



BOSTON CITY COUNCIL

Committee on Government Operations

Ricardo Arroyo, Chair

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REPORT OF COMMITTEE CHAIR

November 30, 2022

Dear Councilors:

Docket #0185, Petition for a Special Law re: An Act Granting the City of Boston the Authority to Provide Legal Voting Rights in Municipal Elections for City of Boston residents aged 16 and 17 Years Old, was referred to Committee on January 26, 2022, and sponsored by Councilors Julia Mejia and Kenzie Bok. The Committee held a hearing on March 15, 2022 where public comment was taken and working sessions on June 13, 2022 and November 17, 2022.

Summary of Legislation As Filed:

Docket #0185 is a home rule petition that would authorize the City of Boston to allow any individual aged 16 or 17 who is a resident of Boston to be able to vote, as long as they are eligible under state law for all other qualifications other than age. The proposal would place requirements on the Board of Election Commissioners including the costs associated with implementation and rulemaking authority to implement the provisions of this act. These individuals would be added to a list of voters established and maintained by the Board of Election Commissioners and would be allowed to vote for local offices and ballot questions in municipal elections. The 16 and 17 year olds registering to vote in local elections would fill out an alternative registration form. When the individual turns 18, they would be removed from the separate list and informed that they must register to vote in accordance with state law.

Information Gathered at the March 15th Hearing:

Councilors provided opening remarks. The lead co-sponsors expressed support of the proposal and discussed youth engagement. The Committee discussed that civics education should be taught in schools and the importance of youth engagement. Councilors discussed that youth should be involved in the decisions that impact their lives. Councilor Louijeune stated that Boston should lead in access to the ballot and expanding opportunities. Councilors discussed that young people work, pay taxes and are impacted by decisions made by elected officials.

Commissioner Eneida Tavares, Election Department and Sabino Piemonte, Assistant Registrar, Election Department, participated on behalf of the Administration and provided an overview of the current process and registration lists. The following individuals participated: Willie Sullivan, Senior Director of Campaigns and Scotland Electoral Reform Society; Director Cheryl Crawford, Executive Director, MassVOTE; Vanessa Snow, Director of Policy and Organizing, MassVOTE; Brandon Klugman, Associate Director of Campaigns, Generation Citizen; and, Naesoj Ware, Youth Advocate.

Registrar Piemonte and Commissioner Tavares discussed the implementation requirements proposed in the docket and reviewed the logistics of current procedures and databases. Registrar

Piemonte and Commissioner Tavares discussed data holding and explained that there is a pre-registration database and that they could consider having a database for 16 and 17 year olds that is secure and separate from the state. Commissioner Tavares explained that there needs to be a change in state law to chapter 51, section 4(b), regarding the census information that applies to 17 year olds and over. Commissioner Tavares explained that amending this section will allow the City to capture 16 year olds in the making of the lists. The Election Department explained that there is no public information on 16 year olds but that electoral registration is public so there will need to be procedures to accommodate privacy. Commissioner Tavares indicated that the Election Department is supportive of ways to increase voter participation. Commissioner Tavares referenced the student poll worker program as a way to involve youth in civics.

The Committee heard testimony from advocacy organizations. Vanessa Snow from MassVOTE testified in support of the proposal and discussed community organizing and civic engagement. Ms. Snow stated that it is practical to allow 16 and 17 year olds to vote in local elections because they drive, work, pay taxes and have a stake in Boston schools, homes, transportation, and parks. Ms. Snow stated that the youth have a stake in who serves as Mayor and on the City Council and deserve to have their voice heard in local elections. Ms. Snow also stated that research shows that civic engagement at a young age leads to long-term voter participation. Ms. Snow referenced Tacoma Park, Maryland where the voting age was lowered for local elections and the turnout rate of 16 and 17 year olds exceeded any other age group. Ms. Crawford expressed support for the proposal stating that youth can be messengers for their parents. Brandon Klugman testified in support of the proposal explaining that extending voting rights to 16 and 17 year olds will lead to a lifelong habit in civic engagement. Mr. Klugman also stated that nine municipalities have approved similar legislation and 16 and 17 year olds vote in higher numbers compared with other age groups. Councilors asked about best practices from other cities concerning logistics and implementation. The Committee discussed that in Tacoma Park there are separate ballots for local elections for 16 and 17 year olds. The Committee discussed promoting voter education in the community and the immigrant community. Mr. Sullivan discussed the referendum in Scotland which allowed 16 and 17 year olds to vote in local elections but not elections in the United Kingdom. Councilors asked what Scotland did to gather support. The Committee asked if there is an infrastructure in Scotland to organize youth, what types of civic engagement programs are in schools, and if Scotland has mechanisms that make it easier for youth to register.

Information Gathered at the June 13th Working Session:

The Committee discussed language suggestions based upon feedback from the hearing. Commissioner Eneida Tavares, Elections Department and Marta Crilly, Archivist for Reference and Outreach at Boston City Archives participated in the working session. The Committee discussed the language change which the Administration flagged at the hearing that replaces the phrase “each person of 17 years of age or older” with “each person 16 years of age or older” in Section 5 subsection (b). The Committee discussed whether 16 and 17 year olds would have to register twice. Commissioner Tavares addressed the double registration concern explaining the preregistration would be the ideal situation where registering for the municipal election you are registered for the state election. Commissioner Tavares explained that a separate registration form is not needed so that the preregistration form can be used. Ms. Crilly provided historical background where women were allowed to vote for the school committee in 1879. Ms. Crilly discussed that at the time there was some confusion because the Election Department compared rolls as opposed to one list. Chuck Corra, Associate Director of Coalitions and Policy Research

at Generation Citizen, participated and supported lowering the age to 16 and 17 year olds explaining that they work and are taxed.

Councilor Bok suggested adding another clause in Section 2 providing that registering for local voting shall constitute preregistration for state and federal elections. The Chair suggested using gender inclusive language throughout the legislation.

Information Gathered at the November 17th Working Session:

Commissioner Eneida Tavares and Sabino Piemonte, Head Assistant Registrar, Boston Elections Department participated on behalf of the Administration. Councilors Mejia and Bok spoke in support of the home rule petition as a way to increase civic engagement and develop voting patterns. The Committee reviewed the language of the docket section by section and highlighted the changes to the docket from its initial filing and the last working session. The Committee discussed that the changes address the concerns about having to register again at age 18. The Committee discussed public records, implementation of the legislation, and the resources of the Election Department. The Committee discussed that registration for municipal elections will double as preregistration for state and federal elections and will eliminate the need to register again at age 18. The Committee discussed that chapter 51 section 47A already authorizes the Election Department to preregister 16 and 17 year olds and directs the Election Department to have a list. The term “municipal” is the term used in the Boston City Charter so the term “local” is replaced with the term “municipal” throughout the docket. In Section 1, the phrase “but not in state or federal elections by reason of age” is added at the end in order to clarify the applicability to municipal elections. In Section 2, language is added to clarify that an alternative registration form pre-registers municipal voters for state and federal elections. In Section 7, the phrase “under the age of 18” is added after the word “voters.” The Committee discussed the applicability of chapter 51 section 4(a) to Boston. Councilor Bok suggested adding a new section in the legislation to reference chapter 51, subsection (b) of section 4.

The Committee also discussed whether there will be increased costs. Commissioner Tavares stated that the costs for state elections with municipal ballot questions would increase because of printing and machine counting. The Committee discussed the costs of ballots which are between 22-28 cents per page. The elections Department indicated that having a separate machine at each precinct would be an expense. The Committee discussed using a different software or hand counting as solutions to potential costs

Summary of Amendments

Based upon the information gathered at the hearings and working sessions, the docket is amended as follows:

- the term “local” is replaced with the term “municipal” throughout the docket;
- in Section 1, the phrase “but not in state or federal elections by reason of age” is added at the end in order to clarify the applicability to municipal elections.
- in Section 2, language is added to clarify that an alternative registration form pre-registers municipal voters for state and federal elections.
- a new Section 5 is added in order to ensure that voting lists are public records. Section 5 states the following: Subsection (a) of section 4 in chapter 51 of the General Laws shall be amended by adding, after “county agricultural school or a police department,” the phrase “except as specified in subsection (b) of this section.”

- the initially filed Section 5 is now Section 6 and is amended by striking the phrase “each person of 17 years of age or older” and replacing it with “each person 16 years of age or older”;
- new language is added at the end of Section 6 that provides that information of any 16 or 17 year old who registers as a municipal voter is a public record. The new language appears as follows: “It shall further be amended by adding, to the end of the subsection (b), the following sentences: “The name, residence, and age or date of birth of each 16 or 17 year old person who registers as a municipal voter in the City of Boston shall become a public record held by the Elections Department and publicly accessible as other voter records are. However, the name of any 16 year old person who has not registered to vote shall not be disclosed to any person other than the school committee or police department.”
- in Section 7, the phrase “under the age of 18” is added after the word “voters.”

Rationale and Recommended Action:

Passage of this docket will develop interest in civic engagement, voting patterns, and increase accessibility. Passage in the amended draft ensures that individuals registering for municipal elections will also be preregistered for state and federal elections and will not have to register again. This change will eliminate confusion for individuals as well as a barrier to voting accessibility. Passage of this docket as amended also provides clarity for public records purposes and maintains that voter information is public. Passage of this docket will increase voter accessibility and will provide 16 and 17 year olds with the opportunity to participate in municipal elections and

By the Chair of the Committee on Government Operations, to which the following was referred:

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submits a report recommending that this docket ought to pass in a new draft.

For the Chair:

Ricardo Arroyo, Chair



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