massachusetts hospital urge: Vote NO on Question 1.

Amanda S. Oberlies, RN
Coalition to Protect Patient Safety
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www.protectpatientsafety.com

FULL TEXT OF QUESTION

Be it enacted by the People, and by their authority:

SECTION 1. SECTIONS 2 through 4 below, along with section 231 of Chapter 111 of the General Laws, shall hereby be known as “The Patient Safety Act.”

SECTION 2. Chapter 111 of the General Laws is hereby amended by adding the following sections after section 231:

Section 231 A. Definitions.

As used in sections 231 through 231J the following words shall have the following meanings:

“Patient assignment”, a person admitted to a facility where a registered nurse accepts responsibility for the patient’s direct nursing care. A patient must be assigned to a registered nurse at all times.

“Complaint”, any oral or written communication by a patient, medical professional, facility or any of its employees that a facility has violated any term or condition of this act.

“Facility”, a hospital licensed under section 51 of this chapter, the teaching hospital of the University of Massachusetts medical school, any licensed private or state-owned and state-operated general acute care hospital, an acute psychiatric hospital, an acute care specialty hospital, or any acute care unit within a state operated healthcare facility. This definition shall not include rehabilitation facilities or long-term care facilities.

“Health Care Workforce”, personnel employed by or contracted to work at a facility that have an effect upon the delivery of

quality care to patients, including but not limited to registered nurses, licensed practical nurses, unlicensed assistive personnel, service, maintenance, clerical, professional and technical workers, and all other health care workers.

“Nursing care”, care which falls within the scope of practice as defined in Section 80B of Chapter 112 of the General Laws or is otherwise encompassed within recognized standards of nursing practice, including assessment, nursing diagnosis, planning, intervention, evaluation and patient advocacy.

“Violation”, any failure by a facility to abide by a term or condition of this act.

“Written Implementation Plan”, a written plan detailing both the maximum number of patients to be assigned at all times to a registered nurse in each of the units enumerated in section 231C as well as concurrently detailing the facility’s plans to ensure that it will implement such limits without diminishing the staffing levels of its health care workforce.

Section 231B: Concurrently with establishing and enforcing the maximum patient assignment limits enumerated in Section 231C below, each facility shall submit a written implementation plan to the Massachusetts Health Policy Commission certifying that it will implement the patient assignment limits without diminishing the staffing levels of its health care workforce.

Section 231C: It is the right of every patient in a facility to nursing care deemed safe by the registered nurse who has accepted responsibility for his or her care. It is the responsibility of each facility to provide the resources necessary to

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support the safe patient limits enumerated in this section. The maximum number of patients assigned at all times to a registered nurse in a facility shall not exceed the limits enumerated in this section.

Nothing shall preclude a facility from assigning fewer patients to a registered nurse than the limits enumerated in this section; provided, however, that no such assignment shall result in a reduction in the staffing level of the health care workforce assigned to the facility's patients.

The patient assignment limits shall be as follows:

- a. In all units with step-down/intermediate care patients, the maximum patient assignment of step-down/intermediate patients is three (3). Step-down/intermediate care patients are those patients that require an intermediate level of care between the intensive care unit and general medical surgical unit.
- b. In all units with post anesthesia care (PACU) patients, the maximum patient assignment of PACU patients under anesthesia is one (1). The maximum patient assignment of PACU patients post anesthesia is two (2).
- c. In all units with operating room (OR) patients, the maximum patient assignment of OR patients under anesthesia is one (1). The maximum patient assignment of OR patients post anesthesia is two (2).
- d. In the Emergency Services Department:
 - (1) The maximum patient assignment of critical care or intensive care patients is one (1). A registered nurse

may accept a second critical care or intensive care patient if that nurse assesses that each patient's condition is stable.

- (2) The maximum patient assignment of urgent non-stable patients is two (2). A patient is in an urgent non-stable condition when prompt care of the patient is necessary within fifteen to sixty minutes.
- (3) The maximum patient assignment of urgent stable patients is three (3). A patient is in an urgent stable condition when prompt care of the patient is necessary but can wait up to three hours if necessary.
- (4) The maximum patient assignment of non-urgent stable patients is five (5). A patient is in a non-urgent stable condition when the patient has a condition or conditions that need attention, but time is not a critical factor.

e. In all units with maternal child care patients:

- (1) The maximum patient assignment of active labor patients, patients with intermittent auscultation for fetal assessment, and patients with medical or obstetrical complications is one (1) patient.
- (2) The maximum patient assignment during birth and for up to two (2) hours immediately postpartum is one (1) nurse responsible for the mother and, for each baby, one (1) nurse whose sole responsibility is the baby. When the condition of the mother and baby are determined to be stable and the critical elements are met, one (1) nurse may care for both the mother and the baby(ies).

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- (3) The maximum patient assignment during the postpartum period for uncomplicated mothers or babies is six (6), which shall be comprised of either six (6) mothers or babies, three (3) couplets of mothers and babies, or, in the case of multiple babies, not more than a total of six (6) patients. As used in this subsection, couplet shall mean one (1) mother and one (1) baby.
- (4) The maximum patient assignment of intermediate care or continuing care babies is two (2) babies.
- (5) The maximum patient assignment of well-baby patients is six (6) babies.
- f. In all units with pediatric patients, the maximum patient assignment of pediatric patients is four (4).
- g. In all units with psychiatric patients, the maximum patient assignment of psychiatric patients is five (5).
- h. In all units with medical, surgical and telemetry patients, the maximum patient assignment of medical, surgical and telemetry patients is four (4).
- i. In all units with observational/outpatient treatment patients, the maximum patient assignment of observational/outpatient treatment patients is four (4).
- j. In all units with rehabilitation patients, the maximum patient assignment of rehabilitation patients is five (5).
- k. In any unit not otherwise listed, the maximum patient assignment is four (4).

Section 231D: Each facility shall implement the patient assignment limits established by Section 231C. However, implementation of these limits shall not result in a reduction in the staffing levels of the health care workforce.

Section 231E: The Massachusetts Health Policy Commission shall promulgate regulations governing and ensuring the implementation and operation of this act, including but not limited to regulations setting forth the contents and implementation of: (a) certification plans each facility must prepare for implementing the patient assignment limits enumerated in Section 231C, including the facility obligation that implementation of limits shall not result in a reduction in the staffing level of the health care workforce assigned to such patients; and (b) written compliance plans that shall be required for each facility out of compliance with the patient assignment limits. Notwithstanding the terms of this or any other section of this act, the Massachusetts Health Policy Commission shall not promulgate any regulation that directly or indirectly permits any delay, temporary or permanent waiver, or modification of the requirements set forth in sections 231C and 231D above.

Section 231F: Patient Acuity Tool. The patient acuity tool shall serve as an adjunct to the assessment of the registered nurse and shall be designed to promote and support the provision of safe nursing care for the patient(s); however, such tools are not to be utilized as a substitute for the assessment and clinical judgment of the registered nurse assigned to the patients. Each facility shall develop a patient acuity tool for each unit designated in Section 231C. The patient assessment and use

of the patient acuity tool shall be performed by the nurse who has accepted the assignment for that patient(s). The patient acuity tool for each unit in a facility shall be developed by a committee, the majority of which is comprised of staff nurses assigned to the particular unit. The patient acuity tool shall be developed to determine if the maximum number of patients that may be assigned to a registered nurse(s) should be lower than the patient assignment limits specified in Section 231C, in which case that lower number will govern for those patients. The patient acuity tool shall be written so as to be readily used and understood by registered nurses, shall measure the acuity of patients not less frequently than each shift, upon admission of a patient, and upon significant change(s) in a patient's condition and shall consider criteria including but not limited to: (1) the need for specialized equipment and technology; (2) the intensity of nursing interventions required and the complexity of clinical nursing judgment needed to design, implement and evaluate each patient's nursing care plans consistent with professional standards of care; (3) the skill mix of members of the health care workforce necessary for the delivery of quality care for each patient; and (4) the proximity of patients to one another who are assigned to the same nurse, the proximity and availability of other healthcare resources, and facility design. A facility's patient acuity tool shall, prior to implementation, be certified by the Massachusetts Health Policy Commission as meeting the above criteria, and the Commission may issue regulations governing such tools, including their content and implementation. Such patient acuity tool and information contained and documented therein shall be part of the patient

medical record.

Section 231G: This act shall not be construed to impair any collective bargaining agreement or any other contract in effect as of the effective date of this act, but shall have full force and effect upon the earliest expiration date of any such collective bargaining agreement or other contract. Nothing in this act shall prevent the validity or enforcement of terms in a collective bargaining agreement or other contract that provides for a lower number of patients assigned to a nurse than the number mandated by the patient assignment limits set forth in this act.

Section 231H: Enforcement. The Massachusetts Health Policy Commission may conduct inspections of facilities to ensure compliance with the terms of this act. A facility's failure to adhere to the patient assignment limits set forth in Section 231C, as adjusted per the requirements set forth in Sections 231D and 231F, shall be reported by the Massachusetts Health Policy Commission to the Attorney General for enforcement. The Attorney General may bring a Superior Court action seeking injunctive relief and civil penalties in the amount of up to twenty-five thousand dollars per violation. A separate and distinct violation, for which the facility shall be subject to a civil penalty of up to twenty five thousand dollars, shall be deemed to have been committed on each day during which a violation continues following notice to the facility. Upon written notice by the Health Policy Commission that a complaint has been made or a violation has occurred, a facility receiving such notice shall submit a written compliance plan to the Commission that demonstrates the manner in which the facility will ensure future compliance with all of the provisions of this act within the time

frame required by the Commission. No employee shall be disciplined or retaliated against in any manner for complying with the patient limits set forth in section 231C above, and any such employee so disciplined or retaliated against shall be entitled to the remedies provided in section 185(d) of chapter 149 regardless of whether the employee satisfies any other terms or conditions set forth in section 185 of chapter 149. The requirements of this act, and its enforcement, shall be suspended during a state or nationally declared public health emergency.

Section 231I: Every facility shall post in a conspicuous place or places on its premises, including within each unit, patient room, and waiting areas, a notice to be prepared or approved by the Massachusetts Health Policy Commission that is easily readable in lay terms in English and in other languages determined by the commission setting forth excerpts of this act, including all of the patient assignment limits set forth in Section 231C, along with the manner in which to report violations and such other relevant information which the commission deems necessary to explain the requirements of this act. Any facility subject to this act which refuses to comply with the provisions of this section shall be punished by a civil penalty of not less than two hundred and fifty dollars and not more than two thousand five hundred dollars for each day the facility is not in compliance. The provisions of this section shall be enforced by the Attorney General.

Section 231J: The Massachusetts Health Policy Commission shall establish a toll-free telephone number where complaints

against facilities can be reported, and a public website where complaints, certification and compliance plans, and violations shall appear and be updated at least quarterly for each facility. The toll-free telephone number and website location shall be included in all notices prepared and posted pursuant to Section 2311 above.

SECTION 2: Severability. The provisions of this act are severable, such that, if any clause, sentence, paragraph or section, or an application thereof, shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair, or invalidate the remainder of any clause, sentence, paragraph or section thereof and shall be confined in its operation to such clause, sentence, paragraph, section or application adjudged invalid; provided further, that any such clause, sentence, paragraph, section or application deemed invalid shall be reformed and construed such that it would be valid to the maximum extent permitted.

SECTION 3: This act shall take effect on January 1, 2019.

QUESTION 2:

Law Proposed by Initiative Petition

Commission on Limiting Election Spending and Corporate Rights

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

As required by law, summaries are written by the State Attorney General.

This proposed law would create a citizens commission to consider and recommend potential amendments to the United States Constitution to establish that corporations do not have the same Constitutional rights as human beings and that campaign contributions and expenditures may be regulated.

Any resident of Massachusetts who is a United States citizen would be able to apply for appointment to the 15-member commission, and members would serve without compensation. The Governor, the Secretary of the Commonwealth, the state Attorney General, the Speaker of the state House of Representatives, and the President of the state Senate would each appoint three members of the commission and, in making these appointments, would seek to ensure that the commission reflects a range of geographic, political, and demographic backgrounds.

The commission would be required to research and take testimony, and then issue a report regarding (1) the impact of political spending in Massachusetts; (2) any limitations on the state's ability to regulate corporations and other entities in light of Supreme Court decisions that allow corporations to assert certain constitutional rights; (3) recommendations for constitutional amendments; (4) an analysis of constitutional amendments introduced to Congress; and (5) recommendations for advancing proposed amendments to the United States Constitution.

The commission would be subject to the state Open Meeting Law and Public Records Law. The commission's first report would be due December 31, 2019, and the Secretary of the Commonwealth would be required to deliver the commission's report to the state Legislature, the United States Congress, and the President of the United States.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

WHAT YOUR VOTE WILL DO

As required by law, the statements describing the effect of a "yes" or "no" vote are written jointly by the State Attorney General and the Secretary of the Commonwealth.

A YES VOTE would create a citizens commission to advance an amendment to the United States Constitution to limit the influence of money in elections and establish that corporations do not have the same rights as human beings.

A NO VOTE would not create this commission.

STATEMENT OF FISCAL CONSEQUENCES

As required by law, statements of fiscal consequences are written by the Executive Office of Administration and Finance.

The proposed law has no discernible fiscal consequences for state and municipal government finances.

ARGUMENTS

As provided by law, the 150-word arguments are written by proponents and opponents of each question, and reflect their opinions. The Commonwealth of Massachusetts does not endorse these arguments, and does not certify the truth or accuracy of any statement made in these arguments. The names of the individuals and organizations who wrote each argument, and any written comments by others about each argument, are on file in the Office of the Secretary of the Commonwealth.

IN FAVOR: A YES vote advances an amendment to the U.S. Constitution to limit the influence of money in elections and ensure all Americans have an equal voice in our democracy.

Behind our nation's challenges is a crisis of billionaires and special interests using money to buy access and influence with politicians. These special interests are well-represented, while most Americans are not.

The Supreme Court says that laws limiting political spending violate the First Amendment. Most Americans know this is incorrect: Money is not speech, it is power, and concentrated power requires checks and balances. 75% of Americans, including liberals and conservatives, support this amendment to correct the Court, with 19 states and over 200 Massachusetts communities formally calling for it.

This measure creates a non-partisan, unpaid Citizens Commission to be the people's advocate for this amendment, with commissioners serving at no cost to taxpayers.

Jeff Clements
People Govern, Not Money
33 Bradford St.
Concord, MA 01742
978-254-6275
<https://voteyeson2ma.org>

AGAINST: The controversy surrounding the Citizens United decision hinges on our cherished right to Freedom of Speech. In the decision, the court ruled to expand that freedom and apply it equally to all entities and organizations, rather than just the arbitrary list of winners and losers selected by elected officials in previous campaign finance laws.

This is a good thing. The First Amendment protection of our Freedom of Speech is one of the pillars of our democracy and should be preserved and expanded at every possible opportunity. The less government standing in the way of the exercise of that right, the stronger it is.

However, even if you disagree with the Citizens United decision, an amendment to the United States Constitution is a dangerous and misguided way to go about undoing it. Please vote no on this question.

Massachusetts Fiscal Alliance
18 Tremont St., Suite 527
Boston, MA 02108
www.MassFiscal.org
www.MassFiscalScorecard.org

FULL TEXT OF QUESTION

Be it enacted by the People, and by their authority:

Section 1. Policy and Purpose

- a. This Act establishes a non-partisan Citizens Commission to advance the policy of Massachusetts in favor of amending the Constitution of the United States (i) to affirm that artificial entities do not possess the inalienable Constitutional rights of the People, and (ii) in order to eliminate the undue influence of concentrated money on elections and on governmental policy, campaign contributions and spending may be regulated and limited.
- b. It is the intent of this Act that the proposed federal constitutional amendment or amendments that are the subject matter of this Act shall be drafted and construed so as to protect the integrity and fairness of elections and government; prevent corruption; secure the right of all Americans to be represented and to participate in self-government as equal citizens; protect the freedom of speech, of the press and other rights of all Americans over the privileges of artificial entities; and ensure the constitutionality of sound regulation and operation of corporations and other economic entities by the people.
- c. To further this intent and advance the constitutional amendment(s) and the policies described herein, an independent, non-partisan Citizens Commission is hereby established for the purpose of reporting and making such recommendations as may be of assistance in drafting,

promoting, proposing and ratifying such constitutional amendment(s).

- d. This Act shall be known as the Citizens Commission Concerning a Constitutional Amendment for Government of the People Act.

Section 2. Establishment of Citizens Commission Concerning a Constitutional Amendment for Government of the People

- a) This Act establishes a Citizens Commission Concerning a Constitutional Amendment for Government of the People to advance the policies of the Commonwealth of Massachusetts, (1) that inalienable Constitutional rights are the rights of individual living human beings and not of artificial entities or aggregations of people, and (2) as set forth in a Resolution passed by the General Court of Massachusetts in 2012, which resolved that “the Commonwealth of Massachusetts hereby calls upon the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people” based on the following:
 - i) “Whereas, the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations;
 - ii) Whereas, for the past three decades, a divided United States Supreme Court has transformed the First Amendment into a powerful tool for corporations seeking to evade and invalidate democratically-enacted reforms;

- iii) Whereas, this corporate takeover of the First Amendment has reached its extreme conclusion in the United States Supreme Court's recent ruling in Citizens United v. FEC;
 - iv) Whereas, the United States Supreme Court's ruling in Citizens United v. FEC overturned longstanding precedent prohibiting corporations from spending their general treasury funds in our elections;
 - v) Whereas, the United States Supreme Court's ruling in Citizens United v. FEC will now unleash a torrent of corporate money in our political process unmatched by any campaign expenditure totals in United States history;
 - vi) Whereas, the United States Supreme Court's ruling in Citizens United v. FEC presents a serious and direct threat to our democracy;
 - vii) Whereas, the people of the United States have previously used the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and self-government.”
- b) The People find and declare that the establishment of a non-partisan Citizens Commission as provided herein will ensure prudent consideration of such a constitutional amendment by the Massachusetts Congressional delegation and by the citizens and the General Court of Massachusetts during the ratification process to follow Congressional approval.
- c) The Citizens Commission shall research, take testimony, report, and make such recommendations as may be of

assistance in drafting, promoting, proposing, and ratifying such a constitutional amendment.

Section 3. Composition, Appointments, and Deliberative Process

- a) The Citizens Commission shall be comprised of 15 United States citizens who are residents of Massachusetts, and shall be appointed as follows:
 - i) The Governor shall appoint 3 members;
 - ii) The Secretary of the Commonwealth shall appoint 3 members;
 - iii) The Attorney General shall appoint 3 members;
 - iv) The Speaker of the House shall appoint 3 members; and
 - v) The President of the Senate shall appoint 3 members.
- b) No person shall be appointed to the Citizens Commission who has not publicly applied for such appointment, which applications the Governor shall cause to be posted on a page established for the public knowledge and oversight of the appointment and operation of the Citizens Commission on the official website of the Commonwealth of Massachusetts.
- c) An application by any citizen who seeks to serve on this Commission shall state:
 - i) The intent of the applicant to comply with and advance the policy established by this Act;
 - ii) The applicant's qualifications and interest in serving on the Citizens Commission;

- iii) The political party affiliation, if any, of the applicant over the previous 5 years;
 - iv) The city or town in which the applicant resides;
 - v) The employment of the applicant, if employed.
- d) All applications for service on the Citizens Commission shall be submitted within 60 days of the posting of the appointment opportunity on the official website of the Commonwealth of Massachusetts, which posting the Governor shall cause to be made within 30 days of effective date of this Act.
- e) All appointments to the Citizens Commission shall be made no sooner than 90 days and no later than 120 days after the effective date of this Act.
- f) In making appointments to the Commission, the Governor, Secretary of State, Attorney General, President of the Senate and Speaker of the House of Representatives shall have due regard for the non-partisan nature of the Citizens Commission, and shall seek to ensure that the Citizens Commission reflect a range of geographic, political, and demographic backgrounds.
- g) Appointees to the Citizens Commission shall serve without compensation.
- h) Members of the Citizens Commission shall elect a chair or co-chairs, in the manner as the members of the Commission may decide by majority vote.
- i) The Citizens Commission shall meet on a regular basis

to gather evidence, testimony, and advice in the manner that the members of the Commission determine is most conducive to achieving the objectives of this Act, provided however, that the Citizen Commission proceedings and activities shall be subject to the Open Meeting Law and the Public Records Law, and that all residents of Massachusetts have a reasonable opportunity to offer their views and ideas related to the policies herein to the Commission.

Section 4. Report and Recommendations

- a) The Citizens Commission shall issue a Report of Findings and Recommendations, which shall include the following:
 - i) The nature and impact of political and election spending in Massachusetts;
 - ii) The limitations, if any, on the legal ability of the Commonwealth and its citizens to reasonably regulate corporations and other entities due to the Supreme Court's conclusion that corporations may assert Constitutional rights of human beings;
 - iii) Recommendations as to the scope and language of one or more constitutional amendment resolutions that would address the problem and policies described herein, and that would be prudent for the Commonwealth of Massachusetts to ratify under Article V of the United States Constitution;
 - iv) An analysis of the constitutional amendments that have been introduced in Congress to date in response to the Supreme Court's decision in Citizens United v. FEC,

an assessment of their alignment with the policies and objectives set forth in this Act; and

- v) Recommendations for actions to be taken by Congress, the General Court of Massachusetts, the Governor, Secretary of the Commonwealth, the Attorney General and other public officials and bodies, and citizens of the Commonwealth of Massachusetts to further promotion, proposal, and ratification of the recommended constitutional amendment or amendments.
- b) The Citizens Commission shall deliver its first Report and Recommendations to the President of the Senate, the Speaker of the House of Representatives, the Governor, the Secretary of the Commonwealth, the Attorney General and the citizens of Massachusetts on or before December 31, 2019.
- c) Within 5 days of receipt, the Secretary of the Commonwealth is instructed to deliver the Report and Recommendations of the Citizens Commission to all current members of the General Court of Massachusetts, all current members of the United States Congress, and the President of the United States.
- d) The Secretary of the Commonwealth is directed to immediately deliver copies of this law, when enacted, to the following persons: The Governor, the Attorney General, all current members of the General Court of Massachusetts, all current members of the United States Congress, and the President of the United States.

e) With the Act, the People hereby urge that Congress, the General Court of Massachusetts, the Governor, Secretary of the Commonwealth, the Attorney General and other public officials and bodies, and citizens of the Commonwealth of Massachusetts carefully review the Citizen Commission's findings and take all constitutional and lawful actions to further the proposal and ratification of the recommended constitutional amendment or amendments.

Section 5. Severability

The several provisions of this Act are independent and severable and the invalidity, if any, of any part or feature thereof shall not affect or render the remainder of the Act invalid or inoperative.

Section 6. Effective Date

This act shall take effect on January 1, 2019.

QUESTION 3

Referendum on an Existing Law

Transgender Anti-Discrimination

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on July 7, 2016?

SUMMARY

As required by law, summaries are written by the State Attorney General.

This law adds gender identity to the list of prohibited grounds for discrimination in places of public accommodation, resort, or amusement. Such grounds also include race, color, religious creed, national origin, sex, disability, and ancestry. A “place of public accommodation, resort or amusement” is defined in existing law as any place that is open to and accepts or solicits the patronage of the general public, such as hotels, stores, restaurants, theaters, sports facilities, and hospitals. “Gender identity” is defined as a person’s sincerely held gender-related identity, appearance, or behavior, whether or not it is different from that traditionally associated with the person’s physiology or assigned sex at birth.

This law prohibits discrimination based on gender identity in a person’s admission to or treatment in any place of public accommodation. The law requires any such place that has separate areas for males and females (such as restrooms) to allow access to and full use of those areas consistent with a person’s gender identity. The law also prohibits the owner or manager of a place of public accommodation from using advertising or signage that discriminates on the basis of gender identity.

This law directs the state Commission Against Discrimination to adopt rules or policies and make recommendations to carry out this law. The law also directs the state Attorney General to issue regulations or guidance on referring for legal action any person who asserts gender identity for an improper purpose.

The provisions of this law governing access to places of public accommodation are effective as of October 1, 2016. The

remaining provisions are effective as of July 8, 2016.

WHAT YOUR VOTE WILL DO

As required by law, the statements describing the effect of a “yes” or “no” vote are written jointly by the State Attorney General and the Secretary of the Commonwealth.

A YES VOTE would keep in place the current law, which prohibits discrimination on the basis of gender identity in places of public accommodation.

A NO VOTE would repeal this provision of the public accommodation law.

STATEMENT OF FISCAL CONSEQUENCES

As required by law, statements of fiscal consequences are written by the Executive Office of Administration and Finance.

The proposed repeal of the existing law has no discernible material fiscal consequences for state and municipal government finances.

ARGUMENTS

As provided by law, the 150-word arguments are written by proponents and opponents of each question, and reflect their opinions. The Commonwealth of Massachusetts does not endorse these arguments, and does not certify the truth or accuracy of any statement made in these arguments. The names of the individuals and organizations who wrote each argument, and any written comments by others about each argument, are on file in the Office of the Secretary of the Commonwealth.

IN FAVOR: Vote YES to keep in place current law that:

- Keeps Massachusetts welcoming and fair.
- Prevents discrimination in places like stores, restaurants, and hospitals.
- Protects transgender youth and adults.
- Lets transgender people go about their daily lives, including in restrooms, which we all need to use.

We all value safety and privacy, including transgender people. This law has been in place for two years with no increase in public safety incidents. Harassing people remains illegal, and those who commit crimes are still prosecuted.

That's why experts who support the law include:

- Law enforcement, including the Massachusetts Chiefs of Police Association and Massachusetts Major City Chiefs of Police.
- Women's organizations and the Massachusetts Coalition Against Sexual Assault and Domestic Violence.
- The Massachusetts Parent-Teacher Association.

Transgender people are our neighbors, coworkers, and friends who contribute to our thriving communities. A YES vote upholds basic values of fairness, dignity, and respect for all.

Susan Donnelly

Freedom for All Massachusetts

www.freedommassachusetts.org

AGAINST: Voting NO repeals the “Bathroom Bill” law and prevents men from entering women’s bathrooms, locker rooms, dressing rooms, and intimate spaces. The law violates the privacy and safety of women by allowing any man identifying as a woman, including convicted sex offenders, to share women’s facilities. Under the law, any attempt to block a man from entering the women’s locker room, dressing room, or bathroom could result in individual penalties of up to \$50,000 and a year in prison. Businesses are also affected, like a female spa owner who faced a discrimination claim for declining to wax the genitals of a man identifying as a woman. No law should make women and girls feel unsafe and exploit their privacy and security. The MA Legislature passed a law that goes too far, even refusing to include a provision to exclude convicted sex offenders. A NO vote protects women’s privacy and safety.

Debby Dugan

Keep MA Safe

400 TradeCenter, Suite 1950

Woburn, MA 01801

339-298-7567

www.keepmasafe.org

FULL TEXT OF QUESTION

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for protection from discrimination on the basis of gender identity, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 92A of chapter 272 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word “sex”, in line 9, the following words:- , gender identity.

SECTION 2. The second paragraph of said section 92A of said chapter 272, as so appearing, is hereby further amended by adding the following sentence:-

An owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement that lawfully segregates or separates access to such place of public accommodation, or a portion of such place of public accommodation, based on a person’s sex shall grant all persons admission to, and the full enjoyment of, such place of public accommodation or portion thereof consistent with the person’s gender identity.

SECTION 3. Section 98 of said chapter 272, as so appearing, is hereby amended by inserting after the word “sex”, in line 3, the following words:- , gender identity.

SECTION 4. (a) The Massachusetts Commission Against Discrimination shall adopt, promulgate, amend and rescind rules and regulations or formulate policies and make recommendations to effectuate the purposes of this act, including when and how gender identity, as defined in clause Fifty-ninth of section 7 of chapter 4 of the General Laws, may

be evidenced.

(b) The attorney general's office shall issue regulations or guidance for referring to appropriate law enforcement agency or other appropriate authority for legal action any person whose assertion of a gender identity is for an improper purpose, as provided in clause Fifty-ninth of section 7 of chapter 4.

(c) The Massachusetts Commission Against Discrimination and the attorney general's office shall report such rules, regulations, policies, recommendations or guidance to the clerks of the house of representatives and the senate not later than September 1, 2016.

SECTION 5. Sections 2 and 3 shall take effect on October 1, 2016.

How to Register to Vote...

You may submit a voter registration form if you are:

- **a U.S. citizen, and**
- **a resident of Massachusetts, and**
- **at least 16 years old, and**
- **not currently incarcerated for a felony conviction.**

Pre-registering to Vote

While you must be 18 years old in order to vote, you may pre-register to vote if you are at least 16 years old. If you would like to pre-register, you may submit a voter registration form to your local election official. Your local election official will add you to the list of pre-registrants who will become registered voters

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upon turning 18. You will be notified by mail when you become eligible to vote.

Please note that you will only be eligible to vote in the November 6, 2018 State Election if you will be 18 years old on or before that date. If you will be turning 18 by Election Day, you must register by the October 17, 2018 deadline for registering to vote – even if your birthday falls after the deadline.

When to Register

There is no waiting period to be eligible to register to vote. As soon as you consider your address your “home,” you may register to vote from that address. Please remember that any time you move, you must re-register. If you move, you may register to vote as soon as you move into your new home.

The deadline to register to vote for the November 6th State Election is October 17th. Your mail-in voter registration form must be postmarked by October 17, 2018 for you to be eligible to vote in the November 6, 2018 State Election.

How to Register

Online: If you have a Massachusetts driver’s license or other identification card issued by the Registry of Motor Vehicles, you may submit your application online at www.RegisterToVoteMA.com. Online voter registration forms must be submitted before midnight on October 17th in order for you to be eligible to vote on November 6th.

In Person: Go to any registration location, such as your city

or town hall, and complete an affidavit of registration. Local election offices must be open for voter registration until 8 p.m. on October 17, 2018.

By Mail: Mail-in registration forms are widely available. A mail-in registration form is enclosed with this booklet. To obtain additional mail-in registration forms please visit our website at www.sec.state.ma.us/ele to download a form or call 1-800-462-VOTE (8683). Mail the completed form to your local city or town hall.

At the Registry of Motor Vehicles: You may complete a voter registration application while applying for or renewing a driver's license. Check your Motor Voter receipt before you leave—it will indicate whether or not you registered to vote. Keep your Motor Voter receipt until you receive confirmation from your local election official.

Changing Your Address

If you have moved, you must register again. You may register to vote as soon as you move into your new home. You may update your registration by submitting a new form online, by mail, or in person at any voter registration location. Any changes must be made by the October 17th deadline to register to vote.

Confirmation of Voter Registration

No matter how you register, you should receive confirmation of your registration from your local election official within 2-3 weeks. If you do not receive your notice in the mail, please contact your local election office to verify your voting status.

You may also confirm your voter registration status on our website at www.sec.state.ma.us/ele.

Reminder! Bring Personal Identification to the Polls!

You may be required to show personal identification in order to vote. If you registered to vote by mail, you may be required under federal law to show identification the first time you vote in a federal election, such as the 2018 State Election. Under Massachusetts law, any voter may be asked to show identification if there is a question about their identity. It is recommended that all voters be prepared to show identification on Election Day.

Acceptable identification must include your name and the address at which you are registered to vote, for example: a current and valid driver's license, photo identification card, current utility bill, bank statement, pay stub, government check, letter from your dormitory on school letterhead, or any other official and current document that shows your name and the address at which you are registered.

Online Tools



Register to Vote Online

Many Massachusetts citizens may now submit their voter

registration forms online. If you have a Massachusetts driver's license or any other identification card issued by the Registry of Motor Vehicles, you may submit your voter registration form at www.RegisterToVoteMA.com.

The Secretary of the Commonwealth's online voter registration system allows you to register to vote, change your address, or update your political party.

Once you have submitted your online voter registration, you will be provided with a confirmation page to print for your records. This page is your proof that you submitted your form by the registration deadline. Your form will then be sent to your local election official, who must review and approve your form. Once your local election has processed your form, you will be sent confirmation of your voter registration by mail.

Applications submitted online must be completed by 11:59 p.m. on October 17, 2018 in order for you to be eligible to vote on November 6, 2018.

Check Your Voter Registration Status

If you would like to confirm that you are registered to vote at your current address, you may find your voter registration information online by going to www.sec.state.ma.us/ele and clicking on the button that says "Am I Registered to Vote?" It is recommended that you confirm your voter registration information before the October 17th deadline to register to vote, so that you can make any changes necessary before that deadline.

Use this website to confirm your voter registration, address,

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and political party. If you are unable to find your voter registration information, you may still be registered to vote at a previous address.

If you are not registered to vote at your current address, or you wish to make any other changes to your registration information, you may submit a new voter registration form at www.RegisterToVoteMA.com to make those changes.

Find Your Polling Place & View Your Ballot

Your polling place may have changed since you last voted. You may find your polling place by entering your address at www.WhereDoIVoteMA.com. In addition to your polling place information, you will also be provided with the option to view your ballot. Click “View My Ballot” to look at the candidates and questions that will appear on your ballot on November 6th.

Track Your Ballot

If you have applied for an absentee ballot or an early ballot by mail, you may track your ballot at www.sec.state.ma.us/ele. Enter your name and address to view the date your ballot was mailed to you, the date it was received by your local election official, and the disposition of your ballot.

The information displayed on the website is provided by your local election official. You should contact your local election official with any questions or concerns about your absentee or early ballot. If your ballot has been rejected for any reason (such as failure to sign the affidavit on the ballot envelope), you will be sent a new ballot as long as time allows. It is

recommended that you apply for your ballot and return it as soon before Election Day as possible.

Early and Absentee Voting

Early Voting

For your convenience, you are able to cast your November 6th state election ballot before Election Day.

What is early voting?

Early ballots are regular election ballots which voters may request and cast before Election Day. All valid early ballots will be counted on Election Day, along with ballots cast at polling places.

Who can vote early?

All registered Massachusetts voters are eligible to vote early.

How can I vote early?

You may vote early in person at any early voting location in your city or town, or by mail.

A printable application for a mailed early ballot is available at www.MassEarlyVote.com. This form should be completed and submitted to your local election official, who will mail your ballot at the beginning of the early voting period. All ballots must be returned to your local election official by 8 p.m. on Election Day.

Where can I vote early?

There will be at least one early voting location in each city and

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town. Visit www.MassEarlyVote.com in early October for a list of early voting locations in your community.

When can I vote early?

The early voting period will begin on October 22nd and will end on November 2nd. Your local election official must conduct early voting sessions during their regular business hours, but they may hold extended hours. Visit www.MassEarlyVote.com in early October for a listing of early voting session dates and times in your community.

Absentee Voting

Absentee voting is available to those who qualify. Voters may cast absentee ballots if they will be absent from their municipality on Election Day, or if they have a disability or religious belief which prevents them from voting at their polling place. Unlike early voting, which is currently available only for November state elections, absentee voting is available for all elections.

Absentee ballot applications are available at www.sec.state.ma.us/ele.

The Postal Service recommends that voters mail ballots no later than one week before Election Day to account for any unforeseen events or weather issues and to allow for timely receipt and processing by election officials.

Military and Overseas Voters

In Massachusetts, members of the Uniformed Services serving on active duty, their families, and U.S. citizens residing

overseas are eligible to vote in all elections. These voters do not need to register to vote to request an absentee ballot. Absentee ballots can be requested using the Federal Post Card Application or any form of written communication, or a family member can request that an absentee ballot be sent to the voter.

These voters can request that their absentee ballots be sent to them either by mail, fax, or e-mail; ballots may also be returned to the local election officials by any of these methods.

Massachusetts also allows military and overseas voters to vote absentee in all elections by using the Federal Write-In Absentee Ballot (FWAB). The FWAB can be used to vote any time before an election, even if the voter did not apply for an absentee ballot. After voting on the FWAB, the voter may submit it by mail or electronically. Both the Federal Post Card Application and the Federal Write-in Absentee Ballot may be found on the website of the Federal Voting Assistance Program, www.FVAP.gov.

Voting on Election Day

Where do I vote?

Every address is assigned a polling place. Visit www.WhereDoIVoteMA.com to find your polling place.

You may also call the Elections Division at 1-800-462-VOTE (8683) for help finding your polling place.

All polling places are required by federal and state law to be accessible to elderly and disabled voters.

When are the polls open?

The polls must be open from 7:00 a.m. to 8:00 p.m. for state elections. Some municipalities may open their polls as early as 5:45 a.m. Contact your local election official to verify your polling hours.

How do I find out what offices and candidates are on my ballot?

Sample ballots as well as instruction cards are posted at the polls on Election Day. You may also view a sample ballot at www.WhereDoIVoteMA.com.

I registered to vote, but my name is not on the voting list—what do I do?

If you registered to vote, but your name is not on the voting list, ask the election officer in charge of the polling place to check your registration by looking at the inactive voter's list and by checking with the city or town clerk to see if you may be registered in another precinct in that municipality.

If they still cannot find your name, you may go to city or town hall to attempt to establish your identity as a registered voter or you may cast a provisional ballot at the polling place.

To cast a provisional ballot, you must complete a provisional ballot affirmation declaring that you are a registered voter in the city or town and that you reside in that precinct. You must also show suitable identification.

After the election, the local election official will search for records to confirm your voter registration. If your eligibility is

confirmed, your ballot will be counted. If your eligibility cannot be confirmed, your ballot will remain sealed in an envelope.

What happens in the polling place?

In Massachusetts, every voter casts a paper ballot. When you enter the polling place, you must go to the check-in table where you will be asked for your name and address.

Once you get your ballot, you go to a booth where you mark your choices for candidates and ballot questions.

After marking your ballot, you must go to the check-out table and again provide your name and address before depositing your ballot into the ballot box.

What if I need assistance?

If you need assistance because of vision impairment, disability, or inability to read or to read English, you may seek help from any person of your choice, including from the election officials in your polling place.

You may also ask the election officials to show you to the AutoMARK Voter Assist Terminal, an accessible ballot marking device which allows you to mark your ballot privately and independently. There will be at least one AutoMARK Voter Assist Terminal at each polling location. After inserting the ballot into the AutoMARK, the voter can review the ballot and make selections by using the touch screen and/or the keypad, while listening to the ballot over a set of headphones. The AutoMARK will mark the ballot in accordance with your choices, by filling in the corresponding ovals or connecting the

arrows on the ballot. The ballot will then be returned to you to be deposited into the ballot box.

What if I make a mistake on my ballot?

If you make a mistake on your ballot, you may request a new one. You may request up to two new ballots.

Can I bring materials into the polling place?

Yes, you may bring materials into the voting booth. You can bring pre-printed brochures or pamphlets or your own notes, but you cannot display those materials while in the polling location. You must take any materials with you when you leave the voting booth.

Services of the Secretary of the Commonwealth of Massachusetts

- **Citizen Information Service** functions as the primary information and referral agency for the state, offering information on state programs and agencies. CIS attempts to answer all requests, by providing either direct assistance or an immediate referral to the appropriate agency. As part of its goal to make state government more accessible to the public, CIS has established a publication series on specific topics of interest, including:

- The Citizens' Guide to State Services: A Selective Listing of Government Agencies and Programs, with addresses, phone numbers and agency descriptions. Price: \$22.00 (\$15 plus \$7.00 shipping cost). Free online at www.sec.state.ma.us/cis/ciscig/guide.html.

Available from the State House Bookstore, see below.

- Welcome to Massachusetts: A Practical Guide to Living in the State, free.
- Automobile Excise Tax, free.
- Property Tax Exemptions for Elders, Surviving Spouses and Minors, free.
- Safe and Sanitary Housing for Massachusetts Residents, free.
- Veterans Laws and Benefits Guide, free.
- Massachusetts Facts: A Review of the History, Government and Symbols of the State, for junior high to high school age students, free.

Citizen Information Service can be contacted at 617-727-7030 or 1-800-392-6090 (toll-free in Massachusetts only), website: www.sec.state.ma.us/cis, where many of the above documents are available for viewing.

Email: cis@sec.state.ma.us

• **The Elections Division** administers all state elections, provides information on voting, and supplies election materials to the public, candidates and government officials. 617-727-2828 or 1-800-462-VOTE (8683), website: www.sec.state.ma.us/ele
Email: elections@sec.state.ma.us

• **The Securities Division** endeavors to protect Massachusetts investors by licensing the sale of securities, requiring that high-risk securities be registered, investigating

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complaints, and taking appropriate enforcement and disciplinary actions. 617-727-3548 or 1-800-269-5428 (within Massachusetts), website: www.sec.state.ma.us/sct
Email: securities@sec.state.ma.us

- **The Public Records Division** maintains, preserves and makes accessible government records and records all gubernatorial appointments and commissions. 617-727-2832, website: www.sec.state.ma.us/pre
Email: pre@sec.state.ma.us

- **Real Estate Records.** Foreclosure and Homestead Information - Massachusetts is divided into 21 registry districts with an elected Register of Deeds responsible for each office. Documents related to the ownership of real estate within the district are recorded at the Registry of Deeds. Website: www.masslandrecords.com

- **The Massachusetts Archives** collects, catalogs, and preserves records of enduring value from nearly 400 years of state government. It serves as a vital resource to scholars, genealogists, and students and as an advisor to the historical records community in Massachusetts. 617-727-2816, website: www.sec.state.ma.us/arc
Email: archives@sec.state.ma.us

- **The Commonwealth Museum** brings Massachusetts history alive through exhibits, outreach and student programs and publications. 617-727-9268, website: www.commonwealthmuseum.org

- **The Massachusetts Historical Commission** is the

state agency responsible for historical preservation in the Commonwealth. It offers assistance to communities in listing properties with the National Register of Historic Places and establishing local historic districts. 617-727-8470,
website: www.sec.state.ma.us/mhc
Email: mhc@sec.state.ma.us

- **The State Bookstore** offers a wide range of books and pamphlets published by the Secretary of the Commonwealth and other state agencies, including the Code of Massachusetts Regulations. A free Bookstore Catalog is available. 617-727-2834, website: www.sec.state.ma.us/spr
Email: bookstore@sec.state.ma.us

- **The Regional Offices** in Springfield and Fall River offer many of the services provided by the Boston office and bring state government closer to the citizens of Massachusetts. Springfield 413-784-1376, Fall River 508-646-1374,
website: www.sec.state.ma.us/wso

- **The Corporations Division** is responsible for registering all Massachusetts profit and non-profit corporations and providing immediate summary information about almost 400,000 entities doing business in the state. 617-727-2850 or 617-727-9640,
website: www.sec.state.ma.us/cor
Email: corpinfo@sec.state.ma.us

Other divisions include:

- **Lobbyist**: website: www.sec.state.ma.us/lob

- **State Records Center**: website: www.sec.state.ma.us/rec

- **State Publications and Regulations:**

website: www.sec.state.ma.us/spr

- **State House Tours:** website: www.sec.state.ma.us/trs

If you have been the victim of investment fraud, Secretary Galvin's office might be able to help!

Secretary Galvin's office regulates and enforces laws relating to risk investments of all kinds that are offered or sold in Massachusetts.

Secretary Galvin's office has been successful in returning millions of dollars directly back to defrauded investors.

See if some of these situations where we were able to help are similar to yours:

An elderly widow went to her local bank branch to deposit money from the sale of property and was persuaded by the broker to invest in stock market funds and a market-linked CD. The customer was confused as to the nature of the investments because they were sold to her within the bank branch and the broker went against her express wishes not to have exposure to the stock market by placing her in those products. The customer contacted Secretary Galvin's office and was able to reverse the transactions and recover all of her money.

Two rogue brokers from a broker-dealer engaged in excessive trading in an elderly man's account in order to generate substantial commissions for themselves. The agents concealed the amount charged to the customer so he would not detect

the churning of his account. The customer contacted Secretary Galvin's office and was able to recover some of the excessive fees charged to his account and the brokerage firm was permanently barred from doing business in Massachusetts.

An older couple contacted Secretary Galvin's office because all of their money had been put into an annuity by their broker and they could not access their money without incurring substantial fees. Secretary Galvin's office was able to get them out of the annuity without having to pay the fees.

An individual preyed on his elder relatives to obtain total control over their brokerage accounts and steal their money to use for personal expenses. They notified Secretary Galvin's office when he admitted what he did and Secretary Galvin's office was able to get the brokerage firm to reimburse the stolen funds.

A retired couple hired an investment adviser to help them with their finances. He put them into a product for which he earned a large commission, but the product was unsuitable for their needs and the couple incurred substantial fees. Secretary Galvin's office was able to help get them out of the product and get the fees reimbursed to them.

A large broker-dealer failed to provide adequate disclosures and documents to older customers regarding surrender charges they incurred when the customers switched variable annuities. Secretary Galvin's office was able to have the broker-dealer reimburse the surrender charges to Massachusetts senior citizens.

A company paid an individual to advertise and sell its unregistered promissory notes related to real estate to Massachusetts residents. Secretary Galvin's office was able to get the company to offer reimbursements to all Massachusetts investors and stop the note sales in Massachusetts. Further, his office prevented the individual from being able to get into the securities industry in the future.

If you need help you can reach us toll-free at 1-800-269-5428.

Help for Victims of Domestic Violence

Massachusetts tries to protect victims of domestic violence, sexual assault, or stalking by helping them establish new confidential addresses to prevent perpetrators of violence from finding relocated victims.

This program, called the Address Confidentiality Program (ACP), is administered by the Secretary of the Commonwealth.

In order to be certified as a program participant, an applicant must show that disclosure of his or her address threatens the safety of the applicant or the applicant's children. ACP permits program participants to use a substitute mailing address when interacting with government agencies. The substitute address is used as the program participant's legal residence, as well as work and/or school address. Consequently, government records may be disclosed to the public without identifying the victim's new location.

How do I locate an application assistant to initiate the application process?

You may call ACP at 1-866-SAFE-ADD in order to locate an application assistant. You may also contact an agency or non-profit program that provides counseling, referral, shelter or other specialized services to victims of domestic abuse, rape, sexual assault, or stalking.

Massachusetts Voters' Bill of Rights

Your voting rights are protected. These rights are guaranteed to qualified registered voters.

1. You have the right to vote if you are a qualified registered voter.
2. You have the right to cast your ballot in a manner that ensures privacy. You have the right to vote without any person trying to influence your vote and to vote in a booth that prevents others from watching you mark your ballot.
3. You have the right to remain in the voting booth for five (5) minutes if there are other voters waiting and for ten (10) minutes if there are no other voters waiting.
4. You have the right to receive up to two (2) replacement ballots if you make a mistake and spoil your ballot.
5. You have the right to request assistance when voting from anyone of your choice. If you do not bring someone with you, you have the right to have two (2) poll workers assist you.
6. You have the right to vote if you are disabled. The polling place must be accessible, and there must be an

accessible voting booth.

7. You have the right to vote if you cannot read or write or cannot read or write English.
8. You have the right to vote but must show identification if: you are a first-time voter who registered to vote by mail and did not submit identification with the voter registration form; or your name is on the inactive voter list; or your vote is being challenged; or if requested by a poll worker. Acceptable forms of identification are: Massachusetts driver's license, other printed documentation containing your name and address such as a recent utility bill, rent receipt on landlord's letterhead, lease, or a copy of a voter registration acknowledgment or receipt.
9. You have the right to vote by absentee ballot if: you will be absent from your city or town on Election Day; or if you have a physical disability that prevents your voting at the polling place; or if you cannot vote at the polls due to religious belief.
10. You have the right to cast a provisional ballot if you believe you are a qualified registered voter but a poll worker tells you that you are ineligible to vote.
11. You have the right to follow up any challenge to your right to vote through the complaint process.
12. You have the right to vote if you are not currently incarcerated for a felony conviction and have registered as a voter after your release.

13. You have the right to take this Voters' Bill of Rights or any other papers, including a sample ballot, voter guide or campaign material into the voting booth with you. Please remember to remove all papers when you leave the booth.
14. You have the right to vote at your polling place any time between 7 a.m. and 8 p.m. for state and federal elections—hours may vary for local elections. If you are in line at your polling place when the polls close at 8 p.m., you have the right to vote.
15. You have the right to bring your children into the voting booth with you.

If you feel that your right to vote has been violated in any way, call the Secretary of the Commonwealth's Elections Division at 1-800-462-VOTE (8683). This call is free within Massachusetts.

Voter Checklist

Tear out and take to the polls.

Ballot Questions

Question 1 Yes No

Question 2 Yes No

Question 3 Yes No

Ballot Offices

Senator in Congress _____

Governor and Lieutenant Governor _____

Attorney General _____

Secretary of State _____

Treasurer _____

Auditor _____

Representative in Congress _____

Councillor _____

Senator in General Court _____

Representative in General Court _____

District Attorney _____

Clerk of Courts _____

County Commissioner (Barnstable, Bristol, Dukes, Norfolk,
Plymouth, or Franklin Council of Governments)

Register of Deeds _____

County Treasurer (Norfolk County only) _____

Register of Probate (Dukes County only) _____



William Francis Galvin
Secretary of the Commonwealth
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