



The Massachusetts Voter

December 2005
v. 81, no. 4

LEAGUE OF WOMEN VOTERS
OF MASSACHUSETTS

LWVM Electoral Reform Bill Passes in Massachusetts Senate

■ by Robin Rich
Assistant Executive Director

The Senate Bill 2277, "Strengthening Voting Rights and Voter Confidence," passed in the Senate on November 16, 2005. The Bill initiated and drafted by the LWVM was aggressively and successfully lobbied by the League members across the state. It will be heard in the House in January of 2006 when the legislature reconvenes.

The reforms proposed in the bill, part of the LWVM's Empowering Voters Project, would help ensure the continuing impartiality in the administration of elections, expand the pool of

potential qualified poll workers, and make sure that information about voting rights be widely distributed and available to voters. Senator Edward Augustus and Representative Anthony Petruccelli, the Co-Chairs of the Joint Committee on Election Laws, filed the bill on behalf of the League. Massachusetts Secretary of the Commonwealth William F. Galvin also supports the bill.

"The key to an active and representative democracy is a voting process that is more equitable and efficient for all citizens," said LWVM President Madhu Sridhar. "Voting is the most fundamental way all citizens

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LWVM President Madhu Sridhar, joined by Election Laws Committee Co-Chairs Rep. Petruccelli and Sen. Augustus, addresses a question about Senate bill 2277 at a press conference at the State House.

Photo by Rich Brosky, State House News Service

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LWVM Allotted Seat on Task Force to Study Election Day Registration

■ by Cathy Dowd
Vice President, Program & Action

On November 16, the Massachusetts Senate passed a bill (S. 2279) creating a task force to study Election Day registration (EDR) and its possible implementation in Massachusetts. The task force is charged with researching a

number of aspects of Election Day registration and passing on recommendations to the legislature by June 2006. The LWVM is proud to have been allotted one space on this commission. The Empowering Voters Project also promotes and supports Election Day registration.

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President's Message

Madhu Sridhar
LWVM President

Are We There Yet? Women in Elected Office

At the first Massachusetts Conference for Women in early December, I witnessed over 4000 women with a broad range of interests, energies and achievements coming together for a day of sharing, learning and inspiration. The League was proud to be a supporter of this remarkable event. It was heartwarming indeed when a steady stream of attendees stopped at the League booth to express their gratitude for the work the League has been doing in their communities for years. They congratulated the League for its integrity, value, and relevance to our society today.

The League of Women Voters was founded to fight for the inclusion of half the population in the political life of this nation. Great gains have been made to that end. Women turned out to vote in the national 2004 election at a notably higher rate than men, according to figures released in June by the U.S. Census Bureau. Close to nine million more women than men voted in the 2004 election, with 67.3 million women and 58.5 million men reported voting. The rate of voter turnout was 60.1% for women, 56.3% for men. Women have voted at higher rates than men in every presidential election since 1980, with the gap between women and men growing larger with each election. Looking closely at the Census statistics, women outvoted men in every racial and ethnic group – African American, Latino, Asian/Pacific Islander, and white.

Although women have made great strides in getting to the polls, they lag far behind when it comes to representation in elected offices. Why is it that 52% of the population only has 14% of the representation? The League has always recognized that diverse perspectives are important and

necessary for responsible and representative decision-making in government. Across the country, 81 women hold statewide elective executive offices, including eight governors and 16 lieutenant governors of the 315 available positions. There have been 19 women governors in the history of the United States; however, only 12 were elected without special circumstances. In state legislatures, 1688, or 22.6%, of the 7,382 legislators are women. In 2005, women hold 81, or 15.1%, of the 535 seats in Congress – 14 of 100 seats in the Senate and 67 of 435 seats in the House.

Massachusetts has never elected a woman to the U.S. Senate. Only three women from the Bay State have ever served in the U.S. House of Representative: Edith Nourse Rogers (1925-1960), Louise Day Hicks (1971-1973) and Margaret Heckler (1967-1983). There have been only four women elected to statewide office here. Evelyn Murphy served as lieutenant governor from 1987-1990, as did Jane Swift (1999-2001) and Lieutenant Governor Kerry Healey. Shannon O'Brien was state treasurer from 1999-2003. There are currently 11 women state senators and 39 in the MA House.

If our country is to have a democracy that accurately reflects all its constituencies, it's time to take stronger steps. There is a powerful new era for women in the offing if they focus on their collective strengths. It can be built on pride, personal empowerment, and partnerships between grassroots women and those in business, academia and politics. Women, as do all underrepresented constituencies, need access to many resources to increase their political representation and participation. It is a long-standing problem and one that deserves attention – and deserves attention *now*.



The Massachusetts Voter

A publication of the
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The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

**LEAGUE OF WOMEN VOTERS
OF MASSACHUSETTS**

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New LWVM Committee Begins Meetings, Seeks Members for Restudy of Fiscal Policy Issues

■ by Kathy Leonardson
Fiscal Policy Co-Chair

Serious financial problems have affected the majority of cities and towns in the Commonwealth over the last three years, threatening local community services, including the advances made by Education Reform. In response to these growing issues, members of the LWVM voted at the 2005 Convention to restudy/update of the State League's positions on Fiscal Policy. The restudy/update will formally begin in June 2006, although preliminary gathering of information, brainstorming the scope of the project and establishing a timeline has begun.

The goal of the restudy/update is to determine the causes of these shortfalls in order to search for solutions. Any League solution must be in alignment with National and State League positions on fiscal issues. Because some fiscal policy positions have not been reviewed in a number of years the proposal was made to restudy/update the League's Fiscal Policy as the entry-point into the overall study.

Background on the Issues

The budget squeeze in local cities and towns began with the economic downturn in 2002. This resulted in significant reductions in state aid, which is relied upon by cities and towns as an essential part of the budget, particularly since the implementation of Proposition 2 ½ in 1982. Under Proposition 2 ½, cities and towns are limited to an increase in property taxes of 2 ½ % per year plus new growth; the override option was intended as an occasional escape valve, not an annual solution to budget shortfalls. An override of Proposition 2 ½ requires a vote of approval at town meeting and also at the ballot box. It is not easy to pass an override.

Limits on Local Property Taxation

Most cities and towns are experiencing structural deficits, where total recurrent operating expenditures exceed total recurring dependable revenue. Structural deficits occur because

Indicators of Fiscal Strain on Cities and Towns



State aid to cities and towns dropped 8% per year per capita from 2002 to 2004.



From 2002-2004, communities showed decreased free cash and cash reserves as they used these cushions to offset shortfalls. These factors are used to determine municipal bond ratings that affect the interest rate on the money borrowed by cities and towns.



Property tax growth, not including new construction increased 3.5% per year from 2002-2004, compared to 2.4% increase the previous eight years, showing increased reliance on property taxes to fund local services.



During this belt-tightening of 2002-04, Massachusetts has lost or laid off 14,200 municipal workers, leading the nation in the loss of municipal employees.

expenses are growing by more than the 2 ½ % limit on revenue growth and state aid has not made up the difference. Uncontrolled increases in expenses create larger and larger deficits each year. The sources of these deficits include healthcare for municipal workers (increased 63% statewide from 2001 to 2005), energy costs, pensions, and unfunded or partially-funded mandates (Charter Schools, Special Education, No Child Left Behind, Ed Reform including MCAS, etc.)

Data suggests that "override fatigue" has set in, with residents tired of paying for overrides year after year to just maintain abbreviated town services. Also, despite so-called "circuit breaker" provisions, property taxes are a disproportionate burden on those with fixed incomes. Lastly, Proposition 2 ½ overrides were not intended to be used annually. It was envisioned that 2 ½ % increase in taxes per year would be sufficient to maintain basic town operations.

Problems with financing local services in Massachusetts cities and towns will continue. Structural deficits will remain significant

problems. Local aid will not match local need. As such, the goals of the League restudy/update are several: to educate ourselves and Massachusetts League members on how the League's Fiscal Policy positions relate to the current financial situation of cities and towns, to determine whether our Fiscal Policy positions suggest solutions to the financial difficulties and to propose and advocate for solutions based on League positions, and to determine whether any Fiscal Policy positions should be updated.

Progress of Study Committee

The scope of the study has been established and future meetings will focus on delving into topics in more detail, beginning with Proposition 2 1/2.

The Fiscal Policy Restudy/Update Committee seeks members. The next meeting is tentatively scheduled for December 15, 2005. Interested individuals may contact the State League Office at 617-523-2999. Kathleen Leonardson and Xaxaro Bennett are the Co-chairs of this committee, with Mary Frantz serving as liaison to the State League.



Property Tax Relief: Why Options Are Limited

■ by Debby Ecker
Cape Cod Area LWV

Everywhere it's the same, nobody likes their property tax. It's a large bill, almost always bigger than the year before. Surely there must be some other tax source for our local governments. This article explains why MA cities and towns haven't had the option of local income and sales taxes. Knowing the history may not ease discontent, but it is necessary for a constructive search for useful alternatives.

Local income taxes

It's not surprising that newcomers to Massachusetts are put-off when told their town cannot adopt a local income tax, which would seem more fair than the property tax for the support of local services. Most of us probably don't know that many of the Commonwealth's government practices date back to 1629, from the charter Charles I granted to the Massachusetts Bay Company.

Immediately following the Revolution, John Adams drafted a constitution for Massachusetts that, with regard to taxes, restated the charter's relationship of the Provincial government to the towns and the limit that still prevails on some tax options today. The state's Constitution's Part II, "The Frame of Government," specifically authorizes the General Court (the Legislature) "to impose and levy . . . taxes." The limits on present-day tax options lie in the Constitution's authorizing the Legislature, only, to impose taxes (The Legislature subsequently authorized local governments to administer the property tax, under state supervision.)

In 1915 the state Constitution was amended to authorize the Legislature to adopt an income tax. The amendment stated:

"Such tax . . . shall be levied at a uniform rate throughout the commonwealth upon incomes derived from the same class of property . . ."

This wording was used because, unlike other states that adopted income taxes, the Massachusetts income tax was a transfer of a part of the local property tax – the tax on stocks, bonds, and other securities. Local assessors couldn't determine the ownership or valuations of this

type of property and their efforts to do so had caused major inequities among individuals and among cities and towns.

In conclusion: In the Massachusetts constitution it's the stipulation that taxes "shall be levied at a uniform rate" that prevents the adoption of local income taxes, because there is no way the requirement could be met. Town A's tax rate could be different from Town B's, and Town C may have no tax at all. The uniformity requirement could be changed through a constitutional amendment, but two efforts to do this, in the past 35 years, met with major defeats.

Local sales taxes

The Massachusetts constitutional requirement for tax rate uniformity does not apply to sales taxes. These are treated as "excises" and the requirement for these is that they be "reasonable." But the Constitution does prohibit adoption, by local vote only, of a sales tax; only the Legislature has the power to impose taxes. In 1985 a precedent for localities to tap non-property taxes was established when the Legislature granted cities and towns the option to impose sales taxes on aviation fuel and hotel/motel room occupancies.

Although the Legislature could authorize additional local sales taxes, there are practical limitations. Local sales taxes would cause major economic and fiscal conflicts. These could especially be likely in Massachusetts because of its weak county governments and its 351 municipalities with strong, autonomous interests. Some towns, for example, often have

almost no commercial enterprises that would generate sales tax revenues, while a contiguous town may have malls. The cost burdens that mall traffic can create could be equally heavy for both towns but only the one with the mall would receive sales tax revenues.

In states where local sales taxes are used, they are likely to be applied in a central city, such as New York, or at a county, school district or other regional level. The city of Boston is relatively small. A city sales tax would spur shopping in suburbs with no sales taxes. (This would be the case for other Massachusetts cities as well.) It's more practical for a local sales tax to be regional. This would not be easily accomplished because, for example, a Boston Metropolitan Sales Tax District could involve over 100 cities and towns located in a half-dozen counties. Administration would have to remain at the state level, but there would still be the question of how to achieve a fair and reasonable revenue distribution back to the district's cities and towns.

In conclusion: General sales taxes at the local level would further fiscal inequities among the state's cities and towns and could be disruptive to business locations. But this does not leave Massachusetts municipalities entirely without options for non-property tax revenues. Under the restudy of LWVM's fiscal policy position adopted at the 2005 convention, an LWVM committee is now looking at alternatives. The committee's work will be reported in future issues of *The Massachusetts Voter*.



Interested in affordable housing in MA?

or

Want to learn more about how the state's fiscal policy affects the funding of your community services?



Join the LWVM committees to study these important & timely topics!

To learn more contact Robin Rich at the LWVM office:
617-523-2999 or rrich@lwwma.org



Fall Conference 2005 Empowering Voters: A force for change



Senator Edward Augustus, LWVM P&A Vice President Cathy Dowd, and LWV members Linda Freedman and Cameron Kerry listen to Lawyers for Civil Rights Under Law Executive Director Barbara Arnwine address the current difficulties with voting.
Photo by Robin Rich



Dowd and panelists ¿Oíste? Executive Director Giovanna Negretti, City Clerk Bill Campbell, and Campaign Director for the Young Democrats of America Jessie Tolkan listen to Professor Paul Watanabe address the problems of voter participation.
Photo by Robin Rich

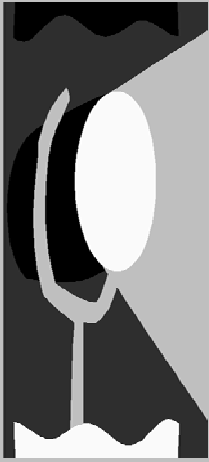


Chair of the Election Assistance Commission Gracia Hillman, LWVM President Madhu Sridhar, and Arnwine discuss various electoral reform endeavors at the state and national levels. Hillman spoke on the history and future of voting at the LWVM's Fall Conference. *Photo by Robin Rich*



Watanabe, Hillman, Tolkan, and Campbell tune in to Augustus's speech. Augustus, lead sponsor of the LWVM's election reform bill and Co-Chair of the Joint Committee on Election Laws, addressed the need for progressive electoral reform in Massachusetts. *Photo by Robin Rich*





Spotlight on Local Leagues

- The **Brookline** League produces a show "On The Spot" airing seven days a week on Brookline Access Television. Over the next year, they will air shows on judicial reform, voting machine, ballot counting, civil liberties and healthcare.
- The **Cape Ann** League hosted a new type of candidates' night called "10 Minutes Candidate Forum." Rather than having a timed, moderated session, audience members were able to interact one-on-one with the candidates for ten minutes.
- The **Cape Cod Area** League's Environment Committee received a special award by Clean Power Now for the LWVCCA study/consensus statement "Wind Energy on Cape Cod."
- The **Plymouth** League which received a \$2500 grant from New England Grassroots Environmental Fund to support 3 public forums on the renewing license process for the Pilgrim Station Nuclear plant. The first forum was held in September with more to follow.



League in the Legislature: Program & Action

REPRODUCTIVE CHOICE

Specialist: Betsy Dunn

"Relating to providing timely access to emergency contraception," S.2037

Summary

- Requires all hospital emergency rooms to make EC available to rape victims becomes effective on December 15

LWVM supports

Status

- Passed into law by veto override

"An Act to Provide Health Education in Schools," H.1641, S.102

Summary

- Requires school districts to teach age appropriate health education, including sex education, in grades K-12

Status

- In committee (Joint Committee on Education)

"An Act to Provide for Equitable Coverage in Annuities," H.2970, S.619

Summary

- Requires that state-regulated annuities sold to MA residents be gender-neutral in all the terms and conditions of the contracts including premiums and benefits

LWVM supports

Status

- In committee (Joint Committee on Financial Services)

Specialist: Judy Deutsch

"An Act Promoting Access to Healthcare," H.4463

Summary

- Insures more Massachusetts citizens
- Includes individual mandates requiring every resident to purchase health insurance of some kind
- Includes mandates on businesses to require businesses of certain sizes to provide insurance for their employees

LWVM does NOT support

Status

- Passed by House

"An act making appropriations for fiscal year 2006 to provide for health access, affordability and accountability," S.2265

Summary

- Includes mandates on businesses to require businesses of certain sizes to provide insurance for their employees
- Requires some payment by the non-insured when they receive healthcare

LWVM does NOT support

Status

- Passed by Senate

NATURAL RESOURCES

Specialists: Lynn Wolbarst and Ellie Goldberg

"Relating to comprehensive mercury management," H.4319

Summary

- Bans the sale of mercury containing products, relays and measuring devices when safer alternatives are available
- Requires mercury products manufacturers to set up and pay for collection programs
- Prohibits the disposal of mercury products into landfills or incinerators
- Requires that manufacturers provide information about the mercury content of products sold to hospitals

LWVM supports

Status

- In committee (Joint Committee on Environment)

ADMINISTRATION OF JUSTICE

Specialist: Patti Muldoon

"Relating to drug mandatory minimum sentences," S.929

Summary

- Makes parole eligibility the same for drug crimes as for violent crimes and allows for individual case-by-case evaluation
- Mitigates the cost of over-incarceration, freeing up funds for other critical needs

LWVM supports

Status

- In committee (Joint Committee on Judiciary)

HEALTHCARE



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LWVM Electoral Reform Bill Passes in Massachusetts Senate

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participate in our democracy. This legislation is an important step in efforts to make voting easier for the citizens of Massachusetts and to ensure that each and every vote counts. Along with unconditional absentee voting, these reforms will empower voters and strengthen our democracy.”

While other states have been aggressively responding to the national election crisis touched off by 2000 and 2004 elections, Massachusetts has been complacent, and has done little to modernize its antiquated election laws. Compared to many other states, voting in Massachusetts is needlessly difficult. To make voting in Massachusetts more fair and accessible, the LWVM has drafted this bill, “Strengthening Voting Rights and Voter Confidence,” (S.2277). Specifically, the bill addresses the following:

Providing a Voters’ Bill of Rights

The legislation requires that Secretary of the Commonwealth provide a Voters’ Bill of Rights at every polling place, on the Secretary of Commonwealth’s website, in appropriate publications of the Secretary of Commonwealth and transmit copies of it to state and municipal offices where citizens register to vote.

Expanding the Pool of Election Officers

The legislation removes the restriction that election officers must live in that city or town and enable cities and towns to hire poll workers who live in another Massachusetts city or town. Also, the legislation enables people ages 16 and 17 to serve as poll workers, provided they satisfy certain requirements.

Ensuring the Continuing Impartiality of Administration of Elections

The legislation prohibits elections officials from serving as campaign chair or co-chair, or treasurer for any campaign other than their own.

This legislation is part of the Empowering Voters Project advocacy agenda. The Empowering Voters Project is a strategic, comprehensive project to ensure that voters in Massachusetts are informed and engaged and to ensure that voting in Massachusetts is easy and fair. The Project focuses on those constituencies that are underrepresented in the electoral process and are the most vulnerable to voting problems. For more information on the Empowering Voters Project, please contact the League office at 617-523-2999 or lwvma@lwvma.org.

LWVM Allotted Space on Task Force to Study Election Day Registration

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The responsibilities of the task force include studying the state and local costs of implementing such a system, including a determination of whether or not these costs would constitute a local mandate. The task force will also look into the possibility of fraud, the administrative requirements for adopting such a system, and the effect upon finalizing a vote and possible recounts. The effects of other proposed election changes, such as early voting, at-will absentee voting, voter education, and election-officer training will also be reviewed. The Massachusetts House will vote on the legislation in January 2006.

Election Day registration produces higher voter participation. Restrictive voter registration deadlines are simply unnecessary today and effectively disenfranchise people who may not be aware of the registration deadlines or who have missed them for whatever reason. The data clearly show that Election Day Registration will increase voter turnout. On average, the states with Election Day Registration experience turnout rates almost 14% higher than the national average. None of these states has had documented cases of fraud that relate to Election Day Registration. Moreover, EDR especially encourages students and others in our mobile population to vote when they are in a new location.

This legislation is part of the Empowering Voters Project advocacy agenda. The Empowering Voters Project is a strategic, comprehensive project to ensure that voters in Massachusetts are informed and engaged. For more information on the Empowering Voters Project, please contact the League office at 617-523-2999 or lwvma@lwvma.org.

7TH ANNUAL ONLINE STUDENT ESSAY CONTEST



Making Democracy Work: Our Bill of Rights

Essay Submission Deadline: March 15, 2006

**Awards Ceremony: April 30, 2006
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For more information, contact the League office at
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Phonothon 2005



The LWVM sincerely thanks all those businesses and individuals who helped make this year's Phonothon a success by donating prizes, locations, and time.

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MIT Museum
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National Amusements
New England Aquarium/IMAX
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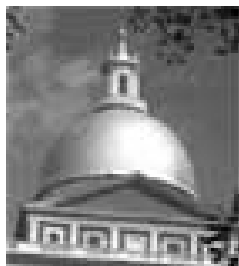
2005 Locations Provided

Coldwell Banker/Hunneman Victor — Andover
Coldwell Banker Residential Brokerage — Acton
Century 21 The Alexanders Real Estate — Westwood
Triffletti & Costa — Plymouth
Carlson Real Estate — Lexington
Carlson GMAC Real Estate — Beverly
Coldwell Banker Residential Brokerage — Newton

2005 Participating Leagues

Acton	Needham
Andover	Newton
Arlington	Plymouth
Beverly	Swampscott
Brookline	Topsfield/Boxford/Middleton
Concord/Carlisle	Wellesley
Hamilton/Wenham	Westford
Lexington	Westwood/Walpole
Medfield	Winchester

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March 15, 2005
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Keynote Speaker:
Senate President Travaglini