



**Massachusetts**

**INFORMATION  
FOR VOTERS**

**2010 Ballot Questions**

**STATE ELECTION**

**Tuesday, November 2, 2010**

**Voter Registration Mail-In Form Enclosed!**

*Published by*

**William Francis Galvin**  
Secretary of the Commonwealth

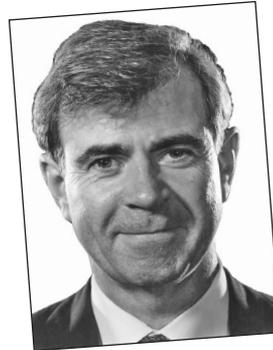


*The Commonwealth of Massachusetts*  
*Secretary of the Commonwealth*  
*State House, Boston, Massachusetts 02133*

*William Francis Galvin*  
*Secretary of the Commonwealth*

Dear Voter:

Massachusetts citizens like much of the country have suffered to a large extent because of the decline in the economy. Employment opportunities have been lost, cities and towns have reduced services and many citizens have seen their family finances hurt. The challenges of these times make the choices voters will make at this election all the more important. This election is an opportunity for your voice to be heard.



If you have not yet registered to vote, we have enclosed a form for you to fill out and mail back, but you must register by October 13, 2010 to have your name appear on the voting list. If you or any other members of your household would like any additional registration forms, please contact 1-800-392-6090 or 617-727-7030.

There are three binding statewide ballot questions that will appear on your ballot. The 2010 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.

My office provides many important services including business formation, investor protection, land record recordation and many others. However, the most important service we perform is providing citizen information. If you need help finding your way through state government, please contact our Citizen Information Service at 1-800-392-6090 or 617-727-7030.

I urge you to vote on November 2, 2010 and exercise the most essential right of our democratic system. Polling places will be open from 7:00 a.m. to 8:00 p.m. statewide and absentee ballots are easily available.

Very truly yours,

*William Francis Galvin*

William Francis Galvin  
Secretary of the Commonwealth

## Offices on the Ballot in 2010

**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**  
**Sheriff**  
**County Commissioner**  
 (Barnstable, Bristol, Dukes, Norfolk and Plymouth  
 counties only), or Executive Committee Franklin  
 Council of Government  
**County Charter Commissioner**  
 (Plymouth 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 13, 2010!**



## Voter Registration Mail-In Form Enclosed!

To receive additional Mail-in Voter Registration Forms, call the Elections Division at (617) 727-2828 or 1-800-462-VOTE.

## Contents

Question 1 Sales Tax on Alcoholic Beverages .....	4
Question 2 Comprehensive Permits for Low- or Moderate- Income Housing.....	5
Question 3 Sales and Use Tax Rates .....	7
Military and Overseas Voters.....	8
How to Register to Vote .....	9
Voting.....	10
Voting by Absentee Ballot... ..	11
Know the New Credit Card Rules (and the loopholes).....	12
If you have been the victim of investment fraud.....	13
Services of the Secretary of the Commonwealth of Massachusetts.....	14
Massachusetts Voters' Bill of Rights... ..	15
Voter Checklist.....	Back Cover

### ***¡Atención, ciudadanos que habla español!***

El Secretario del Estado ha publicado este folleto en español. Para solicitar ejemplares gratuitos de la versión en español, llámame al teléfono 617-727-7030 o 1-800-392-6090 (esta llamada es gratuita).

# 1

## QUESTION 1: Law Proposed by Initiative Petition

# Sales Tax on Alcoholic Beverages

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

### SUMMARY

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

This proposed law would remove the Massachusetts sales tax on alcoholic beverages and alcohol, where the sale of such beverages and alcohol or their importation into the state is

already subject to a separate excise tax under state law. The proposed law would take effect on January 1, 2011.

### WHAT YOUR VOTE WILL DO

**A YES VOTE** would remove the state sales tax on alcoholic beverages and alcohol where their sale or importation into the state is subject to an excise tax under state law.

**A NO VOTE** would make no change in the state sales tax on alcoholic beverages and alcohol.

### 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:** This ballot question repeals the 6.25% sales tax on beer, wine, and liquor imposed last year. Massachusetts' consumers have always paid a substantial excise tax on alcohol purchases. However, before last year, Massachusetts had no sales tax on the purchase of alcohol. The new sales tax should be repealed because it is an unfair "double tax;" a sales tax on top of an excise tax. The new sales tax has hurt small business owners who sell beer, wine, and liquor, particularly near New Hampshire, which has no sales tax on alcohol. Business has declined substantially for many of those stores. A 'yes' vote eliminates an unfair "double tax" on consumers and helps Massachusetts small businesses.

**Authored by:**  
**Frank Anzalotti**  
**Committee To Repeal the Alcohol Sales Tax**  
**c/o One Beacon Street**  
**Boston, MA 02108**  
**617-720-5090 www.YesTo1.com**

**AGAINST:** Alcohol is not a necessity and does not deserve a special tax exemption. The only goods in Massachusetts exempt from the sales tax are necessities like food, clothing, and prescriptions. If anything should be taxed, products like cigarettes and alcohol should be.

Revenues from the alcohol tax provide dedicated funding for healthcare services for more than 100,000 residents with behavioral health problems. Massachusetts has some of the highest rates of alcohol and drug abuse in the country - the last thing we need is to take money away from prevention and treatment services to make alcohol more accessible. The alcohol tax helps saves lives by reducing teen drinking and funding treatment services to help people beat addictions and get their lives back on track.

Nearly every state has a sales tax on alcohol in addition to excise taxes. Massachusetts faces a serious budget deficit; don't give alcohol a special exemption.

**Authored by:**  
**Vic DiGravio, Treasurer**  
**Committee Against Repeal of the Alcohol Tax**  
**c/o Association for Behavioral Healthcare**  
**251 W. Central Street**  
**Natick, MA 01760**  
**508-647-8385 x-11 www.NoOn1MA.com**

### FULL TEXT OF QUESTION

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

Section 1. Notwithstanding the provisions of any general or special law to the contrary, alcoholic beverages subject to the excise tax imposed by Chapter 138 of the General Laws shall be exempt from sales tax, and to that end, Section

6(g) of Chapter 64H of the General Laws, as most recently amended by St. 2009, c. 27, § 55, is hereby amended by striking out the words "and 64F" and inserting in place thereof the following words: -64F and 138.

Section 2. Section 1 shall take effect on January 1, 2011.

# 2

## QUESTION 2: Law Proposed by Initiative Petition

# Comprehensive Permits for Low- or Moderate- Income Housing

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

### SUMMARY ►

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

This proposed law would repeal an existing state law that allows a qualified organization wishing to build government-subsidized housing that includes low- or moderate-income units to apply for a single comprehensive permit from a city or town's zoning board of appeals (ZBA), instead of separate permits from each local agency or official having jurisdiction over any aspect of the proposed housing. The repeal would take effect on January 1, 2011, but would not stop or otherwise affect any proposed housing that had already received both a comprehensive permit and a building permit for at least one unit.

Under the existing law, the ZBA holds a public hearing on the application and considers the recommendations of local agencies and officials. The ZBA may grant a comprehensive permit that may include conditions or requirements concerning the height, site plan, size, shape, or building materials of the housing. Persons aggrieved by the ZBA's decision to grant a permit may appeal it to a court. If the ZBA denies the permit or grants it with conditions or requirements that make the housing uneconomic to build or to operate, the applicant may appeal to the state Housing Appeals Committee (HAC).

After a hearing, if the HAC rules that the ZBA's denial of a comprehensive permit was unreasonable and not consistent with local needs, the HAC orders the ZBA to issue the permit. If the HAC rules that the ZBA's decision issuing a comprehensive permit with conditions or requirements made the housing uneconomic to build or operate and was not consistent with local needs, the HAC orders the ZBA to modify or remove any such condition or requirement so as to make the proposal no longer uneconomic. The HAC cannot order the ZBA to issue any permit that would allow the housing to fall below minimum

safety standards or site plan requirements. If the HAC rules that the ZBA's action was consistent with local needs, the HAC must uphold it even if it made the housing uneconomic. The HAC's decision is subject to review in the courts.

A condition or requirement makes housing "uneconomic" if it would prevent a public agency or non-profit organization from building or operating the housing except at a financial loss, or it would prevent a limited dividend organization from building or operating the housing without a reasonable return on its investment.

A ZBA's decision is "consistent with local needs" if it applies requirements that are reasonable in view of the regional need for low- and moderate-income housing and the number of low-income persons in the city or town, as well as the need to protect health and safety, promote better site and building design, and preserve open space, if those requirements are applied as equally as possible to both subsidized and unsubsidized housing. Requirements are considered "consistent with local needs" if more than 10% of the city or town's housing units are low- or moderate-income units or if such units are on sites making up at least 1.5% of the total private land zoned for residential, commercial, or industrial use in the city or town. Requirements are also considered "consistent with local needs" if the application would result, in any one calendar year, in beginning construction of low- or moderate-income housing on sites making up more than 0.3% of the total private land zoned for residential, commercial, or industrial use in the city or town, or on ten acres, whichever is larger.

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

### WHAT YOUR VOTE WILL DO ►

**A YES VOTE** would repeal the state law allowing the issuance of a single comprehensive permit to build housing that includes low- or moderate-income units.

**A NO VOTE** would make no change in the state law allowing issuance of such a comprehensive permit.

## QUESTION 2: Law Proposed by Initiative Petition

---

### 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:** Voting “Yes” on this Question will ensure that quality affordable housing is built and remains for our parents, children, teachers and public employees. Massachusetts needs more affordable housing. A “Yes” vote will repeal the current “Chapter 40B” statute, a law that promotes subsidized, high-density housing on any parcel of land without regard to local regulations, the neighborhood or the environment. By stripping away local control, it has destroyed communities in rural, suburban and urban neighborhoods alike, while lining the pockets of out of state speculators. The current statute does not build affordable housing. Rather, it maintains a corrupt law that the Massachusetts Inspector General has called a “pig fest” and “represents one of the biggest abuses in state history”. A “Yes” vote will stop this outrageous misuse of tax payer money and allow cities and towns to build affordable housing for those who need it most.

**Authored by:**  
**John Belskis**  
**Coalition for the Repeal of 40B**  
**196 Wollaston Avenue**  
**Arlington, MA 02476**  
**781-641-1441 [www.repeal40B.com](http://www.repeal40B.com)**

**AGAINST:** This referendum would abolish the primary tool to create affordable housing in Massachusetts without providing any alternatives.

Housing in Massachusetts is very expensive. We need to protect the Affordable Housing Law so that seniors and working families can afford to buy homes here.

The Affordable Housing Law has created 58,000 homes across the state and is responsible for approximately 80% of new affordable housing over the past decade, outside the larger cities.

Repealing this law will mean the loss of badly needed construction jobs. Thousands of homes that have already been approved for development will not be built if this law is repealed. Homes and jobs will be lost, and there will be less affordable housing for seniors and working families.

A coalition of hundreds of civic, municipal, business, environmental and religious leaders, including the League of Women Voters and AARP, urge you to vote No.

**Authored by:**  
**Tripp Jones, Chair**  
**Campaign to Protect the Affordable Housing Law**  
**P.O. Box 960158**  
**Boston, MA 02109**  
**617-933-5275 [www.protectaffordablehousing.org](http://www.protectaffordablehousing.org)**

---

### FULL TEXT OF QUESTION ►

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

SECTION 1: Chapter 40B, sections 20 through 23, inclusive of the General Laws are hereby repealed.

SECTION 2: No provision of this act shall be interpreted as applying to, affecting, amending, or otherwise impairing the provisions of any project approved by a board of appeals or the Housing Appeals Committee pursuant to G.L. c.40B, s.20-23 before the effective date of this

Act, provided that said project has been issued a building permit pursuant to the State Building Code for at least one (1) dwelling unit.

SECTION 3: The provisions of this act are severable, and if any provision of this act is found to be unconstitutional, contrary to law, or otherwise invalid by a court of competent jurisdiction, then the other provisions of this act shall continue to be in effect.

SECTION 4: This act shall take effect January 1, 2011.

# 3

## QUESTION 3: Law Proposed by Initiative Petition

# Sales and Use Tax Rates

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

### SUMMARY

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

This proposed law would reduce the state sales and use tax rates (which were 6.25% as of September 2009) to 3% as of January 1, 2011. It would make the same reduction in the rate used to determine the amount to be deposited with the state Commissioner of Revenue by non-resident building contractors as security for the payment of sales and use tax on tangible personal property used in carrying out their contracts.

The proposed law provides that if the 3% rates would not produce enough revenues to satisfy any lawful pledge of sales and use tax revenues

in connection with any bond, note, or other contractual obligation, then the rates would instead be reduced to the lowest level allowed by law.

The proposed law would not affect the collection of moneys due the Commonwealth for sales, storage, use or other consumption of tangible personal property or services occurring before January 1, 2011.

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

### WHAT YOUR VOTE WILL DO

**A YES VOTE** would reduce the state sales and use tax rates to 3%.

**A NO VOTE** would make no change in the state sales and use tax rates.

### 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:** Last year, the State Legislature and Governor Deval Patrick raised the sales tax to 6.25%.

Thousands of people lost their jobs.

Your YES vote rolls back the sales tax to 3% and:

- creates 32,929 productive, sustainable jobs
- gives back an average of \$688 - every year - to each taxpayer
- saves Northern Massachusetts Retail Businesses and jobs by keeping shoppers here – instead of driving them to New Hampshire's 0% sales tax
- attracts shoppers from Rhode Island, Connecticut, Vermont and New York.

It safely trims fat: 5% from \$52 billion in total state government spending. It does NOT reduce spending for cities and towns, police, firefighters, schools, roads – NOR any essential service. Not a dime.

Vote YES to reduce:

- Government Waste
- Bureaucracy
- Sweetheart Deals for rich corporations
- Union-inflated plush pensions that give government employees full retirement pay as early as age 54.

Vote YES for fiscal responsibility and desperately-needed JOBS.

**Authored by:**

**Carla Howell**

**Alliance to Roll Back Taxes**

**P.O. Box 5268**

**Wayland, MA 01778**

**508-645-4099 [www.RollBackTaxes.com](http://www.RollBackTaxes.com)**

**AGAINST:** The sales tax helps pay for things we all value and rely on. We all want good schools, police and fire protection, safe roads and bridges, clean water and quality health care. Cutting the sales tax by more than half will prevent us from achieving these goals we share.

Our communities rely on local aid to pay for schools, public safety, and emergency services. Local aid has already been cut by 25 percent in the last two years, forcing communities to reduce services. This proposal would result in further cutbacks.

This proposal would take away \$2.5 billion in state revenue. This is about half the total amount the state sends to our communities each year to help pay for public education.

The recession has forced communities to reduce services. We cannot keep cutting without doing lasting harm to our schools, health care and the services that strengthen our communities.

**Authored by:**

**Joanne Blum**

**MA Coalition for Our Communities**

**20 Ashburton Place**

**Boston, MA 02108**

**617-878-8317 [www.votenoquestion3.com](http://www.votenoquestion3.com)**

## QUESTION 3: Law Proposed by Initiative Petition

**FULL TEXT ►** Be It Enacted By The People And By Their Authority:  
**OF QUESTION**

SECTION 1. The rates of the excises imposed by Section 2 of Chapter sixty-four H and Section 2 of Chapter sixty-four I of the General Laws shall, beginning on January 1, 2011, and except as provided in Section 2 hereof, each be reduced to three percent (3%). The deposits, bonds, and deductions required under Section 30A of Chapter sixty-four H and Section 31A of Chapter sixty-four I of the General Laws shall, beginning on January 1, 2011, and except as provided in Section 2 hereof, each be reduced to three percent (3%).

SECTION 2. If any portion of the excises under said Chapters sixty-four H and sixty-four I has been pledged or obligated pursuant to law in connection with any bond, note, or other contractual obligation and if the total amount of all portions of said excises so pledged or

obligated exceeds revenues generated through said chapters at a rate of three percent (3%), then the rates of the excises imposed by said chapters shall on January 1, 2011 be reduced to the lowest rates allowed by law.

SECTION 3. Notwithstanding the provision of Section 2, this law shall not be construed to impair the collection of moneys due the Commonwealth for sales, storage, use or other consumption of tangible personal property or services occurring before January 1, 2011.

SECTION 4. The provisions of this law are severable, and if any clause, sentence, paragraph or section of this measure, or an application thereof, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or application adjudged invalid.

### **Reminder! Bring Personal Identification to the Polls!**

You may be required to show personal identification to vote. If you registered to vote by mail you may be required to show identification when you vote for the first time in a federal election, such as the 2010 election.

Also, under Massachusetts law, any voter may be asked to show identification if there is a question about their identity.

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, current utility bill, bank statement, paycheck, government check, or other government document showing your name and address.

### **Military and Overseas Voters / Special Status**

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.

Applications for absentee ballots for military and overseas voters must be received by the local election official by noon on the day before the election, which for the 2010 State Election is noon on Monday, November 1, 2010.

These voters can request that their absentee ballot be sent to them either by

mail or electronically. After voting their absentee ballot, military and overseas voters may return their absentee ballot electronically or by mailing it back to their local election official. Absentee ballots sent by mail from inside the U.S. or sent electronically must be received by the local election official by the close of polls on election day, which is 8:00 p.m. (EST) on Tuesday, November 2, 2010. Absentee ballots sent by mail that are postmarked from outside the U.S., must be postmarked by Tuesday, November 2, 2010 and received by the local election official no later than 10 days after the election to be counted, which for the 2010 State Election is November 12, 2010.

Massachusetts also allows these voters to vote absentee in all elections by using the



Federal Write-In Absentee Ballot (FWAB). The FWAB can be used to vote anytime before an election even if the voter did not apply for an absentee ballot. After voting the FWAB, the voter may submit it by mail or electronically. For more information on absentee voting for members of the military and overseas voters, please see [www.sec.state.ma.us/ele/elemil/milidx.htm](http://www.sec.state.ma.us/ele/elemil/milidx.htm).

# How to Register to Vote...

## Who may register?

a **U.S. citizen**, and  
a **resident of Massachusetts**, and  
**18 years old** on or before election day, and  
**not currently incarcerated** for a felony conviction.

## When and where may I 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 note that anytime 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 2<sup>nd</sup> State Election is October 13<sup>th</sup>. Any mail-in voter registration form must be postmarked by October 13, 2010 to be eligible to vote in the November 2, 2010 State Election.

## How can I register to vote?

**In Person:** Go to any registration location, such as your city or town hall, and complete an affidavit of registration. Upon completion of the form, you will be provided with a receipt which is proof of your registration. You should keep that receipt until you receive an acknowledgement notice in the mail, which should arrive within 2 to 3 weeks.

**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 call 617-727-2828 or 1-800-462-VOTE (8683) and a form will be sent to you. Mail the completed form to your local city or town hall. You should receive an acknowledgment notice in 2 to 3 weeks. If you do not, please contact your local election office to verify your voting status.

**At the Registry of Motor Vehicles:** While applying for or renewing a driver's license, you can complete a voter registration application. Check your motor voter receipt before you leave—it will indicate whether you registered to vote or not. Keep your motor voter receipt until you receive confirmation from your local election official. If you do not receive any confirmation, please contact your local election office to verify your voting status.

## What must I do if I've changed my address since I registered?

If you have moved, you must register again. You may register to vote as soon as you move into your new home.

## Do I need to attach identification to my voter registration form?

Yes, if you are registering to vote for the first time in Massachusetts. The Help America Vote Act of 2002 passed by Congress requires that if you registered to vote by mail on or after January 1, 2003, you will be required to show identification when you vote for the first time in a federal election since registering by mail in 2003, or you can send in a copy of your identification with your voter registration form.

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, current utility bill, bank statement, paycheck, government check, or other government document showing your name and address. If you send in a copy of your identification with your mail-in voter registration form, it may not be returned to you.

## 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 to see if you are 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.

To cast a provisional ballot, you must execute a provisional ballot affirmation before a precinct officer at the polling place declaring that you are a registered voter in the city or town and reside within the geographical boundaries of said 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 until such time as it is required to be kept and then will be destroyed without being viewed.

## What should I do if I registered to vote and I have not heard from my local election official?

If you have NOT received confirmation of your voter status from your city or town election official within 2 or 3 weeks from the date you registered, please contact your local election office to verify your voting status.

## **Where do I vote?**

Polling places are located in each precinct in your city or town. Call your local election official or my office at 1-800-462-VOTE (8683) or 617-727-2828 to find out where your polling place is located. You can also visit my website at [www.wheredoivotema.com](http://www.wheredoivotema.com) to look up your polling place and view a sample ballot.

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

## **How long 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. Please call your city or town clerk 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. Also, you can view a sample ballot at my website: [www.wheredoivotema.com](http://www.wheredoivotema.com).

## **What if I need assistance?**

If you need assistance because of vision impairment, disability, inability to read or to read English, you may seek help from either a person of your choice or from election officials.

You may also ask the election officials to use the AutoMARK Voter Assist Terminal, which is an accessible ballot marking device, to mark your ballot. As part of the Help America Vote Act of 2002 (HAVA), there will be at least one AutoMARK Voter Assist Terminal at each polling location. The AutoMARK allows a voter to mark their ballot privately and independently. 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. After making all of the choices on the ballot, the AutoMARK will mark the ballot in accordance with the voter's choices by filling in the corresponding ovals or connecting the arrows on the ballot. The ballot will then be returned to the voter for deposit 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 preprinted brochures or pamphlets, or your own notes, but you cannot display such materials while in the polling location.

# Voting by Absentee Ballot...

## **You may vote by absentee ballot if you:**

- will be absent from your city or town on election day; or
- have a disability that prevents your voting at the polling place; or
- cannot vote at the polls due to religious beliefs.

## **Applying for an absentee ballot...**

All applications for absentee ballots must be made in writing.

You must apply for an absentee ballot from your city or town clerk or election commission no later than noon on the day before the election. Applications may be mailed or hand delivered and you may use any form of written communication (letter or postcard) or the official application form. A family member may apply in the same manner for you. Include on the application:

- your name and address as registered,
- ward and precinct, if you know them,
- the precise address where the ballot should be sent,
- your own signature.

A ballot will be sent to any address you specify – including your own home. Be sure to apply early.

## **Requesting to vote in person...**

If you meet the qualifications to vote absentee, but do not want to have a ballot mailed to you, you may request to vote in person before election day. You may vote at your city or town hall before election day at a time arranged with the clerk, but the application for your ballot must be made no later than noon on the day before the election. Call the clerk's office to make certain that the absentee ballots are available. Absentee ballots should be available three weeks before an election.

## **Voting by absentee ballot. . .**

The ballot will come with instructions and a set of return envelopes. After making your choices on the ballot, you must enclose it in the inner (smaller) brown envelope and complete the information on the front of that envelope and sign it. Then you put the smaller envelope in the bigger envelope, place proper postage on it and mail it back to your city or town hall. To be counted, a completed ballot must be received by the time the polls close on election day.

If you are not able to write, the person assisting you must sign your name as well as their name, address and telephone number.

## **What if I am permanently disabled?**

If you are permanently disabled and cannot cast your vote at the polling place, you may file a letter from your physician with your city or town clerk, stating that you are permanently unable to cast your vote at the polling place because of disability. A completed application for an absentee ballot for you to sign and return will be mailed to you by the city or town clerk at least 28 days before every primary and election.

# Know the New Credit Card Rules (and the loopholes)

## Billing Statements and Payment Processing

- Billing statements must be sent 21 days before the due date, giving you more time to pay your credit card bill and reducing the risk of a late fee and interest rate penalty.
- Mailed credit card payments received by 5 pm on the due date must be credited as on time.
- Payments are on time when received the next business day after a holiday or weekend.
- Payments made at a local branch should be credited the same day.
- Removal of new accounts from your credit report if you never activate or use the account, or you close it within 45 days.

## Debit Cards Are Different

Although credit cards and debit cards may look virtually identical, there are important differences. A debit card is tied to the cardholder's savings or checking account and the card subtracts funds from that account. The debit card does not involve a loan unless the user exceeds the balance of the account and the bank extends credit for the purchase.

- Starting July 1, 2010, Federal Reserve rules prohibit institutions from charging overdraft fees for ATM and one-time debit card transactions unless the consumer "opts in" to an overdraft service for such transactions. Based on this rule change, you will need to sign up for overdraft protection for your debit card if you want it.
- Your liability for the misuse of the debit card depends on how quickly you report the misuse and loss. The debit cardholder's exposure can be up to \$50 for lost cards that are reported within 2 days, but exposure may be unlimited if the customer fails to notify the bank more than 60 days after the mailing of a statement showing unauthorized use of the card.

For extra safety, you may ask your bank to issue you an ATM-only card that does not function as a debit card. A PIN is needed for these cards, providing added safety. For more information see the Federal Trade Commission website: [www.ftc.gov/bcp/edu/pubs/consumer/credit/cre04.shtm](http://www.ftc.gov/bcp/edu/pubs/consumer/credit/cre04.shtm)

## Payment Allocation and Fees

- Payments above the minimum must be applied to highest-interest rate balances. If you have balances with different interest rates, the new rules require banks to allocate anything over the minimum payment to your highest interest rate balance. This reduces the amount of finance charges you pay on balances.
- There are no fees to make your credit card payment online, by mail, or over the phone, unless you make a last-minute payment over the phone and your bill is due the same day or next day.
- Payments are due on the same date each month.
- Starting August 22, 2010:
  - Card companies are generally barred from charging a penalty over \$25 for late payments;
  - Card companies are prohibited from charging a penalty higher than the dollar amount associated with a customer's violation;

- Multiple penalty fees for a single late payment are banned; and
- Inactivity fees are banned.

## Over-the-Limit Fees

- No over-the-limit fees are allowed unless you request (opt-in) the credit card issuer to process over-the-limit transactions. Otherwise, over-the-limit transactions would be denied and you would not incur a fee.
- Only one over-the-limit fee is allowed per billing cycle. You cannot receive more than one charge for exceeding your credit limit in any billing cycle.
- Only one over-the-limit fee is permitted per over-the-limit transaction. If you make a purchase that puts you over your credit limit, you should only be charged one fee for that instance. Even if your balance remains over the limit the next billing cycle, you would not be charged a credit limit fee, unless you make an additional transaction that puts your balance over the limit.
- No over-the-limit fees can be caused by a hold on your credit limit. If a transaction, like a car rental, puts a hold on your credit limit, thereby reducing your available credit, a subsequent charge cannot put you over the limit.

## Stricter Finance Charge and Interest Rate Increase Rules

- No more double cycle billing finance charges. Credit card issuers are prohibited from calculating finance charges using this method which causes cardholders to pay interest on previously paid balances.
- No interest rate increases are permitted during the first 12 months of opening a credit card, unless the rate increase was disclosed when you first opened the credit card.
- Promotional rates must last at least 6 months.
- No interest rate increases are allowed on pre-existing balances. If your credit card issuer decides to increase your interest rate, that new rate would only apply to new balances. Your current balance would continue to be subject to the old interest rate. There's an exception, however, if you are more than 60 days late on your credit card payments. Cash advances can have a dramatically higher interest rate.
- Credit card issuers must give a 45-day advance notice before increasing your interest rate or making any major change to your credit card agreement. Remember, balances from purchases within the 45-day window will go up if not paid.
- Your interest rate could increase if you don't make the minimum payment within 30 days of your due date, even during the first 12 months of opening your account. You must receive a 45-day advance notice of penalty rate increases.
- Increased rates must be reviewed and lowered if the review shows improved payment habits.
- Card companies are required to re-evaluate interest rate increases adopted since the start of 2009 and to reduce rates if appropriate.

For more information, contact the Secretary of the Commonwealth's Securities Division at 1-800-269-5428 or [www.sec.state.ma.us/sct](http://www.sec.state.ma.us/sct).

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

Secretary Galvin's office has responsibility for regulation and enforcement of laws relating to risk investments of all kinds that are offered for sale in Massachusetts.

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

### **These are some examples of situations where we were able to help:**

- An unscrupulous representative of a large Broker-Dealer got the list of a group of employees retiring from a local company. He was able to lure most of them into investments that were unsuitable for them. Their retirement assets were now at risk. They contacted Secretary Galvin's office and we were able to get their money back.
- An elderly investor was given assurances that the purchase of an investment instrument was completely secure when in fact it was anything but secure. His entire life savings were at risk. He contacted Secretary Galvin's office and we investigated and he got his money back.
- A group of citizens were lured into an investment scheme with the promises of big returns. The returns were so large that they sounded too good to be true. In fact it was too good to be true and was a Ponzi scheme. Secretary Galvin's office was able to recover some of the assets before they were all dissipated.
- A local investment advisor was urging investors to purchase investments not approved by his employer and outside the scope of acceptable products. The investors came to Secretary Galvin's office and we were able to get their investment back.
- Several senior citizens went to see a registered representative who held himself out as a "senior specialist" who had special training to be able to understand what Seniors needed to protect themselves during their retirement years. Instead they found themselves in unsuitable annuities with long surrender periods and high withdrawal penalties. They contacted Secretary Galvin's office and they got their money back.

If these stories sound similar to your situation, we might be able to help.

You can reach us toll-free at 1-800-269- 5428.

# Services of the Secretary of the Commonwealth of Massachusetts

● **Citizen Information Service** functions as the primary information and referral agency for the state, offering data on state programs and agencies. CIS attempts to answer all requests, by providing either direct assistance or an immediate referral to the appropriate agency. The office also serves as a liaison to the Massachusetts Emergency Management Agency as the primary information and referral source when the governor declares a state of emergency. 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: \$19.20 (\$15 plus \$4.20 shipping cost). Free online at [www.sec.state.ma.us/cis/ciscig/guide.html](http://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](http://www.sec.state.ma.us/cis), where many of the above documents are available for viewing.

Email: [cis@sec.state.ma.us](mailto: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](http://www.sec.state.ma.us/ele)

● **The Securities Division** endeavors to protect Massachusetts investors by licensing the sale of securities, requiring that high-risk securities be registered, investigating complaints, and taking appropriate enforcement and disciplinary actions. (617) 727-3548 or 1-800-269-5428, website: [www.sec.state.ma.us/sct](http://www.sec.state.ma.us/sct)

● **The Public Records Division** maintains, preserves and makes accessible government records, enforces lobbyist and disclosure laws and records all gubernatorial

appointments and commissions. (617) 727-2832, website: [www.sec.state.ma.us/pre](http://www.sec.state.ma.us/pre)

● **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](http://www.masslandrecords.com)

● **The Massachusetts Archives** collects, catalogs, and preserves records of enduring value from nearly 375 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](http://www.sec.state.ma.us/arc)

● **The Commonwealth Museum** brings Massachusetts history alive through exhibits, outreach and student programs and publications. (617) 727-9268, website: [www.sec.state.ma.us/mus/museum](http://www.sec.state.ma.us/mus/museum)

● **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](http://www.sec.state.ma.us/mhc)

● **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](http://www.sec.state.ma.us/spr)

● **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](http://www.sec.state.ma.us/wso)

● **The Corporations Division** is responsible for registering all Massachusetts profit and nonprofit corporations and providing immediate summary information about more than 250,000 corporations doing business in the state. (617) 727-2850 or (617) 727-9640, website: [www.sec.state.ma.us/cor](http://www.sec.state.ma.us/cor)

Other divisions include:

● **State Records Center**  
website: [www.sec.state.ma.us/rec](http://www.sec.state.ma.us/rec)

● **State Publications and Regulations**  
website: [www.sec.state.ma.us/spr](http://www.sec.state.ma.us/spr)

● **State House Tours:** website: [www.sec.state.ma.us/trs](http://www.sec.state.ma.us/trs)

# ***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 7am and 8pm 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 pm, 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.

***Know the issues.***  
***You may be asked to show ID.***  
**DON'T FORGET TO VOTE!**



**William Francis Galvin**  
 Secretary of the Commonwealth  
 One Ashburton Place, Room 1705  
 Boston, MA 02108

Non-Profit Org.  
 ECRWSS  
 U.S. Postage  
**PAID**  
 Massachusetts  
 Secretary of the  
 Commonwealth



OFFICIAL DOCUMENT

# Postal Customer VOTERS



Tear out and take to the polls.

## Voter Checklist

**BALLOT  
 QUESTIONS**

▶ Question 1     Yes     No    Question 2     Yes     No  
 Question 3     Yes     No

**BALLOT  
 OFFICES**

▶ **Offices on the ballot in 2010 appear in the following order:**

- 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 \_\_\_\_\_
- Sheriff \_\_\_\_\_
- County Commissioner \_\_\_\_\_  
(Barnstable, Bristol, Dukes, Norfolk and Plymouth counties only), or Executive Committee Franklin Council of Government
- County Charter Commissioner \_\_\_\_\_  
(Plymouth county only)

**INFORMATION FOR VOTERS** is sent to voters by mail to residential addresses, to voters residing in group quarters and to convenient public locations throughout the Commonwealth. Limited additional copies may be obtained at local city and town halls and some libraries, or by calling Secretary Galvin's Elections Division at (617) 727-2828 or 1-800-462-VOTE; or Citizen Information Service at (617) 727-7030 in the Boston area or 1-800-392-6090. TTY users call (617) 878-3889. Be sure to visit our website at [www.sec.state.ma.us](http://www.sec.state.ma.us). The Spanish edition of Information for Voters and a large print edition for the visually impaired are also available at the same phone numbers. An audio edition is also available from the Braille and Talking Book Library in Watertown at 1-800-852-3133.