



Town of Arlington Select Board

Meeting Agenda

April 1, 2024
7:15 PM

Members of the public may access the hybrid meeting via Select Board Chambers, Zoom, or
ACMI

1. Legislative Provision for Remote Participation

PROCLAMATIONS

2. Community Development Week April 1-5, 2024

CONSENT AGENDA

3. Acceptance of Funds From Various Entities
Colleen Leger, Director of Health and Human Services
4. Rotary Club of Arlington 100th Anniversary Banners
Bill Hayner, Rotary Club of Arlington
5. Request: Special (One Day) Beer & Wine License, 04/13/2024 @ Robbins Memorial Town Hall
for Menotomy Beer Hall
Sara Lundberg, Director, Arlington Historical Society
6. Request: Special (One Day) Beer & Wine License, 04/27/2024 @ Arlington Community Center
for ACA Spotlight Fundraiser
Tom Formicola
Executive Director, ACA

APPOINTMENTS

7. Council on Aging
Melissa McInerney
(term to expire: 01/31/2027)

TRAFFIC RULES & ORDERS / OTHER BUSINESS

8. Future Select Board Meetings
9. Vote: Special Town Meeting, Date to be Determined
Jim Feeney, Town Manager
10. For Approval: Opening of Special Town Meeting Warrant

WARRANT ARTICLE HEARINGS

11. Articles for Review:

Article 14 Bylaw Amendment/Focused Residence Picketing
Article 20 Home Rule Legislation/Town Clerk
Article 21 Home Rule Legislation/To Amend the Senior Citizen Property Tax Exemption
Article 22 Home Rule Legislation/Lowering the Voting Age to 16 in Local Elections
Article 53 Appropriation/Takings for Stratton School Safe Routes

FINAL VOTES & COMMENTS

Articles for Review:

Article 15 Bylaw Amendment/Prohibition of Fair-Trade Restrictions - Fur Products
Article 16 Bylaw Amendment/Pet Sale Restrictions/Retail Pet Sales
Article 17 Bylaw Amendment/Right to Pet Companionship
Article 18 Bylaw Amendment/Historic Building Demolition Delay
Article 19 Vote/ Extend Time for Artificial Turf Study Committee and Report

NEW BUSINESS

Except in cases of emergency, the Board will neither deliberate nor act upon topics presented in New Business.

Next Scheduled Meeting of Select Board April 8, 2024

You are invited to a Zoom webinar.

When: Apr 1, 2024 07:15 PM Eastern Time (US and Canada)

Topic: Select Board Meeting

Register in advance for this webinar:

https://town-arlington-ma-us.zoom.us/webinar/register/WN_I7JE_qGpSseqFM_nvOYMVw

After registering, you will receive a confirmation email containing information about joining the webinar.

Notice to the Public on meeting privacy In the interests of preventing abuse of videoconferencing technology (i.e. Zoom Bombing) all participants, including members of the public, wishing to engage via the Zoom App must register for each meeting and will notice multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone dial-in information provided above.



Town of Arlington, Massachusetts

Legislative Provision for Remote Participation



Town of Arlington, Massachusetts

Community Development Week April 1-5, 2024

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	CDBG_Proclamation.pdf	Proclamation

OFFICE OF THE SELECT BOARD

ERIC D. HELMUTH, CHAIR
JOHN V. HURD, VICE CHAIR
DIANE M. MAHON
STEPHEN W. DECOURCEY
LENARD T. DIGGINS



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

PROCLAMATION

To recognize the week of April 1-5, 2024, as Community Development Week

WHEREAS: the week of April 1-5, 2024, has been designated as National Community Development Week by the National Community Development Association to celebrate the Community Development Block Grant (CDBG) Program; and

WHEREAS: the CDBG Program provides annual funding and flexibility to local communities to provide decent, safe, and affordable housing, a suitable living environment, and economic opportunities to low- and moderate-income people; and

WHEREAS: over the past 49 years, our community has received over \$58 million dollars in CDBG funds; and

WHEREAS: each year, affordable housing and affordable housing rehabilitation activities, public service activities, public facilities and improvements activities, and economic development activities are funded;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Arlington designates the week of April 1-5, 2024, as National Community Development Week in support of this valuable program that has made tremendous contributions to the viability of the housing stock, infrastructure, public services, and economic vitality of our community.

BE IT FURTHER RESOLVED, that our community opposes any attempts to eliminate the programs and urges Congress to recognize the outstanding work being done locally and nationally by CDBG by supporting CDBG in FY 2025.

<u>Eric D. Helmuth</u>	SELECT BOARD
<u>John V. Hurd</u>	OF THE
<u>Diane M. Mahon</u>	TOWN
<u>Stephen W. Decourcey</u>	OF
<u>LT</u>	ARLINGTON

A true record

ATTEST:

By: Ashley Maher
Board Administrator



Town of Arlington, Massachusetts

Acceptance of Funds From Various Entities

Summary:

Colleen Leger, Director of Health and Human Services

ATTACHMENTS:

	Type	File Name	Description
▯	Reference Material	Request_to_spend_funds_3.25.24.pdf	Reference



Town of Arlington
Department of Health and Human Services
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

TO: Select Board

FROM: Colleen Leger, Director of Health and Human Services

DATE: March 25, 2024

RE: Funds received; approval requested

The Department of Health and Human Services regularly receives funds from various entities to create and maintain programs and initiatives across the Department. To spend these funds, acknowledgement by the Select Board is required. Below are recent grants awarded to HHS by the Arlington Health and Human Services Charitable Corporation to support assistance programs organized by HHS.

Amount	Received	Use	Source	Division
\$2,000	2/2024	Lunar New Year Celebration	Arlington Commission for Arts and Culture Grants Committee; Mass Cultural Council	DEI



Town of Arlington, Massachusetts

Rotary Club of Arlington 100th Anniversary Banners

Summary:

Bill Hayner, Rotary Club of Arlington

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	rotary_club_banner_ref.pdf	Reference
▢	Reference Material	Banner_Schedule.pdf	Banner Schedule

**TOWN OF ARLINGTON
TEMPORARY BANNER PERMIT APPLICATION**

RECEIVED BY THE
SELECT BOARD OFFICE
2024 MAR 10 PM 2:21

Applicant and Sponsoring Organization Information

Name of Organization / Sponsor: Rotary Club of Arlington
Address: P.O. Box 23 City: Arlington State: MA Zip: 02476
Applicant Name: Bill Hayner Tel#: _____
E-mai.: _____

Banner Information

Event Name: 100th Anniversary Event Date(s): 10/22/2024
Request Installation Date: 9/23/2024 Date Removed: 10/24/2024
Requested Location: Street (specify): Massachusetts Avenue
Other (specify): Arlington Center
Banner Message: Rotary Club of Arlington Service Above Self Since 1924
Banner Material: vinyl

Required Attachments

Banner Design, Color, Wording and Dimensions ☐
Banner Location Site Map ☐

After banner has been approved at a Select Board Meeting, you are responsible for having the banner made and getting it out to the Public Works Department a week prior to the installation date. They are located at 51 Grove Street, 781-316-3100.

Approved by the Select Board ☐

Date Approved: _____



Rotary
Club of Arlington
Service Above Self
Since
1924

arlingtonmarotary.com

Re: Rotary Club Banner Application - Proposed for 09/23-10/24

Julie Flaherty <jflaherty@town.arlington.ma.us>

Wed 3/27/2024 3:38 PM

To: Britton Mallard <bmallard@town.arlington.ma.us>; Ashley Maher <amaher@town.arlington.ma.us>

Hello,

The Arlington Police Department would like to sponsor the banners for the Rotary Club. Please let me know if there is anything more you need from me.

Thank you,

Chief Julie Flaherty

Julie Flaherty

Chief of Police

Arlington Police Department

112 Mystic Street

Arlington, MA 02474

781-316-3901

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

Banner Schedule - 2024

MONTH	EVENT	EVENT	EVENT	EVENT	EVENT
January	Chamber of Commerce - ends January 31				
February	Black History Month				
March	Black History Month				
April	Commision for Arts and Culture April 1 - May 31				
May	Commision for Arts and Culture April 1 - May 31				
June					
July					
August	Famers Market				
September	Farmers Market				
October	Rotary Club of Arlington				
November					
December					



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 04/13/2024 @ Robbins Memorial Town Hall for Menotomy Beer Hall

Summary:

Sara Lundberg, Director, Arlington Historical Society

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	1_Day_App_Beer_Hall_04.13.24.pdf	Reference

OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant:

Arlington Historical Society, Sara Lundberg Director

Address, phone & e-mail contact information:

7 Jason Street, Arlington, Ma. 7 sara@arlingtonhistorilca.org

Name & address of Organization for which license is sought:

ABC Beer, Inc. DBA Arlington Brewing Company 251 Lowell St., Arlington, Ma. 02474

Does this Organization hold nonprofit status under the IRS Code? Yes X No

Name of Responsible Manager of Organization (if different from above):

Thomas Allen

Address, phone & e-mail contact information:

251 Lowell St, Arlington, Ma. Tom@drinkbeerarlington.com

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? YES If so, please give date(s) of Special Licenses and/or applications and title of event(s).

Is this event an annual or regular event? If so, when was the last time this event was held and at what location? One time event.

24-Hour contact number for Responsible Manager of Alcohol Event date:

Title of Event:

Menotomy Beer Hall

Date/time of Event:

Saturday, April 13, 2024 - 12:30 – 5:30 pm

Location of Event: Arlington town Hall

Location/Event Coordinator: Patsy Kraemer

Method(s) of invitation/publicity for Event: social media, town alert

Number of people expected to attend: 250

Expected admission/ticket prices: N/A

Expected prices for food and beverages (alcoholic and non-alcoholic):

Food provided by Menotomy Grill, including hamburgers, hot dogs, veggie burgers, bratwurst, chips, cookies - \$5 - \$15 pricing range

\$9 per pint of beer

Will persons under age 21 be on premises? yes

If "yes," please detail plan to prevent access of minors to alcoholic beverages.

ID's will be checked, people eligible to have alcohol will be issued a wrist band.

Have you consulted with the Department of Police Services about your security plan for the Event? YES

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Det. Corey F. Kahan
Printed name/title

Date: _____

POLICE COMMENTS:

Request one safety detail

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)

beer

What types of food and non-alcoholic beverages do you plan to serve at the Event?

Grilled burgers, hot dogs, bratwurst, veggie burgers, chips, cookies, waters, lemonade

Who will be responsible for serving alcoholic beverages at the Event?

Arlington brewery staff

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

TIPS certification - attached

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

attached

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)

ABC Beer dba Arlington Brewing Company

Date of Delivery: Saturday, April 13, 2024

Alcohol Serving Time (s): 12:30 pm – 5:30 pm

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

Arlington Brewery will take excess alcohol with them at end of event.

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

attached

Please submit this completed form and filing fee to the Select Board at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: _____

Printed name: Thomas Allen

Printed title & Organization name: Arlington Brewery

Email: _____



ROBBINS MEMORIAL TOWN HALL AUDITORIUM
730 Massachusetts Avenue, Arlington, Ma. 02476

18 March 2024

SECURITY PLAN FOR MENOTOMY BEER HALL

The Arlington Historical Society is sponsoring a 250 Celebration event to be held on Saturday, April 13, 2024 at the Arlington Town Hall. The event will run from 12:30 pm to 5:30 pm. A special permit application has been submitted to the Select Board Office.

This is the Security Plan.

We estimate approximately 250 people to attend. This is a family event and young people will be in attendance. Once an ID is shown the attendee will be given a wrist band to indicate eligibility to consume the beer.

Patsy Kraemer will be the event coordinator for the event. Menotomy Grill and Tavern will provide food for the event. Arlington Brewery will provide the beer and the bartender service. Greg Stathopoulos will be the custodian for the event. The 250 Planning Committee and the Board of the Arlington Historical Society are the planning groups for this celebration. Committee members and Board members will be responsible to ensure that the event runs smoothly.

A fire services detail will be hired for the event. A police detail will be required.

Parking for the event will be available in the Town Hall parking lot, the parking lot at the Central School office building directly behind Town Hall, and on the side streets, as well as Mass. Ave.

Please advise if there are other items that we need to consider.



A 360TRAINING COMPANY

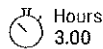
CERTIFICATE OF COMPLETION

This certifies that

Thomas Allen

is awarded this certificate for

TIPS On-Premise Alcohol Server Training



Hours
3.00



Completion Date
02/08/2023



Expiration Date
02/07/2026



Certificate #
ON-000027678573

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.881.2235 | www.360training.com

(CUT HERE)

(CUT HERE)



Issued: 02/08/2023
Certificate #: ON-000027678573

Thomas Allen
251 Lowell Street
Arlington MA 02474

CERTIFIED

Expires: 02/07/2026



Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/15/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER American Elm Insurance 223 Massachusetts Avenue Arlington MA 02474		CONTACT NAME: Johanna Moloney PHONE (A/C, No, Ext): (781) 483-3248 FAX (A/C, No): (781) 641-3223 E-MAIL ADDRESS: johanna@americanelmins.com	
INSURED MENOTOMY GRILL LLC 25 MASSACHUSETTS AVENUE ARLINGTON MA 02474		INSURER(S) AFFORDING COVERAGE INSURER A: Norfolk and Dedham Mutual Fire Insurance Company INSURER B: Norfolk and Dedham Group Pool INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: CL2431531819

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			R1842832A	10/05/2023	10/05/2024	EACH OCCURRENCE \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
			MED EXP (Any one person) \$ 5,000				
			PERSONAL & ADV INJURY \$				
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY			R1842832A	10/05/2023	10/05/2024	GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		PRODUCTS - COMP/OP AGG \$ 3,000,000				
			Liquor Liability \$ 1,000,000				
			COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000				
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB			U1808334A	10/05/2023	10/05/2024	BODILY INJURY (Per person) \$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE		BODILY INJURY (Per accident) \$				
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		PROPERTY DAMAGE (Per accident) \$				
			\$				
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			WE188367A	10/05/2023	10/05/2024	EACH OCCURRENCE \$ 1,000,000
	Y/N <input type="checkbox"/> N/A		AGGREGATE \$				
			\$				
			\$				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is an Additional Insured

CERTIFICATE HOLDER

CANCELLATION

Town of Arlington 730 Massachusetts Ave Arlington 02474	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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ABCBEER-01

VROBINSON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/27/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Allen Insurance and Financial 51 Main Street Waterville, ME 04901		CONTACT NAME: PHONE (A/C, No, Ext): (800) 439-4311 FAX (A/C, No): E-MAIL ADDRESS: info@allenif.com		
INSURED ABC Beer, Inc. DBA Arlington Brewing Company 251 Lowell St Arlington, MA 02474		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Tri State Insurance Co		31003
		INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	ADL5571028-10	10/5/2023	10/5/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		ADL5571028-10	10/5/2023	10/5/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability	X	ADL5571028-10	10/5/2023	10/5/2024	Each Common Cause 1,000,000
A	Liquor Liability		ADL5571028-10	10/5/2023	10/5/2024	Aggregate Limit 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Additional Insured for GL and Liquor Liability Form CG2026

CERTIFICATE HOLDER

CANCELLATION

Town of Arlington
730 Mass Avenue
Arlington, MA 02476

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 04/27/2024 @ Arlington Community Center for ACA Spotlight Fundraiser

Summary:

Tom Formicola
Executive Director, ACA

ATTACHMENTS:

	Type	File Name	Description
▯	Reference Material	1_Day_app_04.27.24_ref.pdf	Reference

OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: TOM FORMICOLA

Address, phone & e-mail contact information: ACA / 20 ACADEMY ST /
ARLINGTON 02476 /

Name & address of Organization for which license is sought: ARLINGTON CENTER
FOR THE ARTS (ACA)

Does this Organization hold nonprofit status under the IRS Code? ☒ Yes ☐ No

Name of Responsible Manager of Organization (if different from above): SAME AS ABOVE

Address, phone & e-mail contact information: SAME AS ABOVE

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? NO If so, please give date(s) of Special Licenses and/or applications and title of event(s). N/A

Is this event an annual or regular event? If so, when was the last time this event was held and at what location?

SAT, APR 29, 2023 @ ARLINGTON COMMUNITY CENTER

24-Hour contact number for Responsible Manager of Alcohol Event date: TOM'S

Title of Event: SPOTLIGHT ACA ANNUAL FUNDRAISER

Date/time of Event: SAT, APR 27, 2024 @ 7PM - 10 PM

Location of Event: ARLINGTON COMMUNITY CENTER / 27 MAPLE ST
Location/Event Coordinator: ARLINGTON COMMUNITY CENTER / TOM FORMICOLA
Method(s) of invitation/publicity for Event: EMAIL / SOCIAL MEDIA / POSTERS
Number of people expected to attend: 150
Expected admission/ticket prices: \$45 - \$125
Expected prices for food and beverages (alcoholic and non-alcoholic):
\$7 FOR BEER/WINE ; \$2 FOR SOFT DRINKS ;
FOOD IS FREE

Will persons under age 21 be on premises? NO

If "yes," please detail plan to prevent access of minors to alcoholic beverages.

GUESTS WILL BE REQUIRED TO BUY DRINK TIX W/ ID ;
GUESTS WILL ALSO BE CARDED BY BARTENDERS AT POINT OF PURCHASE

Have you consulted with the Department of Police Services about your security plan for the Event?

A SECURITY PLAN HAS BEEN SUBMITTED
TO THE POLICE DEPT. SEE ATTACHED.

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Off. Corey T. Falciano
Printed name/title

Date: 3/27/2024

POLICE COMMENTS:

Request one safety detail.

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.) _____

WINE & BEER ONLY

What types of food and non-alcoholic beverages do you plan to serve at the Event? _____

APPETIZERS, SALADS, MEATS, CHEESE,
CRACKERS, BREAD

Who will be responsible for serving alcoholic beverages at the Event? _____

TIPS CERTIFIED BARTENDERS

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event. _____

TIPS CERTIFICATIONS ATTACHED

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age. _____

BARTENDERS PROVIDED BY FOOD & BEVERAGE STAFFING:

MICHAEL CALICHMAN

CHRISTOPHER COURCY

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc) _____

KAPPY'S

Date of Delivery: SAT, APR 27

Alcohol Serving Time (s): 7pm - 10 pm

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

KAPPY'S WILL PICK-UP EXCESS ALCOHOLIC BEVERAGES; OPEN BOTTLES WILL BE DRAINED BY

Date of Pick-Up: MON, APR 29 BARTENDERS.

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

INSURED: ACA

INSURER A: WEST AMERICAN INSURANCE CO.

INSURER B: OHIO CASUALTY INSURANCE CO.

GENERAL LIABILITY INSURANCE — \$3,000,000

GENERAL AGGREGATE

Please submit this completed form and filing fee to the Select Board at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature:

Thomas M. Formicola

Printed name:

THOMAS M. FORMICOLA

Printed title & Organization name:

EXECUTIVE DIRECTOR / ARLINGTON CENTER FOR THE ARTS



ARLINGTON CENTER FOR THE ARTS
Security Plan for *Spotlight* ACA Fundraising Event on SAT, APR 27, 2024
Presented to Arlington Police Department on March 20, 2024

Arlington Center for the Arts (ACA), a nonprofit organization, will present its annual fundraiser, *Spotlight* ACA, on Saturday, April 27, 2024 from 7pm-10pm at Arlington Community Center, located at 27 Maple Street in Arlington.

ACA estimates a total audience of about 150 guests who will purchase admission tickets online in advance of the event. Tickets for the event are \$125 for VIPs, \$75 for General Admission, and \$65 for Members. Activities will include artist demos, music, dancing, and the presentation of our McClennen Community Arts Award.

Wine, beer, and soft drinks will be served. Guests will purchase drink tickets from a single designated station where they will be carded. TIPS-certified bartenders will card guests again before serving them. Glasses of wine and beer will be sold for \$7 (5 ounces). Soft drinks will be sold for \$2. We do not anticipate having any guests under age 21. Food, including ample appetizers and desserts, will be provided for free to guests.

Alcohol will be provided by Kappy's and served by two professional TIPS-certified bartenders confirmed by Food & Beverage Staffing. Kappy's will deliver alcohol on Apr 27 and pick-up unopened bottles on Apr 29. Open bottles will be drained in the sink immediately following the event. Unopened bottles will be stored in a locked ACA office between delivery and pick-up.

While we do not anticipate hosting any unruly or disorderly patrons, guests who behave inappropriately will be asked to leave the event by an ACA staff or board member.

Guests will check-in and out of the event at 27 Maple Street. In the event of an emergency, guests will exit the building from any of four clearly marked exits to the street. Event parking is located in lots behind the building and at Town Hall. Some limited parking is also permitted on Maple and Academy Streets.

As outlined in the Town application for a Special Alcohol License, ACA anticipates need for one police officer.

ARLINGTON CENTER FOR THE ARTS

20 Academy Street, Arlington, MA 02476 | 781.648.6220 | www.acarts.org

An application for a Special Alcohol License was submitted by ACA to the Office of the Select Board on Mar 20, 2024. Questions about the event, application, or security report should be directed to ACA Executive Director, Tom Formicola, via email at tom@acarts.org or by calling at 781-648-6220.

Thanks for your assistance.

For Arlington Center for the Arts: _____

Tom Formicola

Title: _____

Executive Director

Date: _____

3/20/24

Fwd: CONFIRMED: Fire Marshall Request by ACA

Tom Formicola <tom@acarts.org>

Thu 3/21/2024 2:55 PM

To:SBAdmin <SBAdmin@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Britton --

As we discussed this morning, I just confirmed a **Fire Marshall** for the *Spotlight* ACA event at Arlington Community Center, 27 Maple Street, on Saturday, April 27, 2024 from 7pm-10pm to benefit ARLINGTON CENTER FOR THE ARTS. Thank you for the heads-up about that.

Also, I have requested a **Certificate of Liability**, naming the Town of Arlington as an additional insured. I will drop that off at your office as soon as it is in hand.

And as I said I would, I dropped off a **Security Plan** at the Police Department earlier today. I will wait for their cue regarding a request for a Police Detail.

I think that covers all the bases for now. Please just let me know if there is anything else you need from me. Thank you!

-- Tom

Tom Formicola

Executive Director

Arlington Center for the Arts (ACA)

20 Academy Street / Arlington MA 02476

(781) 648-6220

tom@acarts.org

www.acarts.org

he/him/his



eTIPS On Premise 3.1

Issued: 9/20/2021

ID#: 5558752

Christopher T Coury

Needham, MA 02492-1519

CERTIFIED

Expires: 9/20/2024

For service visit us online at www.gettips.com



oTIPS On Premise 3.1

CERTIFIED

Issued: 07/07/2021

Expires: 07/07/2024

ID#: 5506439

Michael F Calichman

Watertown, MA 02472-2144 USA



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/22/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Liberty Mutual Insurance PO BOX 188065 Fairfield OH 45018		CONTACT NAME: PHONE (A/C, No, Ext): 800-962-7132 FAX (A/C, No): 800-845-3666 E-MAIL ADDRESS: BusinessService@LibertyMutual.com	
INSURED ARLINGTON CENTER FOR THE ARTS INC 20 Academy St Arlington MA 02476		INSURER(S) AFFORDING COVERAGE INSURER A: West American Insurance Company INSURER B: The Ohio Casualty Insurance Company INSURER C: The Ohio Casualty Insurance Company INSURER D: The Ohio Casualty Insurance Company INSURER E: INSURER F:	
		NAIC # 44393 24074 24074 24074	


COVERAGES **CERTIFICATE NUMBER:** 0015760358 **REVISION NUMBER:** 2016-03

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	X	X	BKW6111123	07/01/2023	07/01/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			BAO6111123	07/01/2023	07/01/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
D	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	X	X	USO6111123	07/01/2023	07/01/2024	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	XWO6111123	07/01/2023	07/01/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is Additional Insured if required by written contract or written agreement subject to General Liability Blanket Additional Insured Provision.

CERTIFICATE HOLDER Town of Arlington Arlington Community Center 27 Maple Street Arlington MA 02476	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  Curtis Luken
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Town of Arlington, Massachusetts

Council on Aging

Summary:

Melissa McNerney
(term to expire: 01/31/2027)

ATTACHMENTS:

	Type	File Name	Description
▯	Reference Material	M._McNerney_App_ref.pdf	Reference



Town of Arlington
Office of the Town Manager

James Feeney
Town Manager

730 Massachusetts Avenue
Arlington MA 02476-4908
Phone (781) 316-3010

MEMORANDUM

DATE: March 19, 2024

TO: Board Members

SUBJECT: Appointment to the Council on Aging

This memo is to request the Board's approval of my appointment of Melissa McInerney, Arlington, MA, to the Council on Aging, with a term expiration date of 01/31/2027.

A handwritten signature in blue ink, consisting of stylized loops and a long horizontal stroke.

Town Manager

OFFICE OF THE SELECT BOARD

ERIC D. HELMUTH, CHAIR
JOHN V. HURD, VICE CHAIR
DIANE M. MAHON
STEPHEN W. DECOURCEY
LENARD T. DIGGINS



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

March 28, 2024

Melissa McInerney
Arlington, MA 02476

Re: Appointment: Council on Aging

Dear Melissa:

As a matter of the standard appointment procedure, the Select Board requests that you attend the Select Board meeting conducted by hybrid format, on Monday, April 1, 2024, at 7:15 p.m.

It is a requirement of the Select Board that you join this hybrid meeting. This will give the Board an opportunity to meet and discuss matters with you about the area of activity in which you will be involved.

You may attend the meeting in-person or virtually. The meeting will take place in the Select Board Chambers. The link to the meeting and other information will be available at the bottom of the Select Board Agenda as well as on the Town Calendar when the meeting is posted on Thursday, March 28, at 7:00 p.m.

Please contact this office by e-mail, bmallard@town.arlington.ma.us, if you have any questions.

Thank you.

Very truly yours,
SELECT BOARD

A handwritten signature in cursive script that reads "Ashley Maher".

Ashley Maher
Board Administrator

Melissa Powell McInerney

Department of Economics
Tufts University
177 College Avenue
Medford, MA 02155

ACADEMIC POSITIONS

Professor, Tufts University <i>Department of Economics</i> <i>Department of Community Health</i> <i>Tufts Clinical and Translational Science Institute</i>	2021-
Associate Professor (with tenure), Tufts University <i>Department of Economics</i> <i>Tufts Clinical and Translational Science Institute (2017-)</i>	2014-2021
Visiting Scholar, Boston College Center for Retirement Research	2016-2017
Assistant Professor, College of William and Mary <i>Department of Economics</i> <i>Thomas Jefferson Program in Public Policy</i>	2008-2014

PROFESSIONAL APPOINTMENTS

Research Associate, National Bureau of Economic Research	2020-
--	-------

EDUCATION

Ph.D. Economics, University of Maryland at College Park, 2008
M.P.P. Education, Social, and Family Policy, Georgetown Public Policy Institute, 2002
B.A. Mathematics, Carleton College, Northfield, MN, 1998

FIELDS OF SPECIALIZATION

Public Economics, Health Economics, Labor Economics, Applied Microeconomics

REFEREED JOURNAL ARTICLES

Mellor, JM, M McInerney, RC Garrow, and LM Sabik. 2023. "The Impact of Medicaid Expansion on Medicare Spending and Utilization by Older Low-Income Adults." *Health Services Research*.
<https://doi.org/10.1111/1475-6773.14155>

McInerney, M, JM Mellor, LM Sabik, and V Ramamoorthy (GSAS '23). 2022. "Improving Identification of Community-Dwelling Older Adults Eligible for Medicaid in Major Household Surveys." *Health Services and Outcomes Research Methodology*. doi: 10.1007/s10742-022-00297-5

McInerney, M, G McCormack, JM Mellor, LM Sabik. 2022. "Association of ACA Medicaid Expansion with Medicaid Receipt and Health Care Use in Low-Income Older Adults with Chronic Condition Limitations." *JAMA Health Forum*, 3(6):e221373. Doi:/10.1001/jamahealthforum.2022.1373.

Roberts, E, JM Mellor, M McInerney, and LM Sabik. 2022. "Effects of a Medicaid Dental Coverage 'Cliff' on Dental Access Among Low-Income Medicare Beneficiaries." *Health Services Research*. <http://doi.org/10.1111/1475-6773.13981>

Garrow, R, M McInerney, JM Mellor, and LM Sabik. 2022. "Examining Medicaid Participation and Medicaid Entry among Senior Medicare Beneficiaries with Linked Administrative and Survey Data." *Medical Care Research and Review*. DOI: [10.1177/10775587221101297](https://doi.org/10.1177/10775587221101297)

Cornelio, N, M McInerney, JM Mellor, ET Roberts, and LM Sabik. 2021. "Increasing Medicaid Asset Tests for People Eligible for Medicare and Medicaid Will Help Vulnerable Seniors." *Health Affairs*, 40(12): 1943-1952.

McInerney M, J Mellor, and L Sabik. 2021. "Welcome Mats and On-Ramps for Older Adults: The Impact of the Affordable Care Act's Medicaid Expansions on Dual Enrollment in Medicare and Medicaid." *Journal of Policy Analysis and Management*, 40(1): 12-41.

Bronchetti, ET and M McInerney. 2021. "Health Care Reform and Workers' Compensation: Evidence from Massachusetts." *Industrial Labor Relations and Review*. 4(2): 388-418. <https://doi.org/10.1177/0019793919891425>

Mellor, JM, M McInerney, and LM Sabik. 2021. "Misclassification of Medicaid Participation by Dual Eligibles: Evidence from the Medicare Current Beneficiary Survey." *Medical Care Research and Review*, 78(2): 113-124. <https://doi.org/10.1177/1077558719858839>

McInerney, M, R Winecoff, P Ayyagari, and MK Bundorf. 2020. "New Evidence on the Effects of the ACA Medicaid Expansion on Near-Elderly Coverage, Out-of-Pocket Spending, and Health Status: Insights from the Health and Retirement Study." *INQUIRY: The Journal of Health Care Organization, Provision, and Financing*. 57:1-10.

McInerney, M and M Meiselbach (A '15). 2020. "Distributional Effects of Recent Health Insurance Expansions on Weight-Related Outcomes." *Economics and Human Biology*. 38(2020): 100870.

Dillender, M and M McInerney. 2020. "The Role of Mexican Immigration to the United States in Improved Workplace Safety for Natives from 1980 to 2015." *Journal of Health Economics* 70(2020): 102280.

Roberts, ET, JM Mellor, M McInerney, and LM Sabik. 2019. "State Variation in the Characteristics of Medicare-Medicaid Dual Enrollees: Implications for Risk Adjustment." *Health Services Research* 54: 1233-1245.

McInerney, M, JM Mellor, and LM Sabik. 2017. "The Effects of State Medicaid Expansions for Working-Age Adults on Senior Medicare Beneficiaries." *American Economic Journal: Economic Policy* 9(3): 408-38.

McHenry, PN and M McInerney. 2015. "Estimating Hispanic-White Wage Gaps Among Women: The Importance of Controlling for Cost of Living." *Journal of Labor Research* 36: 249-273.

Bronchetti, ET and M McInerney. 2015. "What Determines Employer Accommodation of Injured Workers? The Importance of Employer Workers' Compensation Costs, State Policies, and Case-Specific Characteristics." *Industrial and Labor Relations Review* 68(3): 558-583.

He, D, M McInerney, and JM Mellor. 2015. "Physician Responses to Rising Local Unemployment Rates: Hospital Care Provision to Medicare and Privately-Insured Patients." *Journal of Health Economics* 40: 97-108.

McHenry, PN and M McInerney. 2014. "The Importance of Cost of Living and Education in Estimates of the Conditional Wage Gap Between "Black and White Women." *Journal of Human Resources* 49(3): 695-722.

McInerney, M, JM Mellor, and LH Nicholas. 2013. "Recession Depression: Mental Health Effects of the 2008 Stock Market Crash." *Journal of Health Economics* 32(6): 1090-1104.

McInerney, M and JM Mellor. 2012. "State Unemployment During Recessions from 1991-2009 Was Linked to Faster Growth in Medicare Spending." *Health Affairs* 31(11): 2464-2473.

McInerney, M and JM Mellor. 2012. "Recessions and Seniors' Health, Health Behaviors, and Healthcare Use: Analysis of the Medicare Current Beneficiary Survey." *Journal of Health Economics* 31: 744-751.

Bronchetti, ET and M McInerney. 2012. "Revisiting Incentive Effects in Workers' Compensation: Do Higher Benefits Really Induce More Claims?" *Industrial and Labor Relations Review* 65(2), pp. 288-315.

McInerney, M and KI Simon. 2012. "State Workers' Compensation Program Reforms and Social Security Disability Receipt." *Industrial Relations* 51(1): 57-88.

Hellerstein, JK, M McInerney, and D Neumark. 2011. "Neighbors and Co-Workers: The Importance of Residential Labor Market Networks." *Journal of Labor Economics* 29(4): 659-695.

McInerney, M. 2010. "Privatizing Public Services and Strategic Behavior: The Impact of Incentives to Reduce Workers' Compensation Claim Duration." *Journal of Public Economics* 94(9-10): 777-789.

Hellerstein JK, D Neumark, and M McInerney. 2010. "Spatial Mismatch, Immigrant Networks, and Hispanic Employment in the United States." *Annales d'Economie et de Statistique/Annals of Economics and Statistics* 99/100: 141-167.

Hellerstein, JK, D Neumark, and M McInerney. 2008. "Spatial Mismatch or Racial Mismatch?" *Journal of Urban Economics* 64(2) 464-479.

NON-REFEREED BOOK CHAPTERS

Hellerstein, JK, D Neumark, and M McInerney. "Changes in Workplace Segregation in the United States between 1990 and 2000: Evidence from Matched Employer-Employee Data," in Stefan Bender, Julia Lane, Kathryn Shaw, Fredrik Andersson, and Till von Wachter, eds. *The Analysis of Firms and Employees: Quantitative and Qualitative Approaches*, 2008 (University of Chicago Press).

WORKING PAPERS

Bronchetti, E and M McInerney. 2023. "Work-Related Injuries and Older Workers: Earnings, Labor Supply, Program Participation, and Retirement."

Alsan, M, MK Bundorf, M Fisher, M McInerney, A Ortega, K Simon, R Winecoff, and E Ziedan. 2023. "Racial and Ethnic Segregation in Nursing Home and Ambulatory Care."

Lipton, B, J Garcia, M Boudreaux, P Azatyan, and M McInerney. 2023. "Most State Medicaid Programs Cover Routine Eye Exams for Adults, but Coverage of Other Routine Vision Services Varies." Revised and resubmitted.

McInerney, M, JM Mellor, C Pelnik (GSAS '24), LM Sabik. 2022. "Implications of the Growth of Defined Contribution Retirement Plans for Safety Net Eligibility: The Case of Medicaid."

Bundorf, MK, M McInerney, K Simon, and R Winecoff. 2022. "The Effect of Insurance on Health: Evidence from Increased Access to Health Insurance Before Age 65."

McInerney, M, M Rutledge, and SE King. "How Much Does Out-of-Pocket Medical Spending Eat Away at Retirement Income?" October 2017. Center for Retirement Research at Boston College Working Paper (CRR WP 2017-13).

McInerney, M. "The Medicaid Buy-In and the Employment and Earnings of Social Security Disability Insurance Beneficiaries." November 2014. Center for Retirement Research at Boston College Working Paper (CRR WP 2013-20).

GRANTS AND CONTRACTS

Co-Investigator. "Medicaid Vision Benefits, Access to Vision Care, and Fall-Related Outcomes Among Older Low-Income Adults." National Eye Institute. 2022-2026. (Tufts award: \$363,968)

Principal Investigator. "Drivers of Racial Segregation in Physician Services: Implications for Health Outcomes Equity." NBER Pilot project funded by the National Institute on Aging. (\$50,000) 2022-2023.

Co-Investigator. "The Long-Run Effects of Workplace Injuries on Older Workers: Earnings, SSDI, SSI, and Early Retirement." Social Security Administration (through University of Wisconsin Center for Financial Security) (Tufts award: \$74,861) (October 2022-September 2023)

Co-Investigator. "Long-run Effects of Workplace Injuries on Retirement Expectations and Outcomes." Alfred P. Sloan Foundation (through NBER). July 2022-June 2023. (Tufts award: \$37,500)

Principal Investigator. "Access to Care by Low-Income Senior Medicare Beneficiaries Direct and Indirect Effects of State Medicaid Expansions to Working-Age Adults." Agency for Healthcare Research and Quality R01HS025422. August 2017-September 2023. (\$968,036)

Senior Investigator. "The Effect of Insurance on Health: Evidence from Increased Access Before Age 65." National Institute on Aging. R03AG059110. September 2018-May 2020. (\$134,466)

Principal Investigator. "Interactions Between Local Opioid Use and Work Outcomes." Spring 2018. Tufts FRAC Faculty Research Fund. (\$2,100)

Co-Investigator. "How Much Does Out-of-Pocket Medical Spending Eat Away at Social Security Benefits." Social Security Administration. Summer 2017. (Administered through Boston College Center for Retirement Research.) (\$27,230)

Principal Investigator. "Medicaid Receipt and Access to Care Among Low-Income Adults." FRAC Senior Research Semester Fellowship for Fall 2016.

Principal Investigator. "Insurance Expansions and Medicare Beneficiaries." May 2015. FRAC Grant-in-Aid. (\$330)

Principal Investigator, "Examining Differences by Ethnicity in the Propensity to File for Workers' Compensation Insurance." Department of Labor Scholars program. 2015. (\$39,903)

Co-Principal Investigator, "Does Increased Access to Health Insurance Impact Claims for Workers' Compensation" Funded by the W.E. Upjohn Institute for Employment Research Early Career Research Grant program. 2015. (\$4,964)

Co-Principal Investigator, "Do Hispanic Workers Face Wage Penalties in the U.S. Labor Market?" Funded by the W.E. Upjohn Institute for Employment Research Early Career Research Grant program. 2013. (\$5,000)

Principal Investigator, "The Medicaid Buy-In and the Employment, Earnings, and Out of Pocket Medical Expenditures of Social Security Disability Insurance Beneficiaries." Funded by the Steven H. Sandell Grant Program (funded by the Social Security Administration) sponsored by the Center for Retirement Research at Boston College. May 2012 to September 2013. (\$44,985)

Co-Principal Investigator, "Consequences of the Great Recession on Health and Health-Related Outcomes," with Jennifer M. Mellor and Lauren Hersch Nicholas. Funded by the Russell Sage Foundation Great Recession Initiative. January 2012 to June 2013. (\$166,673)

NON-ACADEMIC EMPLOYMENT

Statistician, Center for Economic Studies, Bureau of the Census, 2003-2008.

Training Specialist, Covenant House New York, New York, NY, 1999-2000.

Catastrophe Risk Analyst, E.W. Blanch Company, Minneapolis, MN, 1998-1999.

TEACHING EXPERIENCE

Health Economics (undergraduate)

Labor Economics (undergraduate)

Econometrics (undergraduate)

International Lessons for the Social Safety Net: Health, Unemployment, and Related Public Policies in the United States and France (undergraduate, Tufts in Talloires)

Public Economics (undergraduate)

Economics of Policy-Making at the State and Local Level (MPP)

Benefit-Cost Analysis (MPP)

Regression Methods for Policy Analysis (MPP)

Principles of Microeconomics (undergraduate)

PRESENTATIONS

2023: University of Massachusetts at Amherst, North Carolina State University.

2022: NBER Summer Institute. Association for Public Policy Analysis and Management annual conference.

2021: Wayne State University.

2020: Tisch Faculty Research Workshop at Tufts University. Eastern Economic Association Meetings. Tufts Department of Economics Brown Bag Series. North Carolina State University (cancelled due to COVID-19).

2019: Harvard/BU/MIT Joint Health Economics Seminar Series. Essen Health Conference, University of Rhode Island

2018: Federal Reserve Bank of Boston New England Study Group. Tufts Community Health/Occupational Therapy seminar, American Society for Health Economists Annual Conference, AcademyHealth Annual Research Meeting, Western Economics Association Meeting.

2017: International Health Economics Association, Association for Public Policy Analysis and Management. Retirement Research Consortium.

2016: American Economic Association Allied Statistical Sciences Association Meetings, American Society for Health Economists Biennial Conference, AcademyHealth Health Economics Interest Group Meeting, Boston College Center for Retirement Research, University of Massachusetts-Lowell

2015: University of North Dakota, Wellesley College, Association for Public Policy Analysis and Management

2014: Tufts University, University of Maryland at College Park, Northeastern University, Emory University

2013: Cornell University, Bryn Mawr College, Association for Public Policy Analysis and Management Annual Meeting

2012: American Economic Association Allied Statistical Sciences Association Meetings, North Carolina State University, University of Richmond

2011: Association for Public Policy Analysis and Management Annual Meeting, Population Association of America Meeting, Southern Economic Association Meeting

2010: Southern Economic Association Meetings, Association for Public Policy Analysis and Management Meetings

2009: Western Economic Association Meetings

2008: Southern Economic Association Meeting, Association for Public Policy Analysis and Management Annual Meeting, Western Economic Association Meeting, Georgia State University, University of Delaware, College of William and Mary, Mount Holyoke College, Trinity College, College of the Holy Cross, University of Massachusetts at Boston, Rutgers University Newark, Urban Institute, U.S. Census Bureau

2007: Census Research Data Center Annual Conference

2006: Southern Economic Association Meetings, Workers' Compensation Research Group, Workers' Compensation Research Institute

AWARDS AND HONORS

Economics and Society Speaker, University of Rhode Island, November 2019
Senior Research Semester Fellowship, Tufts University, Fall 2016
Class of 1953 Term Distinguished Associate Professor, College of William and Mary, 2014
Alumni Fellowship Award, College of William and Mary, 2014
Summer Research Grant, College of William and Mary, 2010
Reves Center Faculty International Travel Grant, College of William and Mary, 2009
Matthews Summer Research Grant, College of William and Mary, 2009
Economic Club of Washington, DC Doctoral Research Fellowship, 2007
John Jones Scholar Award, Workers' Compensation Research Institute, 2006

PROFESSIONAL SERVICE

Chair, NLSY79 Pathways Working Group. 2023

Editorial Review Board, *INQUIRY: The Journal of Health Care Organization, Provision, and Financing*, 2022-

Chair, National Longitudinal Surveys Technical Review Committee, 2021-

Member, Workers' Compensation Research Institute Academic Advisory Council, 2021-

Member, Scientific Committee, Essen Health Conference 2020, 2019-20

Elected Member, National Academy of Social Insurance (NASI), 2018-

Member, National Longitudinal Surveys Technical Review Committee, 2018-2021

Member, AcademyHealth Health Economics Interest Group Advisory Group, 2016-18

Referee: *American Economic Journal: Applied Economics*, *Journal of Human Resources*, *Journal of Public Economics*, *Journal of Health Economics*, *JAMA*, *Review of Economics and Statistics*, *RAND Journal of Economics*, *Health Economics*, *Journal of Policy Analysis and Management*, *American Journal of Health Economics*, *Industrial and Labor Relations Review*, *Industrial Relations*, *Health Services Research*, *Demography*, *Medical Care Research and Review*, *Journal of Urban Economics*, *Labour Economics*, *Economics of Education Review*, *Southern Economic Journal*, *Economic Inquiry*, *Contemporary Economic Policy*, *Social Science and Medicine*, *American Journal of Industrial Medicine*, *Spatial Economic Analysis*, *Urban Studies*, *Criminology*, *Public Health Nutrition*

CeMent Workshop for Junior Faculty, 2011

Honors Examiner, Swarthmore College, 2010

Reviewer, National Science Foundation

External Reviewer, Carleton College Political Economy Program

Department and Program:

Member, Secondary Appointment Committee, 2023-

Liaison, Economic Society, 2022-

Liaison, Committee on Work-Life Balance, 2022-

Member, MS Graduate Program Committee, 2022-

Associate Director, Tufts MS Program in Economics, 2020-22

Member, Tufts Economics Faculty Search Committee, 2020-21

Member, Courtesy Appointments Committee, 2020-21

Chair, Tufts Economics Seminar and Named Lecture Committee, 2017-18; 2018-19; 2019-20
 Member, Committee to Plan Departmental Celebration of Degree Conferral, Spring 2020
 Departmental contact for Stata tutors, 2019-20
 Member, Cummings Building Committee, 2017-18
 Member, Tufts Economics Undergraduate Awards Committee, 2014-16
 Member, Tufts Economics Workload Committee, Spring 2016
 Member, Tufts Economics Seminar Committee, 2015-16
 Member, Tufts Economics Faculty Search Committee, 2014-2015
 Member, W&M Curriculum Committee, 2012-2013, 2013-2014
 Member, W&M Economics Faculty Search Committee, 2010-2011, 2013-2014
 Member, W&M Glenn and Goble Award Selection Committee, 2010-2011, 2013-2014
 Member, W&M Barry Award Selection Committee, 2009-2010, 2010-2011, 2012-2013
 Member, Thomas Jefferson Program in Public Policy Governing Board, 2008-2013
 Member, Thomas Jefferson Program in Public Policy Admissions Committee, 2012-2013

College:

Co-Chair, HEALS PhD Working Group, 2022-2023
 Member, Graduate School of Arts and Sciences Policies and Programs Committee 2020-22
 Member, Faculty Research Support Advisory Committee, 2019-24
 Member, Academic Awards Committee, 2018-23
 Faculty Liaison, Tufts University Swimming and Diving Teams, 2018-20
 Member, DISC Director Search committee, 2017-18; 2018-19
 Member, Tufts Data Science Major Working Group, 2017-18
 Chair, Tufts IT Committee 2020-22
 Member, Tufts IT Committee, 2017-20
 Member, Secure and Equitable Society Research and Scholarship Strategic Planning Working Group (Tufts), 2018
 Appointed Faculty Senate Representative, Tufts RFP for Health Insurance Carriers, 2018
 Member, Health Professions Recommendation Committee (Tufts), Spring 2017-

Chair, W&M Faculty Compensation Board, 2013-14
 Member, W&M Faculty University Priorities Committee, Spring 2014
 Member, W&M COLL 400 Working Group, Spring 2014
 Member, W&M Truman Scholarship Selection Committee, 2010-2011, 2011-2012
 W&M New student advising, 2010-2011, 2011-2012, 2013-2014
 W&M Charles Center Summer Scholarship Selection Committee, 2011-2012, 2012-2013
 Participant, W&M WISE Program (The Women in Scientific Education Initiative)

PROFESSIONAL MEMBERSHIPS

American Economic Association
 American Society of Health Economists
 Association for Public Policy Analysis and Management
 AcademyHealth
 Committee for the Status of Women in the Economics Profession



Town of Arlington, Massachusetts

Future Select Board Meetings

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	April_-_August_Calendar.pdf	April - August Calendar

APRIL 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Select Board Meeting		3	4	5	6 Annual Town Election
7	8 Select Board Meeting	9	10	11	12	13
14	15 Patriots' Day	16	17	18	19	20
21	22	23	24 Annual Town Meeting Begins	25	26	27
28	29	30				

MAY 2024						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE 2024						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

JULY 2024						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST 2024						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31



Town of Arlington, Massachusetts

Vote: Special Town Meeting, Date to be Determined

Summary:

Jim Feeney, Town Manager



Town of Arlington, Massachusetts

For Approval: Opening of Special Town Meeting Warrant



Town of Arlington, Massachusetts

Articles for Review:

Summary:

Article 14 Bylaw Amendment/Focused Residence Picketing

Article 20 Home Rule Legislation/Town Clerk

Article 21 Home Rule Legislation/To Amend the Senior Citizen Property Tax Exemption

Article 22 Home Rule Legislation/Lowering the Voting Age to 16 in Local Elections

Article 53 Appropriation/Takings for Stratton School Safe Routes

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Warrant_Article_Text.pdf	Warrant Article Text
▢	Reference Material	Warrant_Articles_Memo_4.1.24.pdf	Warrant Articles Memo
▢	Reference Material	WA_21_Reference.pdf	WA 21 Reference
▢	Reference Material	WA_22_Presentation.pdf	WA 22 Presentation
▢	Reference Material	Full_Version_WA_22_Presentation.pdf	WA 22 Full Presentation
▢	Reference Material	WA_22_Fact_Sheet.pdf	WA 22 Fact Sheet
▢	Reference Material	WA_22_Austria_Case_Study.pdf	WA 22 Austria Case Study
▢	Reference Material	WA_22_-_J._Douglas__UPenn.pdf	WA 22 UPenn
▢	Reference Material	WA_22_Article.pdf	WA 22 Article
▢	Reference Material	609531_ROW_Plan_Set.pdf	WA 53 Reference
▢	Reference Material	WA_53_Presentation.pdf	WA 53 Presentation

Warrant Article Text

ARTICLE 14 BYLAW AMENDMENT / FOCUSED RESIDENCE PICKETING

To see if the Town will vote to amend Title I of the Town Bylaws to add a new provision to prohibit and make it unlawful for any person to engage in picketing focused on, or taking place in front of or about, a particular residence in the Town of Arlington; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 20 HOME RULE LEGISLATION / TOWN CLERK

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to update the Town Manager Act to reflect the transition of the Town Clerk's Office from an elected to appointed position; or take any action related thereto.

(Inserted by the Select Board)

ARTICLE 21 HOME RULE LEGISLATION / TO AMEND THE SENIOR CITIZEN PROPERTY TAX EXEMPTION

To see if the Town will vote to authorize and request the Select Board to request the Legislation or Senate and House of Representatives in General Court or other Special Legislation to amend Chapter 285 of the Acts of 2020 "An Act Authorizing the Town of Arlington To Establish A Means Tested Senior Citizen Property Tax Exemption" by inserting the following language at the end of Section 3"; or funded by an appropriation or transfer from existing funds while not exceeding 1 per cent of the municipality's tax levy."; or take any action related thereto.

(Inserted at the request of the Board of Assessors)

ARTICLE 22 HOME RULE LEGISLATION / LOWERING THE VOTING AGE TO 16 IN LOCAL ELECTIONS

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to petition the State Legislature to allow Arlington to lower the voting age from 18 to 16 for municipal elections; or take any action related thereto.

(Inserted at the request of Sophie Shen and ten registered voters)

ARTICLE 53 APPROPRIATION / TAKINGS FOR STRATTON SCHOOL SAFE ROUTES

To see if the Town will vote to act by and through the Select Board to take by eminent domain, purchase, or otherwise acquire outright, or acquire permanent easements upon, portions of land in and around the Stratton Elementary School area for the purpose of placing sidewalks in connection with the Commonwealth's Safe Routes to School program, to appropriate a sum or sums of money for such acquisitions, determine how the money will be raised and expended, including the possibility of borrowing any or all of it; or take action related thereto.

(Inserted at the request of the Director of Planning and
Community Development and the Town Manager)



**Town of Arlington
Legal Department**

Michael C. Cunningham
Town Counsel

50 Pleasant Street
Arlington, MA 02476
Phone: 781.316.3150
Fax: 781.316.3159
E-mail:
mcunningham@town.arlington.ma.us
Website: www.arlingtonma.gov

To: Arlington Select Board

Cc: James Feeney, Town Manager

From: Michael C. Cunningham, Town Counsel
Jaclyn Munson, Deputy Town Counsel

Date: March 30, 2024

Re: Annual Town Meeting Warrant Articles: 14, 20, 21, 22 and 53.

The Legal Department writes to provide the Select Board a summary of the above referenced warrant articles to assist in your consideration of these articles at your upcoming hearing on April 1, 2024.

ARTICLE 14 BYLAW AMENDMENT / FOCUSED RESIDENCE PICKETING

To see if the Town will vote to amend Title I of the Town Bylaws to add a new provision to prohibit and make it unlawful for any person to engage in picketing focused on, or taking place in front of or about, a particular residence in the Town of Arlington; or take any action related thereto.

(Inserted at the request of the Town Manager)

This Article, if approved by Town Meeting, would make it unlawful for any person to picket "before or about" the residence or dwelling of any individual in the Town. According to a prior decision of the United States Supreme Court, the language of the proposed Bylaw Amendment strikes the correct balance between the protection of a citizen's First Amendment right to free speech and the right of privacy all citizens enjoy within their own walls, which the state may legislate to protect, seeking to ensure the ability to avoid intrusions of unwanted speech, because there is no right to force speech into the home of an unwilling listener.

As a matter of law, it is a town bylaw completely banning picketing "before or about" any individual's "residence or dwelling" is not facially invalid, under the Federal Constitution's First Amendment, if the bylaw (1) is content-neutral on its face, (2) prohibits only focused picketing taking place solely in front of a particular residence, (3) leaves open ample alternative channels of communication for the dissemination of messages (4) prohibits the type of focused picketing which is fundamentally different from more generally directed means of communications that may not be completely banned in residential areas, and (5) is narrowly tailored to serve the significant government interest of protection of residential privacy, especially where the picketing is narrowly directed at the household, not the public, and where, even if some picketers have a broader communicative purpose, their activity nonetheless inherently and offensively intrudes on residential privacy. See generally, Frisby v. Schultz, 487 U.S. 474 (1988). The current proposed bylaw satisfies these criteria, an opinion that is bolstered by its similarity to the language of the ordinance that was evaluated by the Court in Frisby.

The implications of the proposed Bylaw on free speech are not lightly considered. Because of the importance of "uninhibited, robust, and wide-open" debate on public issues, New York Times Co. v. Sullivan, 376 U.S. 254, 270 (1964), courts have traditionally subjected restrictions on public issue picketing to careful scrutiny. See, e. g., Boos v. Barry, 485 U.S. 312,

318 (1988); United States v. Grace, 461 U.S. 171 (1983); Carey v. Brown, 447 U.S. 455 (1980). However, "[e]ven protected speech is not equally permissible in all places and at all times." Cornelius v. NAACP Legal Defense & Educational Fund, Inc., 473 U.S. 788, 799 (1985). To ascertain what limits, if any, may be placed on protected speech, courts have often focused on the "place" of that speech, considering the nature of the forum the speaker seeks to employ. Relevant cases have recognized that the standards by which limitations on speech must be evaluated "differ depending on the character of the property at issue." Perry Education Assn. v. Perry Local Educators' Assn., 460 U.S. 37, 44 (1983). In Frisby, the Court identified three types of fora: "the traditional public forum, the public forum created by government designation, and the nonpublic forum." Frisby, 487 U.S. at 479-80; *citing* Cornelius, *supra*, at 802.

It is likely that any court evaluating the current Bylaw proposal would apply the same standard as the Frisby Court – that the antipicketing Bylaw must be judged against the stringent standards courts have established for restrictions on speech in traditional public fora:

"In these quintessential public for[a], the government may not prohibit all communicative activity. For the State to enforce a content-based exclusion it must show that its regulation is necessary to serve a compelling state interest and that it is narrowly drawn to achieve that end. . . . The State may also enforce regulations of the time, place, and manner of expression which are content-neutral, are narrowly tailored to serve a significant government interest, and leave open ample alternative channels of communication." Frisby 487 at 481, *citing* Perry, *supra*, at 45.

The compelling state interest in this matter is the right of privacy of a resident within that resident's own walls. As noted in Frisby, "the State's interest in protecting the well-being, tranquility, and privacy of the home is certainly of the highest order in a free and civilized society." Id. at 484, *citing* Carey v. Brown, 447 U.S., at 471. Our prior decisions have often

remarked on the unique nature of the home, "the last citadel of the tired, the weary, and the sick," Gregory v. Chicago, 394 U.S. 111, 125 (1969).

Accordingly, based on the information and citations set forth above, it is the Legal Department's opinion that the proposed Bylaw would survive constitutional scrutiny. Therefore, if the Select Board is inclined to move favorable action, a draft motion would be as follows:

VOTED: that the Town does and hereby amends Title I of the Town's Bylaws to add a new provision to prohibit and make it unlawful for any person to engage in picketing focused on, or taking place in front of or about, a particular residence in the Town of Arlington; or take any action related thereto, so that the new provision of Title I reads as follows:

**TITLE I
ARTICLE 26
FOCUSED RESIDENTIAL PICKETING**

It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual in the Town of Arlington.

ARTICLE 20 **HOME RULE LEGISLATION / TOWN CLERK**

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to update the Town Manager Act to reflect the transition of the Town Clerk's Office from an elected to appointed position; or take any action related thereto.

(Inserted by the Select Board)

This Article was inserted by the Select Board and seeks approval from the Town for the Select Board to file special legislation through a Home Rule Petition to amend the Town Manager Act, Chapter 503 of the Acts of 1952, as amended, to convert the Town Clerk position from elected to appointed. Under the Town Manager Act, s. 8, the Town Clerk is presently an elected position.

Amending the Town Manager Act to codify the Town Clerk as an appointed position is best served through special legislation. Although a 1997 state law, M.G.L. ch. 41, s. 1B, created a local process by which towns could convert certain officers or boards elected under ch. 41

through a democratic process, ch. 41 does not apply to the Town of Arlington because that statute excepts from its statutory purview other legal provisions or charters. This means that the Town Manager Act as another legal provision would supersede ch. 41 and by practical result, the local process to convert certain officers or boards under ch. 41 s. 1B. To that end, filing a Home Rule Petition to effectuate this Article is the best legal path forward.

In fact, other municipalities have filed similar legislation to convert elected to appointed positions, such as the Town of Westwood (Town Treasurer and Tax Collector, passed to be engrossed on March 18, 2024); and relative to the legislation at issue here, the Town of Wenham (Town Clerk, signed by the Governor on February 6, 2024 as Chapter 10 of the Acts of 2024); and the Town of Rutland (Town Clerk, signed by the Governor on February 21, 2024, as Chapter 29 of the Acts of 2024). This recent precedent suggests that similar special legislation filed by the Board would likely be successful if the Town authorizes it to do so.

While the Town of Westwood did not propose to place the substance of the legislation as a ballot question, the Town of Wenham did, by subjecting it to acceptance by Town voters at the next town election using language similar to that required under ch. 41's local conversion process. Conversely, the Town of Rutland's legislation was enacted without any provision subjecting its acceptance to the election process. It is reasonable to conclude that the Board may proceed in a similar manner here. For avoidance of doubt, the democratic process would not be undermined by filing special legislation to convert the Town Clerk role, even if the legislation did not place the question of its acceptance on the ballot. First, this elected Board must vote to take an action the Article. Second, Town Meeting must vote on this Article, and third, the state Legislature must vote on the special legislation.

Next, the Board may want to consider including specific language in the special legislation, such as identifying the appointing authority of the Town Clerk, whether the position

will have a fixed term or serve at the pleasure of the appointing authority, the effective date, and whether the Board wants to identify any Town Clerk duties and obligations that it would like to codify.

Clarifying these particulars in advance of filing the Home Rule Petition will avoid the Legislature amending the legislation on its own or declining to take any affirmative action on it.

In fact, the function of special legislation offers flexibility to local governments seeking to amend state law, giving the Board broad authority to consider the specific language noted above. To that end, the proposed special legislation language below may be considered by the Board or even amended, if it so wishes.

Finally, the Board should be aware that the Town's Bylaws may need to be amended if the special legislation is enacted to reflect changes to the Town Manager Act. For example, Title I, Article 6, Sections 9 and 21 (Allocation of Positions in the Town Clerk's Office and Benefits of the Clerk, respectively) may need to be amended to consider whether the Town Clerk's position will be included in classification and compensation plans and whether the office will remain an independent authority. In essence, the special legislation may require further amendments to the Town's Bylaws consistent with the content of the special legislation.

VOTED: That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to amend the Town Manager Act to convert the Town Clerk from an elected to appointed position; or take any action related thereto, so that the Home Rule Legislation reads as follows:

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

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the Town of Arlington to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

PETITION FOR A SPECIAL LAW RE:

AN ACT AMENDING CHAPTER 503 OF THE ACTS OF 1952, AN ACT ESTABLISHING A TOWN MANAGER FORM OF GOVERNMENT FOR THE TOWN OF ARLINGTON, TO ESTABLISH THE TOWN CLERK AS AN APPOINTED POSITION

SECTION 1. Notwithstanding any general or special law to the contrary, there shall be established in the Town of Arlington the office of appointed town clerk. The select board of the town shall appoint and may remove the town clerk, and the town clerk shall serve at the pleasure of the select board. The town clerk shall have all the powers and duties and be subject to the liabilities and penalties imposed by law on town clerks.

SECTION 2. Section 8(a) of Chapter 503 of the Acts of 1952, as amended, is hereby amended by striking the words "Town Clerk, and".

SECTION 3. Section 15(a) of Chapter 503 of the Acts of 1952, as amended, is hereby further amended by striking the words in the first paragraph "Town Clerk".

SECTION 4. Chapter 503 of the Acts of 1952, as amended, is hereby further amended by inserting the following after Section 44 the following new Section:

Section 45: The change in manner of selection of the town clerk described in section 1 of this act shall take effect upon [the retirement] of the town clerk holding office on [DATE] annual town meeting, or her sooner vacating of office, at which time the elected town clerk position shall be abolished and appointments to the position of town clerk shall be made in accordance with section 1.

SECTION 5. The provisions of this act are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions, which remain in full force and effect.

SECTION 6. This act shall take effect upon signing by the Governor.

ARTICLE 21 HOME RULE LEGISLATION / TO AMEND THE SENIOR CITIZEN PROPERTY TAX EXEMPTION

To see if the Town will vote to authorize and request the Select Board to request the Legislation or Senate and House of Representatives in General Court or other Special Legislation to amend Chapter 285 of the Acts of 2020 "An Act Authorizing the Town of Arlington To Establish A Means Tested Senior Citizen Property Tax Exemption" by inserting the following language at the end of Section 3"; or funded by an appropriation or transfer from existing funds while not exceeding 1 per cent of the municipality's tax levy."; or take any action related thereto.

(Inserted at the request of the Board of Assessors)

This article was inserted by Town's Director of Assessments as a placeholder in the event that it might be deemed appropriate. After further consideration of the article, no home rule legislation to address this issue is requested at this time. Accordingly, it is expected that the Select Board will be asked to consider a recommended vote of no action on this article.

**ARTICLE 22 HOME RULE LEGISLATION / LOWERING THE VOTING AGE
TO 16 IN LOCAL ELECTIONS**

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to petition the State Legislature to allow Arlington to lower the voting age from 18 to 16 for municipal elections; or take any action related thereto.

(Inserted at the request of Sophie Shen and ten registered voters)

This Article was inserted by Sophie Shen and ten registered voters. It is expected that Ms. Shen will present the reasoning for the submission of the proposed Home Rule Legislation at the public hearing on this Article. However, it is noted that this proposed home rule legislation would lower the minimum voting age for municipal elections in Arlington to 16. Towns and cities in Massachusetts that have voted affirmatively to submit similar home rule petitions to lower the minimum voting age for their local elections include Concord, Boston, Brookline, Somerville, Cambridge, Lowell, Southborough, Acton and Northampton. It is expected that proponents will assert that young people across the state are leading critical community engagement, advocacy, and policy efforts on many issues, including to climate and environmental crises, social injustices and inequities, public health issues, and barriers to civic engagement.

It is noted that although other municipalities have previously filed similar legislation through home rule petition, none of those efforts have yielded a passed and signed bill. It is further noted that Arlington State Representative Sean Garballey, an advocate on this issue, is a co-sponsor of legislation (H. 686) that is currently pending in the State Legislature that would

permit 16 year olds to vote in local elections on a state wide basis. That pending legislation does not preclude the proponent's efforts to pursue this home rule petition that would apply only to Arlington.

Therefore, if the Select Board is inclined to move favorable action, a draft motion would be as follows:

VOTED: that the Town does and hereby authorizes the Select Board to file Home Rule Legislation to allow Arlington to lower the voting age from 18 to 16 for municipal elections; or take any action related thereto; so that the Home Rule Legislation reads as follows:

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

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the Town of Arlington to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

PETITION FOR A SPECIAL LAW RE:

**AN ACT GRANTING THE TOWN OF ARLINGTON, MA THE AUTHORITY TO PROVIDE
LEGAL VOTING RIGHTS IN MUNICIPAL ELECTIONS FOR TOWN RESIDENTS
AGED 16 and 17 YEARS OLD**

SECTION 1. Notwithstanding the provisions of section 1 of chapter 51 of the General Laws or any other general or special law, rule or regulation to the contrary, any individual aged 16 or 17 years old residing in the Town of Arlington, who is ineligible to vote due to age under state law, but who is otherwise eligible, may apply to have their names entered on a list of voters established by the Office of the Town Clerk for the Town of Arlington. Such individuals on the list of voters may vote in any election for local offices, local ballot questions, and Town Meeting in accordance with this Act. For the purposes of this Act, "local voters" are anyone who is eligible to vote pursuant to this Act in a local election or upon a local ballot question in the Town of Arlington.

SECTION 2. The Office of the Town Clerk shall establish a separate registration list for local voters who shall fill out an alternative registration form. Upon turning eighteen, each local voter shall be taken off the separate list and notified that he or she must register as a regular voter in accordance with state law, regulations, and guidelines, in order to be eligible to vote.

SECTION 3. Said Office is hereby authorized to promulgate regulations, guidelines and forms to implement the purpose of this act.

SECTION 4. The Town of Arlington is hereby authorized to pass bylaws to implement the purpose of this act.

SECTION 5. Nothing in this act shall be construed to confer upon local voters the right to vote for any state or federal office, or on any state or federal ballot questions.

ARTICLE 53 APPROPRIATION / TAKINGS FOR STRATTON SCHOOL SAFE ROUTES

To see if the Town will vote to act by and through the Select Board to take by eminent domain, purchase, or otherwise acquire outright, or acquire permanent easements upon, portions of land in and around the Stratton Elementary School area for the purpose of placing sidewalks in connection with the Commonwealth's Safe Routes to School program, to appropriate a sum or sums of money for such acquisitions, determine how the money will be raised and expended, including the possibility of borrowing any or all of it; or take action related thereto.

(Inserted at the request of the Director of Planning and Community Development and the Town Manager)

This Article was inserted by the Town Manager and the Director of Planning and Community Development and seeks approval from Town Meeting for the Select Board to take or otherwise acquire, by eminent domain, purchase, donation or any other means, land in and around the Stratton Elementary School area for the purpose of placing sidewalks near the school in connection with the Commonwealth's Safe Routes to School program. The authorizing vote from Town Meeting is required by the Massachusetts Department of Transportation's Right of Way Bureau.

It is expected that the Town's Senior Transportation Planner, John Alessi, will present the details of this project before the Board at its hearing. However, it is noted this project is the result of The Town of Arlington's receipt of a Massachusetts Department of Transportation (MassDOT) Safe Routes to School (SRTS) Project Award to fund safe roadway crossings near the Stratton Elementary School. The proposed project will provide a fully accessible walking route with safe roadway crossings for children and others walking to Stratton along Hemlock Street between Brattle Street and Dickson Avenue and Dickson Avenue between Hemlock Street

and Pheasant Avenue. The Stratton School SRTS project envisions the following elements: remove accessibility barriers on Hemlock Street by installing ADA-compliant curb ramps and repairing deficient sidewalks; repairing and installing new sidewalks on the east side of Hemlock Street between Landsdowne Road and Janet Road; install new sidewalks at Hemlock Street and Dickson Avenue intersection and continuing up Dickson Avenue to Pheasant Avenue; narrow roadway intersections on Hemlock Street at Pine Street, Yerxa Road, and Dickson Avenue to slow vehicles and reduce pedestrian crossing distances; and provide safe pedestrian crossings across Hemlock Street near Janet Road and at the intersection of Hemlock Street and Dickson Avenue. Appropriate signage will also be installed.

If authorized, the Town will conduct all property acquisitions, including eminent domain takings, purchases, donations, permanent easements, or by any other manner, portions of land required for the project in full procedural compliance with applicable state and federal laws, including G.L. c. 79 and G.L. c. 40, §14. Accordingly, if the Select Board is inclined to vote favorable action, a draft motion that could be sent to the Town Meeting may read as follows:

VOTED: that the Town authorizes the Select Board to acquire land parcels and or rights in land parcels to obtain and secure a public right of way, in and around the Stratton Elementary School area, for the purpose of placing sidewalks in connection with the Commonwealth's Safe Routes to School program. Further, the Select Board may acquire these parcels, or modification of these parcels, through all legal means, including, but not limited to, donation, purchase or eminent domain.

RE: Warrant Article Hearing 4/1

Dana Mann <dmann@town.arlington.ma.us>

Mon 4/1/2024 9:34 AM

To: Ashley Maher <amaher@town.arlington.ma.us>; Jim Feeney <jfeeney@town.arlington.ma.us>

Cc: Britton Mallard <bmallard@town.arlington.ma.us>

Hi Ashley,

Thank you for the notice.

The Board of Assessors at its meeting on 3/18/24 with members of the Select Board decided that along with the support of the Town Manager, will recommend "No Action" on the 2024 Warrant Article # 21. We support and recommend similar votes from other interested parties.

Thank you,

Dana

Dana Mann, M.A.A.

Director of Assessments

Town of Arlington

730 Mass Ave. Arlington MA 02476

p781-316-3061

f781-316-3059

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

From: Ashley Maher <amaher@town.arlington.ma.us>

Sent: Thursday, March 28, 2024 6:28 PM

To: Dana Mann <dmann@town.arlington.ma.us>

Cc: Britton Mallard <bmallard@town.arlington.ma.us>

Subject: Warrant Article Hearing 4/1

Hi Dana,

The following warrant article will be on the Select Board Agenda as Warrant Article Hearings for **Monday, April 1, 2024.**

"Article 21 Home Rule Legislation/To Amend the Senior Citizen Property Tax Exemption"

The meeting will be held via hybrid format and begins at 7:15p.m. If you have any supporting materials that you would like included with the meeting reference please let me know.

Best,
Ashley



Ashley Maher

Board Administrator

Office of the Select Board

Town of Arlington, MA

☎ 781-316-3020



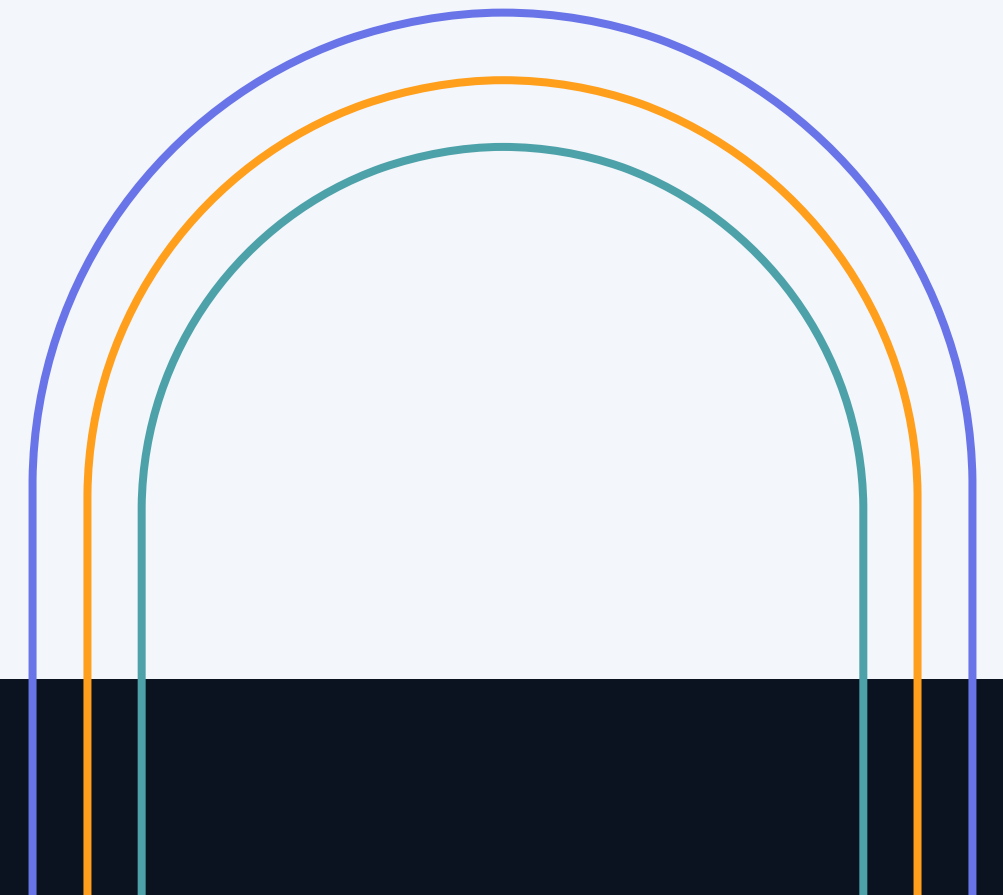


Arlington Votes 16

Warrant Article

#22

Sophie Shen, junior at Arlington High School



We want to lower the voting age in order to:

1

Improve civic engagement



2

Strengthen civics education



3

Empower Young people



01.



Improving Civic Engagement

Voting is a Habit



- Studies show that voting is a habit
 - Once someone votes in one election, they more likely to vote in subsequent elections
 - Lowering the voting age in local elections can serve as a catalyst for increased turnout nationwide in later elections.
- Higher turnout is better for our democracy, then lowering the voting age is one path to achieve that goal

American Journal of Political Science

02.



Strengthening

Civics

Education

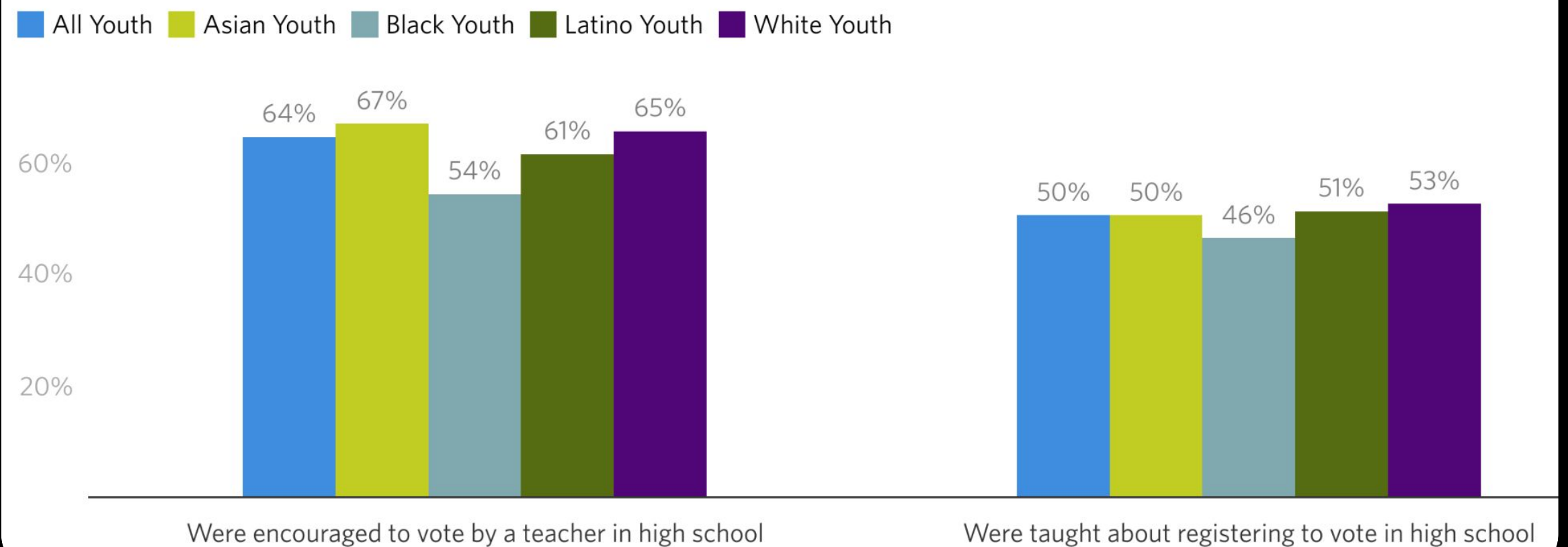
Tufts Findings



Encourage students to vote because:

We can promote more diverse voices! Black and Latinx youth least likely to be taught about voter registration

Young People's Civic Experiences in High School Vary by Race/Ethnicity



03.



Empower Young People

16 Year Olds are Ready to Vote

- “Cold” cognition makes up deliberation and measured decision making.
 - “The dorsolateral prefrontal cortex, which tends to develop at about age 15, controls the functions of planning and abstract, logical reasoning”
 - These “cold” cognition capabilities do not improve in later years.
- 16 and 17 year olds scored about the same as older adults on measures of political tolerance, skill, efficacy, and interest

Common myths



Myth #1

16 and 17 year olds are
not responsible
enough to vote

16 and 17 year olds can

- Drive
- Work jobs
- Pay taxes
- Be tried as adults for serious crimes

Common myths



Myth #2

Young people are not interested in politics

- Model Congress and Model UN
 - Over 1,500 students participate in Harvard Model Congress each year, and it continues to grow.
- Protests (climate, war, etc.)

Success in Austria

Study done in 2010

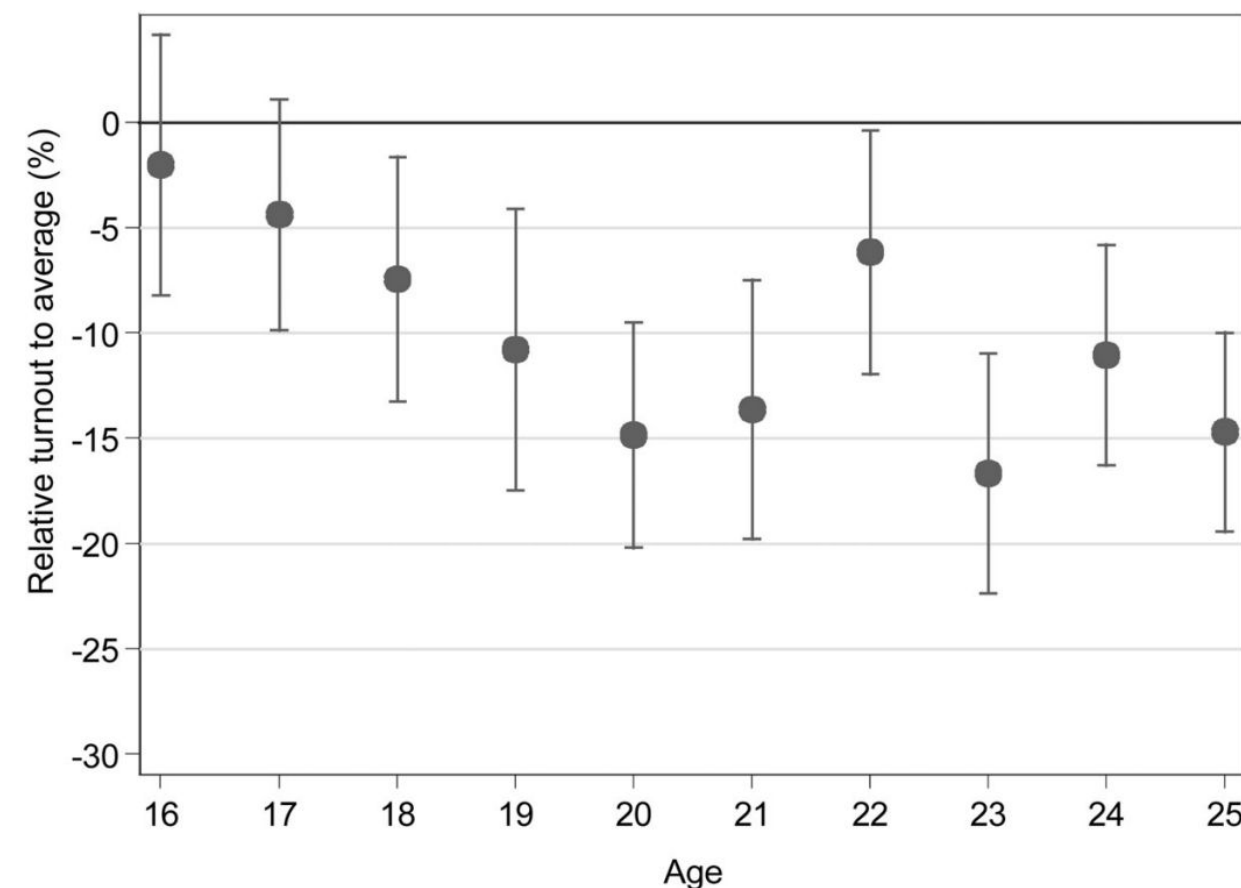


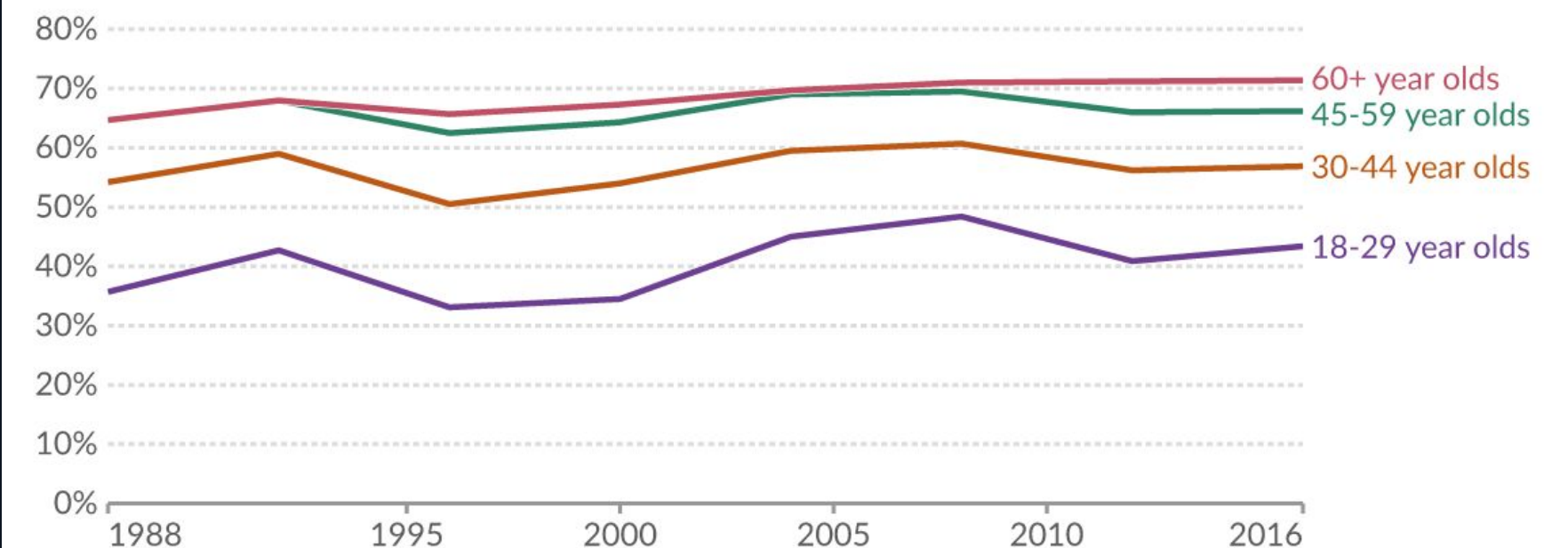
Figure 1. Turnout rate by age in Vienna using the maximum turnout estimator, relative to average turnout (67.6%).

Note: Graph for Vienna shows confidence intervals for the proportion ($\pm 1.96 \times \text{S.E.}$); total $n=5,411$ within 59 clusters.

Election voter turnout rate by age in the United States

Our World
in Data

Percentage of voting-age citizens in the United States who voted in the presidential election.



Data source: United States Elections Project

OurWorldInData.org/usa-electoral-turnout | CC BY

University of Vienna, Austria, 2014

Common myths



Myth #3

This is just an extra
vote for the children's
parents

- We see differently in studies conducted in Scotland, whose voting age is 16
 - Teens are equally likely to vote the same as their parents as they are to vote differently

Other Efforts to Lower the Voting Age to 16

Within the State

Boston, Cambridge, Somerville
H.720/S.389 (191), H.686 (193)

Within the Country

San Francisco, California; Maryland;
Washington D.C.

Worldwide

Austria, Brazil, Scotland, Norway,
Argentina, Cuba, etc.

thank you!



Tufts Findings



Encourage students to vote because:

They are more likely to look upon voting favorably later in life and be more educated

Youth Taught or Encouraged to Vote in High School Are Better Prepared for the 2020 Election

The percentage of young people, 18-29, in each category for whom the following is true:

■ Received Encouragement to Vote in High School ■ Taught about Voter Registration in High School ■ Both ■ Neither

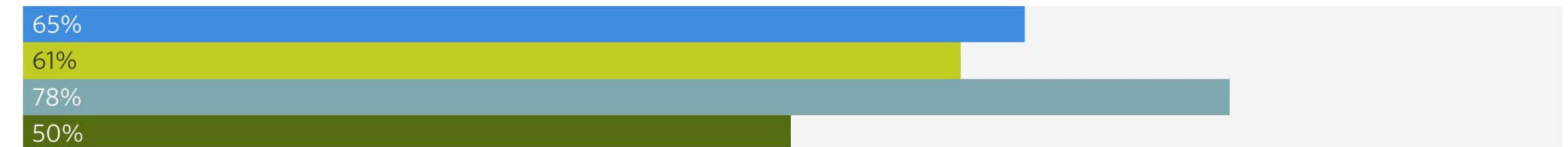
Are paying "Some" or "A Lot" of attention to the 2020 elections



Agree that the outcomes of the 2020 election will make a significant impact on everyday issues involving their community



Have ever seen information about how to vote by mail or absentee





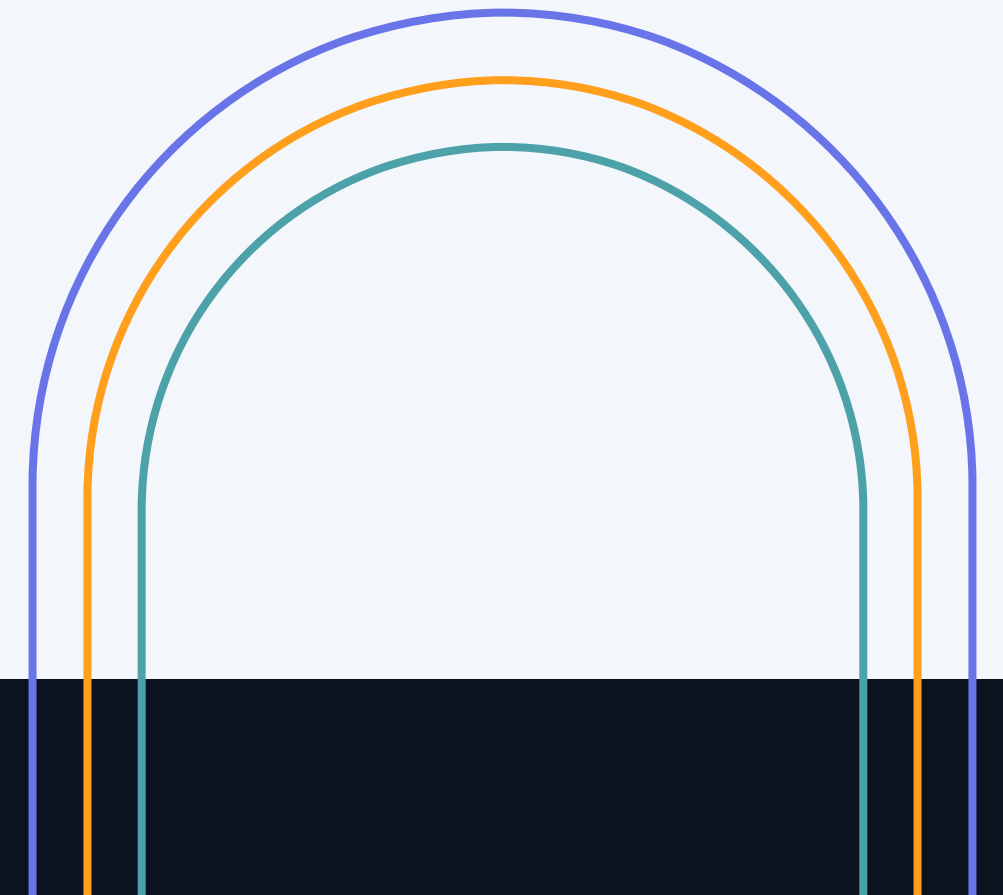


Arlington Votes 16

Warrant Article

#22

Sophie Shen, junior at Arlington High School



What are we proposing?

- Lowering the voting age to 16 for municipal elections
 - Teens can vote for school committee, town meeting members, and Arlington ballot questions



Why Should We Make This Change?

1

Improve civic
engagement



2

Strengthen civics
education



3

Empower Young people

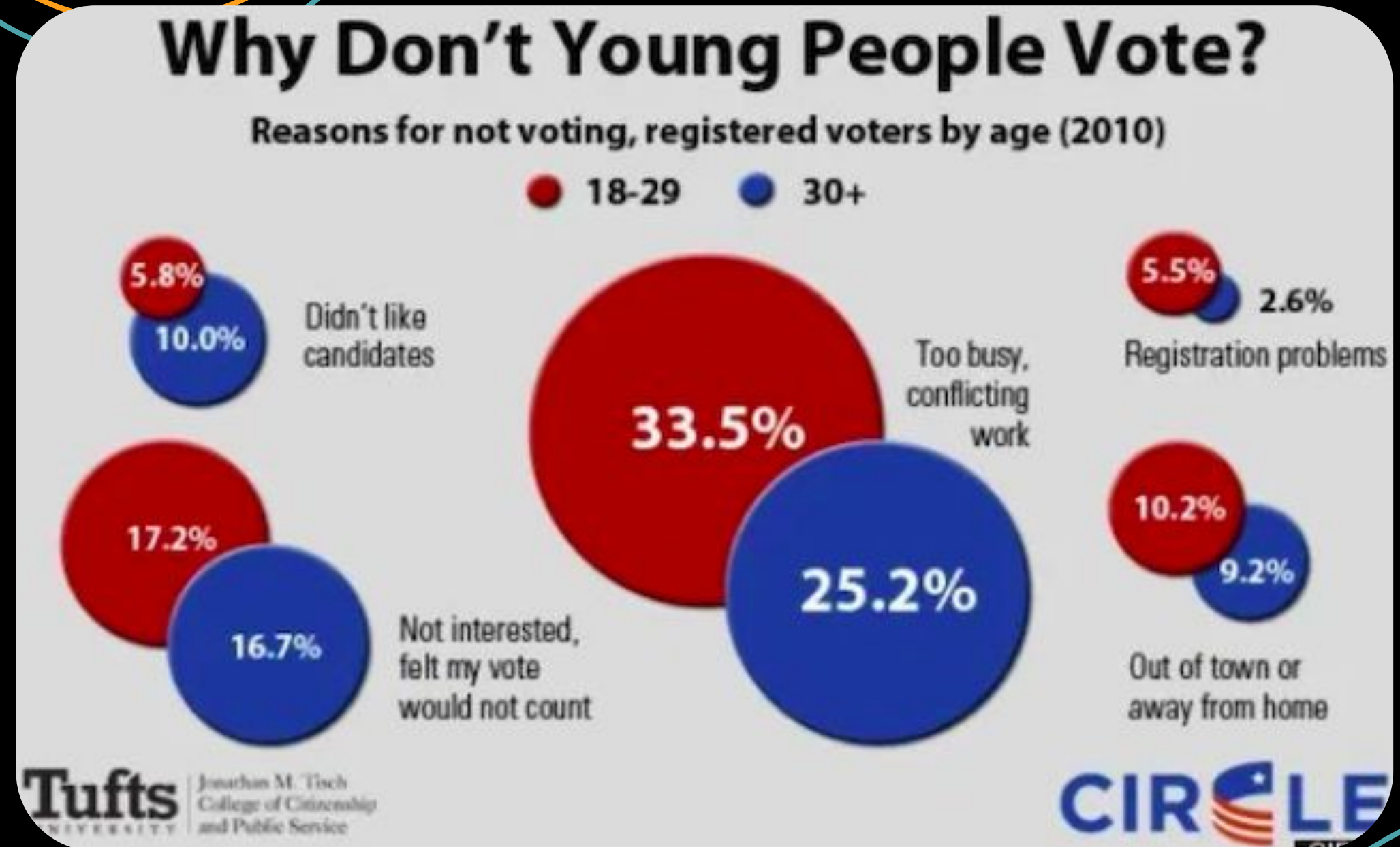


01.



Improving Civic Engagement

- ● ●
- Leading causes of poor voter turnout can both be solved if the municipal voting age is lowered.
 - Empower people to participate in town government, where they can see their votes make a direct impact
 - Remove the pressures of big life adjustments



Tufts Center for Information and Research on Civic Learning and Engagement, 2020

Success in Austria

Study done in 2010

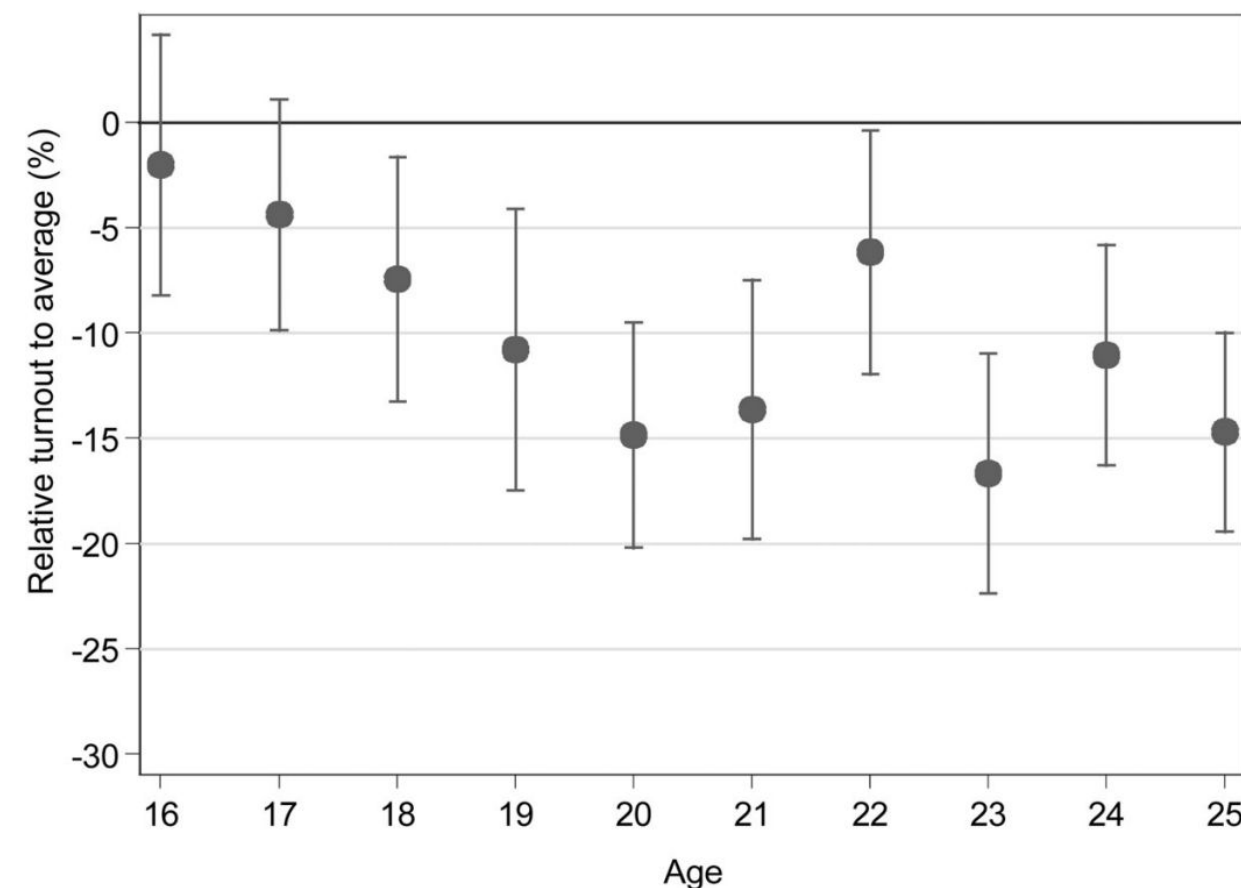


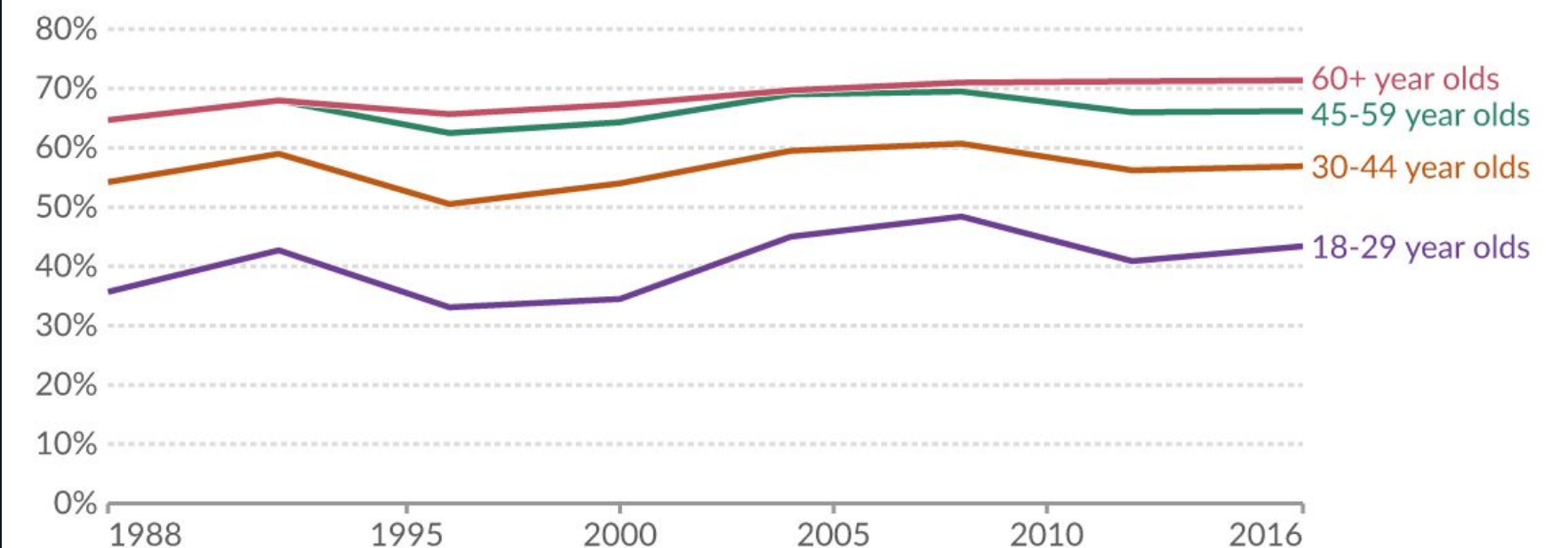
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University of Vienna, Austria, 2014

02.



Strengthening

Civics

Education

“Which party is Nikki Haley on?”

“Am I allowed to vote in town meeting?”

“What are primaries?”



Real Things I've Heard at the Polls





We are all in need of a better civic education

Teens and adults alike



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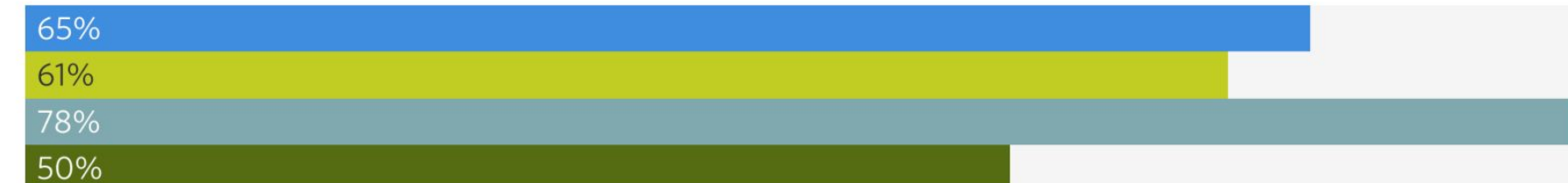
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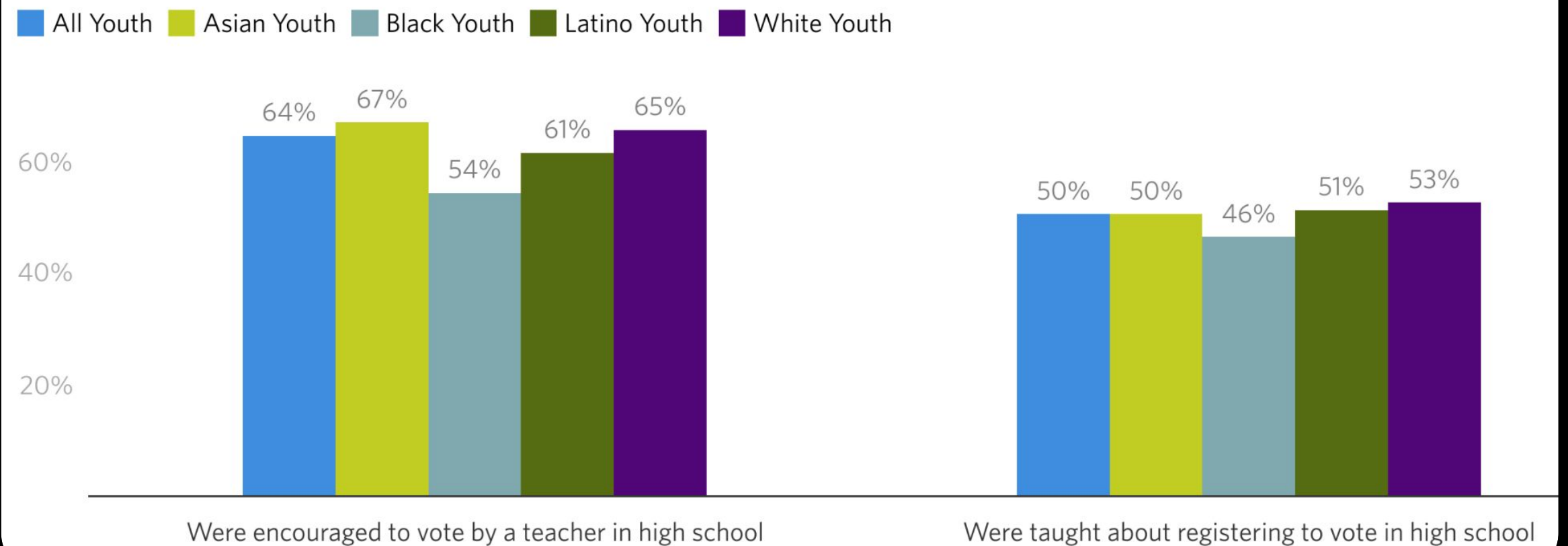
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YOUNG VOICES AT THE BALLOT BOX

Amplifying Youth Activism to Lower the
Voting Age in 2020 and Beyond

A White Paper from Generation Citizen (Version 3.0 – Feb. 2020)





ns
#

VOTE
=
VOICE

OUR
VOICES
MATTER

Empowered
Engaged
Energetic

#ReVote
ENVIRONMENTAL
JUSTICE

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Cover Photo: Youth leaders, elected officials, and allies rally for a lower voting age on the steps of the California State Capitol in August 2019.

Photo courtesy of Devin Murphy, California League of Conservation Voters.



EXECUTIVE SUMMARY

“ BY EXPANDING THE RIGHT TO VOTE [TO 16- AND 17-YEAR-OLDS], MY COMMUNITY WILL BE ABLE TO FURTHER CREATE AN ATMOSPHERE WHERE EACH NEW GENERATION GROWS UP TO BE LIFE-LONG VOTERS, WITH THE VALUE OF CIVIC ENGAGEMENT INSTILLED IN THEM. ”

- Megan Zheng

Vote16USA Youth Advisory Board Member

We are on a mission to lower the voting age to 16. Democracy only works when citizens participate; yet, compared to other highly developed, democratic countries, the U.S. ranks 26th in voter participation.¹ In U.S. presidential elections, only six out of 10 eligible citizens usually vote, and turnout for mayoral elections tends to be less than 25 percent.² Such low civic participation results in an unrepresentative democracy and hurts public trust in government, which is now near an all time low.³

Vote16USA seeks to address these trends by advancing work to lower the voting age to 16. This policy solution, paired with strong civic education in schools, can increase civic participation in the long run and ensure elected officials are accountable to 16- and 17-year-old citizens.

For the majority of American history, the voting age was 21. This dates back to the days of colonial assemblies, which used a 21 year old voting age, following the tradition of the English common law age of majority, which was based on the age at which men in Britain were eligible for knighthood.⁴ The 21-year-old voting age was adopted by all states when the Constitution was ratified. Some states began to lower the voting age to 18 in the 1940's led by Georgia and Kentucky and, in 1971, the 26th Amendment lowered the national voting age to 18. This reform followed a student-led movement that rallied behind the slogan “old enough to fight, old enough to vote” during the Vietnam War.

Eighteen, however, is not a voting age designed to produce the strongest, healthiest democracy

possible. *Sixteen is.* As this paper outlines, inviting citizens into the voting booth at 16 will strengthen American democracy by establishing voting as a lifelong habit among all citizens, and ensuring our government is more responsive to its population.

Sixteen-year-old voting was first adopted in the United States in 2013, when Takoma Park, Maryland lowered its voting age for local elections. Since then, three neighboring cities in Maryland have followed suit, and the voters of Berkeley, CA have approved a ballot measure to lower the voting age to 16 for school board races. In recent years, youth-led campaigns have come near to successfully lowering the voting age in major cities including San Francisco and Washington, D.C., and efforts in state legislatures have gained significant momentum.

On the federal level, 126 members of congress now support lowering the voting age to 16 nationwide. Media outlets including the New York Times, Los Angeles Times, Chicago Tribune, Wall Street Journal, NBC News, and NPR have covered the issue and these legislative advances in depth.

In 2015, Generation Citizen—a national civics education organization—launched the Vote16USA campaign to support these local and national efforts. That year, we published Vote16USA's first white paper “Young Voices at the Ballot Box,” and published a second edition in 2017. This third edition of the Vote16USA white paper reflects updates on research and recent progress on the issue. This paper also provides concrete next steps to advance the cause.

WHY SHOULD WE LOWER THE VOTING AGE TO 16?

Extending voting rights to 16- and 17-year-olds will strengthen our democracy. Research shows that voting is a habit and age 16 is a better time than 18 to first establish that habit.⁵ Studies also show that 16-year-olds are ready to vote, as their civic knowledge and reasoning abilities are on par with those 18 and older.⁶ A lower voting age can also ensure the voices of young people are taken into account in the policymaking process and strengthen civics education, both of which are critical considering the country's shifting demographics and trends in civic engagement.

REASON #1: WE NEED TO MAKE VOTING A HABIT

First and foremost, voting is a habit, and a person's first election is critical to establishing that habit. People who vote in their first election are likely to remain habitual voters, whereas those who do not, are likely to remain habitual nonvoters.⁷ Research shows voting in one election can increase the probability that a person will vote in the next election by 25 percent.⁸

Cities and countries that have already lowered the voting age to 16 have seen much higher turnout rates for first time voters ages 16-17 than for first time voters ages 18-21. Evidence indicates this leads to a long-term boost in turnout. An analysis of the long-term effects of lowering the voting age in five countries found an average increase in turnout of 5 percent in the 20 years following the change in voting age.⁹

Young people start forming voting habits when they reach the voting age and participate in their first election. While some Americans vote in the first election they are eligible for at age 18 and become habitual voters, the majority of the electorate does not vote upon initial eligibility.

This is partially due to the many barriers to voting that are unique to 18-year-olds. At 18, young people are often adjusting to new responsibilities such as starting college, entering the workforce, or joining the military. They may also struggle to determine the logistics of voting in a new location, either voting absentee or re-registering in a new area.¹⁰

Sixteen-year-olds, however, are in a much better position to be engaged in their first elections. They are in a relatively stable phase of life and oftentimes surrounded by active voters, whether that be older family members or educators. Sixteen is a better time than 18 to establish the habit of voting.

Researchers from Denmark concluded, "Today when voters become eligible at 18 years of age, most young voters have had none or few participatory opportunities before leaving home. A younger voting age would create more opportunities for acquiring the habit of voting before leaving home."¹¹ Lowering the voting age to 16 would ensure that each new voter experiences at least one

election while in high school, assuming two year election cycles. This allows them to establish the habit of voting in a stable environment where families and schools can help students understand the logistics of voting and establish the practice as a lifelong habit.

Lowering the voting age has shown to be effective at increasing turnout among first-time voters, and research demonstrates that once someone cast their first ballot they are likely to continue the habit of voting for years to come. Lowering the voting age can effectively help young people create the habit of voting, increasing overall turnout in the long run.

**VOTING IN ONE
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INCREASE THE
PROBABILITY THAT
A PERSON WILL
VOTE IN THE NEXT
ELECTION BY OVER**

25%

In Takoma Park's 2013 elections, the turnout rate for 16- and 17-year-olds exceeded any other demographic.¹² In 2015 and 2017, voter turnout for registered 16- and 17-year-olds was more than double the city's overall turnout rate.^{13,14} In 2015, Hyattsville, Maryland became the second city to lower the voting age. In that year's election, the turnout rate for 16 and 17-year-olds was a quarter higher than the overall turnout.¹⁵

In 2008, Austria lowered its voting age to 16 for all elections and saw higher engagement from 16- and 17-year old first time voters than from 18-20-year-old first time voters.¹⁶ Political engagement among this demographic has continued to increase since. Nearly ten years later, ahead of the 2017 general election, most 16- and 17- year olds said they were inclined to participate in the upcoming election.¹⁷

In 2011, 21 Norwegian municipalities lowered the voting age to 16 for local elections. Once again, voter turnout among 16- and 17-year-old first time voters was much higher than turnout among 18-21 year-old first-time voters.¹⁸

Increased participation is particularly important in local elections, where turnout is especially low and many cities struggle to get even one out of five voters to the polls.¹⁹ The 2016 "Who Votes for Mayor?" research project showed that among the 30 largest cities in the United States, half of them saw turnout of 20 percent or lower in their most recent mayoral elections.²⁰ Lowering the voting age to 16 is a powerful solution to address this trend.



WHY SHOULD WE LOWER THE VOTING AGE TO 16?

REASON #2: SIXTEEN- AND 17-YEAR-OLDS ARE READY TO VOTE

Research shows that 16- and 17-year-olds have the necessary civic knowledge, skills, and cognitive ability to vote responsibly. A study comparing the qualities associated with voting—such as civic knowledge, political skills, and political interest—among citizens 18 and older and citizens below 18 found no significant differences between 16 year olds and those above age 18. Civic knowledge was determined by individuals' ability to answer questions on U.S. politics and government such as "Which of the two major political parties is most conservative at the national level?"; political skill was determined by individuals' self-reported ability to "write a letter to a public official" or "make a statement at a public meeting"; and political interest was determined by how frequently individuals follow national news.²¹

“ 16- and 17-year-olds know on average as much about the political system as do 21- and 22-year-olds. ”

- Daniel Hart and James Youniss
Renewing Democracy in Young America

Research also shows that 16- and 17-year-olds have the mental reasoning ability necessary to make informed voting choices. Deciding how to vote relies on "cold cognition," the decision making process in which a person deliberates alone and unhurried, and draws on logical reasoning abilities. Research shows that cold cognition matures by 16, and does not improve as one gets older.²² Research on overall reasoning and cognitive development also shows that there is drastic growth in these areas between ages 11 and 16, significant growth then plateaus at age 16 following this primary development phase.²³

Additionally, a study on the quality of vote choices among 16- and 17-year-olds in Austria—after the national voting age was lowered to 16 in 2007—concluded that their vote choices were just as consistent with their political preferences as older voters' choices.²⁴ These studies strongly indicate that 16-year-olds are just as ready to vote as 18-year-olds and claims to the contrary are misguided gut reactions.

REASON #3: SIXTEEN- AND 17-YEAR-OLDS HAVE A STAKE IN THE GAME, AND ELECTED OFFICIALS MUST TREAT THEM AS EQUAL CONSTITUENTS

Sixteen- and 17-year-olds work and pay taxes on their income and are affected by the decisions of elected officials today and for the rest of their lives, on issues from education policy to public works projects, climate change, and the national debt. They deserve to have a vote. The most reliable way for ordinary citizens to influence the government is through voting in elections, and by extending voting rights to 16- and 17-year-olds we can ensure elected officials listen to their voices and address their concerns.

This is especially important given the United States' aging electorate and the increasing divergence between the political interests of younger and older citizens. The electorate is currently the oldest it has been since at least 1970, before citizens ages 18-20 were eligible to vote, and will only get older in the decades to come. The Census Bureau estimates that by 2034, those over the age of 65 will outnumber those 18 and younger for the first time ever, and by 2030, those 65+ will account for more than one-fifth of the population and more than a quarter of the voting age population, for the first time ever.²⁵ These demographic trends put the interests of young people at risk, especially when considering the racial composition of different age groups. The citizens who comprise this older segment of the population are significantly less diverse than those who make up younger segments of the population, and, on average, are considerably less supportive of issues most important to young Americans.²⁶

Consider the example of school funding. Voters ages 18-25 have consistently expressed greater support for public funding for education than voters 65+. In addition, research shows that, on the local level, older voters are less likely to support increases for school funding when the composition of the school-aged population is substantially more diverse than that of the older voters.²⁷ By 2030, those ages 65+ will not only account for a greater share of the electorate than any time in history, this age cohort will also look substantially different than the country's youngest citizens; the 65+ population will be three-quarters white while the population of those under the age of 18 will be less than one-half white.²⁸ Together, those factors put the interests of young people at a meaningful disadvantage. The inclusion of 16- and

WHY SHOULD WE LOWER THE VOTING AGE TO 16?

17-year-olds in the electorate, and the subsequent increase in turnout among voters in their 20s it would spur, would help make sure the interests of diverse young people are represented in a time of historic demographic change.

We know that elected officials pay most attention to those who vote. Lowering the voting age to 16 would immediately give 16- and 17-year-olds, who work and pay taxes, a say in decisions that affect their lives and how their tax money is spent. Further, it would give a louder voice to a diverse generation of young Americans who are at risk of being overshadowed by historic growth in the oldest cohort of voters as a proportion of the electorate.

REASON #4: LOWERING THE VOTING AGE TO 16 WILL STRENGTHEN CIVICS EDUCATION

As we call for a lower voting age in the United States, significant initiatives are also underway to strengthen civics education nationwide. This work naturally goes hand in hand with the push to lower the voting age, and together strong civics education and a voting age of 16 have the potential to significantly boost civic engagement.

Prioritizing effective civics education is crucial for increasing long term civic participation. Research shows that people who attend high schools with a strong culture of civic engagement are more likely to participate in elections in their 30s, regardless of their individual opinions on the importance of voting.²⁹ Though schools in the U.S. have largely overlooked civics in recent decades, several states and cities have recently moved to reprioritize it, including in Massachusetts, Illinois, Florida, and Tennessee where state legislatures have taken the lead in establishing more comprehensive civics requirements, and in cities such as New York City, where the Civics For All initiative bolsters civic learning in the nation's largest school district.³⁰

A lower voting age would make civics more effective by adding a level of relevance to civics courses by allowing students to directly apply what they're learning in the classroom in their communities. It would encourage

16-year-old voting age implemented



Civics education is relevant to students' lives, making lessons more effective



Young people gain civic skills while developing voting as a habit



Long-term increase in civic engagement

schools to teach more civics and that of a higher quality given its immediate implications on students lives. Allowing young people to vote while they are learning about government, and their role as citizens, in high school civics courses captures the full potential of civics education.

Strong civics education and a lower voting age would mutually reinforce each other to produce the best outcomes in terms of increasing civic engagement. Together, they can help young people gain foundational civic knowledge and skills, and develop a habit of participation.

This is supported by a case study from Austria where voting age reform was accompanied by other measures intended to engage young citizens, including the elevation of the status of civic education in schools.³¹ Since 2008, when Austria lowered its voting age to 16 for all of the country's elections, turnout among 16- and 17-year-olds has been higher than the previous average for first time voters.³² This success shows the promise of a lower voting age combined with a renewed focus on civic education. Lowering the voting age to 16 can bring civics education to life and help fuel its continued resurgence across the country.

MYTHS ABOUT LOWERING THE VOTING AGE

Like any new, bold idea, lowering the voting age faces an array of counterarguments, and these deserve adequate consideration. Ultimately, most counterarguments come down to claims surrounding the maturity and ability of 16- and 17-year olds. Youth is a nebulous concept, and, in reality, legal age-based distinctions in our society are arbitrary and based on what is deemed best for society at large, as judged at a certain point in time. Lowering the voting age to 16 is in the best interests of our democracy, and arguments against doing so are only myths. Some of the most relevant specific counterarguments are addressed as follows:

MYTH #1: 16-YEAR-OLDS ARE NOT MATURE ENOUGH TO VOTE

It is true that research exists showing 16-year-olds' brains are still developing and they do not perform as well as older adults in impulse-driven situations in which emotions run high. However, the decision-making process for voting does not fall into this impulse-driven category, which is known as "hot cognition." Rather, it depends on "cold cognition," a thought out decision-making process in which 16-year-olds perform just as well as adults.³³ Cold cognition is fully developed at 16, and does not improve as one advances further in age.³⁴ Research also shows that by age 16, young people have the necessary civic knowledge and skills necessary to vote.³⁵

MYTH #2: THE VOTING AGE MUST BE TIED TO THE AGE OF LEGAL ADULTHOOD

Sixteen-year-olds play an important role in our society. In most states, they can work without any restriction on hours, pay taxes, drive, and in some cases be tried for crimes as adults. The legal age of consent in many states is 16, and the compulsory school attendance age ends at 16 in many states. The legal definition linking adulthood to the age of 18 should not affect voter eligibility.

It is also important to emphasize that our efforts are only to lower the voting age to 16. All other legal age limits should be set in accordance to what is best for each individual issue. Our country has set the driving age, in most states, at 16, and the drinking age at 21. Each should be considered on its own merits. For this specific issue, the voting age should be 16.

MYTH #3: LOWERING THE VOTING AGE IS A PARTISAN POWER GRAB

The effort to lower the voting age transcends party lines. The purpose of the effort is to invigorate our democracy by fostering active and engaged citizens. A more lively political discourse—in classrooms and in the broader public sphere—can stimulate ideas from across the political spectrum. The effort to lower the voting age is based on increasing participation in democracy, not promoting any one ideology.

MYTH #4: SIXTEEN- AND 17-YEAR-OLDS WILL COPY THEIR PARENTS' VOTES

This claim is reminiscent of arguments made by opponents of women's suffrage, who feared women would copy their husbands' votes. The argument is not a legitimate reason to deny someone the right to vote, and, in the case of women's voting, has been debunked as many married couples are increasingly voting for separate candidates.³⁶

Data from the 2014 Scottish independence referendum also suggests this claim is false. A survey conducted prior to the referendum found that over 40 percent of young people had different voting intentions than a parent interviewed.³⁷ This claim will need to be studied more in the United States, but given the data on youth political preferences, it seems that young people demonstrate and express political beliefs independent from those of their parents.

CURRENT LANDSCAPE IN THE UNITED STATES

LEGAL FEASIBILITY

The legal feasibility of lowering the voting age in any given city depends on state laws, as each state has the authority to establish the requirements for voting in its state and local elections.

These requirements are set out in either state constitutions or statutes. Local governments have varying degrees of authority in determining voter eligibility for their municipal elections, depending on the degree of home rule municipalities are granted in their particular states.

An initial feasibility study by Generation Citizen has determined that city-level campaigns to lower the voting age for local elections seem to be currently feasible in seven states, while nine additional states appear to give cities the authority to lower the local voting age but have nuanced laws that may pose hurdles and require further analysis. In these states, cities could lower the voting age for their local elections through city charter amendments.

The process for passing charter amendments varies. In some cases, such as in Maryland, city councils can approve them by a majority vote. In other cases, proposed charter amendments must be passed by a city council and then approved by voters at the next election. Since this is a legally untested area and some constitutional and statutory provisions are open to interpretation, actions to change the voting age in areas where it seems possible may be subject to legal challenges. See Appendix B for a more detailed discussion of the feasibility study, a 50 state map of legal feasibility in each state, and summaries of each state's applicable laws.

To lower the voting age for an entire state, either a state constitutional amendment or statutory change would be required, depending on the state.

The United States Congress has the power to lower the lower the voting age for federal elections through federal statute. To enact a nationwide change applicable to federal, local, and state elections, an amendment to the U.S. Constitution would be required.

“Municipalities can expand voting rights in local elections if there are no explicit state constitutional or legislative impediments and so long as local jurisdictions have the power of home rule.”

-Joshua A. Douglas

“The Right to Vote Under Local Law” ³⁸

CURRENT LANDSCAPE IN THE UNITED STATES

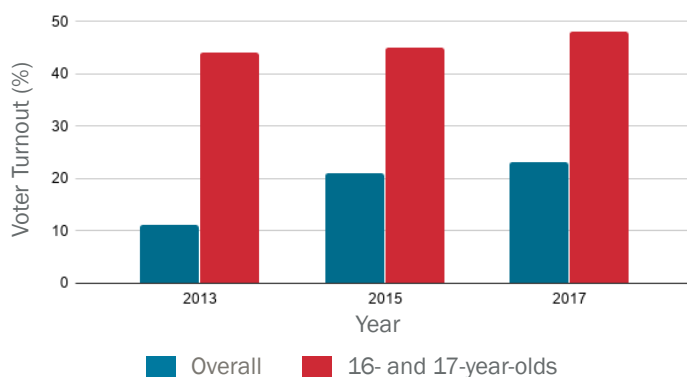
SUCCESSFUL IMPLEMENTATION

Four United States cities have implemented a 16-year-old voting age for municipal elections: Takoma Park, Hyattsville, Greenbelt, and Riverdale Park, Maryland. Berkeley, California is currently working to implement a 16-year-old voting age for school board elections, a reform that was approved by voters in 2016. The brief sections below offer more detail on the status of 16-year-old voting in these cities, along with updates on the most notable recent efforts to lower the voting age on the local and state level around the country. Some efforts have aimed to lower the voting age to 17 for various reasons, including that in some cases it has been seen as a more winnable proposition than age 16.

I. Takoma Park, MD

In 2013, Takoma Park became the first of four Maryland cities to extend voting rights to 16- and 17-year-olds for municipal elections. Maryland's legal structure made it relatively simple for the cities to lower their voting ages — the city councils only needed to vote in favor of a charter amendment and they could implement the change. In Takoma Park, the proposal was passed in the context of a larger effort to expand voting rights through several reforms, including same-day voter registration. As discussed earlier in this paper, in the elections since implementation 16- and 17-year-olds have turned out at higher rates than older age groups. The Takoma Park-based organization FairVote, which studies and promotes a number of election reforms, supported the effort in Takoma Park.

Voter Turnout in Takoma Park, MD



“The results have exceeded our expectations.”

- Tim Male

Former Takoma Park City Councilmember

II. Hyattsville, MD

In Hyattsville, the reform passed as a standalone measure in January 2015. One council member proposed the idea, and a grassroots effort, which included high school students in a prominent way, convinced other members of the proposal's merits. FairVote supported this effort as well.

III. Greenbelt, MD

After Hyattsville lowered its voting age, interest picked up in the nearby city of Greenbelt. The city's Youth Advisory Committee (YAC), a group of young people that advise the city council on issues related to youth and families, studied the issue and sent a report to the City Council urging it to consider lowering the voting age. Over the next two years, the YAC organized work sessions, public hearings, and meetings with council committees. The City Council expressed a desire to solicit public opinion on the issue and placed a non-binding referendum question on the November 2017 ballot, asking voters whether they approved of lowering the local voting age to 16. The referendum showed that 55 percent of voters supported the idea, a striking increase from the 23 percent of residents who expressed support in response to a very similar 2015 survey question.^{39, 40} Taking the referendum question results into account, in early 2018 the City Council voted unanimously to officially lower the city's local voting age to 16. Greenbelt held its first election with 16- and 17-year-old voters in May 2019.

IV. Riverdale Park, MD

In May 2018, the Riverdale Park City Council voted to extend voting rights to 16- and 17-year-olds for local elections, becoming the fourth city in Maryland to do so. Riverdale Park held its first election with 16- and 17-year olds voters in May 2019.

CURRENT LANDSCAPE IN THE UNITED STATES

CURRENT CAMPAIGNS

I. MASSACHUSETTS

A. State Level Legislation

On the heels of a new law strengthening civics education in Massachusetts, the EMPOWER (Ensuring Municipal Participation of the Widest Eligible Range) Act was introduced in 2019 to make it easier for cities and towns to lower the local voting age.⁴¹

Currently, if a Massachusetts city or town wants to lower the voting age, local lawmakers must first approve it, and then send a “home rule petition” to the state legislature to request approval to implement the change locally. Home rule petitions must be approved by both chambers of the legislature and signed by the governor. The EMPOWER Act would do away with that requirement and allow cities and towns to implement the change directly on the local level if they choose to do so. Young people from across the state are leading advocacy efforts for the bill.

In recent years, local governments in nine cities and towns in Massachusetts have passed resolutions to lower the voting age to 16 for local elections, the state legislature has not given any of those municipalities the approval to implement the change. The EMPOWER Act would remove this barrier. Some of those cities and towns include:

B. Somerville, MA

In October 2018, the city’s Clean and Open Elections Task Force reported recommendations to improve election transparency, civic engagement, and voter turnout. One recommendation was to lower the voting age to 16. Inspired by this recommendation and vocal advocacy from young residents, the Somerville city council considered and approved of sending a home rule petition to the state legislature requesting approval to lower the voting age locally in May 2019.⁴²

C. Concord, MA

In 2018, following a Town Meeting vote, the city of Concord sought a home-rule petition to lower the voting age to 17 in town elections, resulting in a home rule petition introduced in the state legislature in 2019.⁴³

D. Northampton, MA

In July 2018, following research and education efforts led by students on the Mayor’s Youth Commission and other high schoolers, city councilors voted unanimously in support of a resolution to lower the voting age to 16 in Northampton. A home rule petition is expected to be introduced in the state legislature in 2020.⁴⁴



Young people testify on legislation to lower the voting age at a D.C. Council Committee on the Judiciary and Public Safety hearing, June 2018.

“A lot of Boston teenagers already have a big impact on what is done on a municipal level with things like the Mayor’s Youth Council, and other organizations that focus on youth civic engagement. But with the law in place to let us vote, it will solidify our political presence and show others who doubt the Vote16 movement that our voices matter just as much as theirs.”

- Marianna Reddick

Vote16USA Youth Advisory Board Member



CURRENT LANDSCAPE IN THE UNITED STATES

II. CALIFORNIA

A. San Francisco, CA

In 2016, the historic Vote16SF campaign, led by young people from across the city, resulted in a ballot measure to lower the voting age that won 48% of the vote on election day, falling just short of passage.⁴⁵ See below for more detail on the 2016 effort. The landscape remains promising for another run in the San Francisco. Most of the city's elected officials are strong supporters and a growing coalition of young people is coming together to focus on a 2020 ballot measure campaign. A formal kick-off for a 2020 Vote16SF effort is expected in the early months of 2020.

B. Berkeley, CA

Berkeley, CA made history in 2016. Youth leaders in the city successfully advocated for the ballot measure Y1, to lower the voting age for school board elections in Berkeley to 16. The city council voted to put the measure on the ballot, and it passed with an overwhelming 70 percent of the vote. The change has yet to be implemented, but the Vote16Berkeley team is working to see that process through. In October 2018, the Berkeley Unified School District Board voted to allocate money to retain for a law firm to aid in implementing the change, ideally prior to the 2020 school board election.⁴⁶ This was an historic success that proves voters are ready to give 16-year-olds the right to participate in local elections.

III. COLORADO

A. Boulder, CO

Multiple recent and current efforts to extend voting rights to 16- and 17-year-olds in Colorado have raised the profile of the issue in the state. Students in Boulder continue to advocate for a lower voting age in municipal elections, aiming for more concrete action from the city council and a ballot measure in an upcoming election. Most members of the Boulder City Council expressed support for lowering the voting age at a May 2018 public meeting. Separately, a coalition called Student Voice Student Vote organized around a state bill that would have lowered the voting age for school board elections statewide in 2019 and will do so again in 2020. The 2019 bill did not move beyond committee but activists brought the issue to prominence in the state legislature and hope to build on that momentum in 2020.⁴⁷

IV. VERMONT

A. Brattleboro, VT

On March 5, 2019 the town of Brattleboro held its annual town vote, where citizens directly vote on an array of citizen-initiated propositions. One of these propositions was Article 2, which would lower the voting age to 16, as well as allow 16 year olds to serve on the Brattleboro Union High School school board and the Brattleboro Town School Board. Nearly 70 percent of residents voted yes, meaning legislation will be introduced in the state legislature to give the town the authority to implement it, similar to Massachusetts' home rule petition process. Four years earlier, when lowering the voting age was first proposed in Brattleboro in 2015, it was voted down by a 28 point margin.⁴⁸

V. WASHINGTON, DC

In 2015, a D.C Council member introduced the Youth Vote Amendment Act of 2015, which would extend voting rights to 16- and 17-year-olds for all D.C. elections. The legislation gained multiple co-sponsors but did not advance beyond committee.⁴⁹ The legislation was reintroduced by seven out of thirteen councilmembers in 2018, backed by a robust, youth-led Vote16DC campaign coalition. After earning public support from eight members, the bill passed unanimously out of committee in November 2018.⁵⁰ Along the way, the young people leading Vote16DC catalyzed public dialogue around the issue and were featured in several local and national media outlets, including the Washington Post and NBC Nightly News, and earned an endorsement from the Washington Post's editorial board.⁵¹ Before the full council could vote on the bill, however, a motion was made to table it, and that motion succeeded after two of the bill's original co-introducers voted to table it, seemingly influenced by backroom pressure from members opposed to the bill. Vote16DC youth leaders hope to see the bill reintroduced in the future.

VI. OREGON

A bill to lower the voting age to 16 statewide was introduced in the Oregon state legislature in 2019, backed by Next Up Oregon (formerly known as the Oregon Bus Project), a leading organization in the democracy movement in the state. The bill's introduction and progress was covered by local and national news outlets including CNN and CBS News. Hundreds of youth activists rallied behind the bill and earned the support of many members of the legislature and Governor Kate Brown, but the legislation ultimately did not advance in 2019. Now, youth leaders and allies are working on a plan to continue to build support for the issue in 2020 and re-introduce the bill in the future.

CURRENT LANDSCAPE IN THE UNITED STATES

VI. FEDERAL LEVEL

Progress on the federal level has been one of the most significant developments in work around lowering the voting age in the past two years. First, Rep. Grace Meng introduced the first-ever proposed constitutional amendment to lower the voting age to 16 in 2018, and again in 2019. In addition, in March 2019, Rep. Ayanna Pressley proposed lowering the voting age to 16 for federal elections as an amendment to a larger bill concerning election reforms. The amendment advanced through the House Rules Committee and was debated on the House floor and voted on by the full House, where it failed but earned 126 votes in favor, from members of both parties, and was supported by the Speaker of the House.⁵² This represents tremendous progress at bringing the issue into mainstream consideration, and is a strong base for future progress on the federal level.

In 2019, this proposal, combined with the progress of youth-led local and state level Vote16 campaigns, helped bring the issue of lowering the voting age into mainstream political discourse more than ever before. Candidates running in the 2020 Democratic Primary have been repeatedly asked for their view on the topic. As of December 2019, none of the candidates are opposed to the idea and several are supportive or open to it on various levels: Secretary Julian Castro wants to lower the voting age to 17, entrepreneur Andrew Yang supports lowering it to 16, and Senator Bernie Sanders and Governor John Hickenlooper have expressed enthusiasm about local governments implementing 16-year-old voting.

Also in 2019, the first national, public polling on the idea of lowering the voting age to 16 was conducted. Multiple media organizations ran polls to test public opinion on the issue, with most finding that about 17% of likely American voters support it. It is encouraging to see the issue reach the level of prominence that it is being researched and covered in this way, and it's worth looking at the poll numbers specifically with appropriate context. First, it's important to remember that these surveys capture respondents' immediate reactions, and we know that lowering the voting age is often referred to as a "second look issue," meaning that many people have a negative immediate gut reaction, but a positive response after a brief conversation or learning about the issue. This has proved true on the local level on multiple occasions:

In San Francisco in 2016, initial polling showed that 36 percent of voters supported lowering the voting age. However, after a strong public education campaign, 48 percent voted in favor of the change just seven months later.

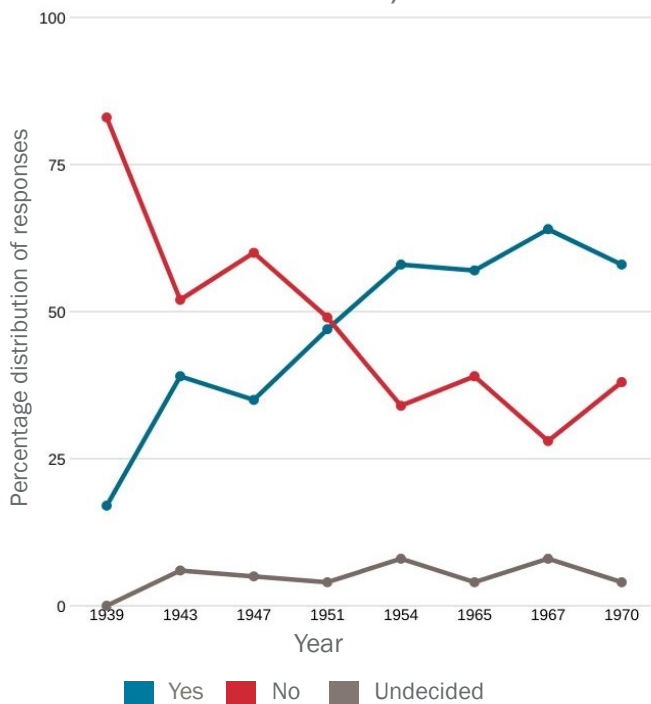
In Brattleboro, Vermont, residents in the town rejected a proposal to lower the voting age by a vote of 36% in favor and 64 percent opposed in 2015. In 2019, voters approved of lowering the voting age, with 69 percent voting in favor.

**Initially, only 17%
of the public supported
lowering the voting age
from 21 to 18.**

In Greenbelt, Maryland, a 2015 survey with a response rate nearly equal to the city's voter turnout rate showed 23 percent support for a lower voting age. Later, in 2017, following a public education campaign led by young people, 55 percent voted in favor of lowering the voting age on a non-binding referendum question.

In addition, it's worth remembering that 16-year-old voting is still a relatively new idea and the movement around it is in its early stages. In fact, the 18-year-old voting age, which we now take for granted, garnered a similar result on public polls when it was first entering the public discourse.

**Support for Changing the Voting Age
From 21 to 18, 1939-1970**



Source: Gallup George H. The Gallup Poll, 1935-1971. New York,

Random House, 1972. p. 159, 364, 630, 1009, 1218, 1958, 2057, 2243, 2303.

CURRENT LANDSCAPE IN THE UNITED STATES

SUPPORT IN CONGRESS

A proposal to lower the voting age to 16 for federal elections brought new attention to the issue in 2019 and put a spotlight on perspectives from supporters on both sides of the aisle.

“ Our young people are at the forefront of some of the most existential crises facing our communities and our society at large. I believe that those who will inherit the nation we design here in Congress, by virtue of our policies and authority, should have a say in who represents them. ”

- Rep. Ayanna Pressley (D-MA)
U.S. House of Representatives

“ Those who pay taxes should have a voice in our democracy. As a teen, I worked & paid taxes [...] I support policies that encourage work & this could be part of the conversation. ”

- Rep. Michael Burgess (R-TX)
U.S. House of Representatives



CURRENT LANDSCAPE IN THE UNITED STATES

VII. BILLS IN STATE LEGISLATURES

Multiple state legislatures are considering, or have recently considered, bills that would lower the voting age. Bills introduced in 2018 and 2019 include the following:

STATE	YEAR INTRODUCED	THIS BILL WOULD...
California	2019	Lower the voting age to 16 statewide. Another bill would allow 17-year-olds to vote if they turn 18 by the general election.
Connecticut	2019	Lower the voting age to 16 for local elections.
Hawaii	2019	Lower the voting age to 16 statewide through a Constitutional Amendment.
Kentucky	2019	Lower the voting age to 16 for local elections.
Massachusetts	2019	Lower the voting age to 16 statewide, in addition to the EMPOWER Act.
Michigan	2018	Lower the voting age to 16 statewide.
Nebraska	2018	Lower the voting age to 16 statewide, lawmakers have said they intend to propose legislation.
New York	2019	Lower the voting age to 16 statewide and includes an eight-period civic education requirement for graduation and allows students to register to vote in the classroom.
North Dakota	2018	Lower the voting age to 16 statewide, lawmakers have said they intend to propose legislation.
Oregon	2019	Lower the voting age to 16 statewide through a Constitutional Amendment.
Virginia	2019	Lower the voting age to 16 in local elections.

CURRENT LANDSCAPE IN THE UNITED STATES

PAST EFFORTS

A. SAN FRANCISCO, CA 2016

In 2016, San Francisco made history as the first city in the United States to put the question of lowering the voting age before voters as a ballot measure. More than 172,000 citizens voted in favor of the proposal, which finished just two percentage points shy of passing, a tremendous achievement for a youth-led campaign on the ballot for the first time.

The effort began in 2014, when high school students in the city were struck by the fact that they and their peers were significantly impacted by local elections but had no voice in the process. Youth leaders brought a proposal to lower the local voting age to the San Francisco Youth Commission, where the Vote16SF campaign was born. In less than two years, students working on the campaign earned the support of nearly every elected official and political club in the city. The Board of Education unanimously endorsed the proposal, and the Board of Supervisors voted 9-2 to put it on the ballot at the November 2016 election.

Initial polling showed just 36 percent of voters would support the measure, but youth pressed forward, and earned 48% of the vote after months of campaigning. This dramatic increase demonstrates that public education efforts can substantially shift public opinion on the issue, especially when young voices are at the center. This campaign proves that lowering the voting age on the local level is a viable policy idea that voters are ready to seriously consider. Campaign leaders are now working to bring the issue back to the ballot and win in 2020.

B. GOLDEN, CO 2018

The city of Golden voted on a ballot measure question that would have lowered the local voting age to 16 in 2018. The measure was placed on the ballot very shortly before the election and was supported by the mayor and the majority of city councilmembers, and young people led a campaign to educate voters about the measure. Ultimately, the measure was voted down, 35 percent - 65 percent, but this could have been due to supporters not having the time or resources to spread the message strongly enough.⁵³ Nonetheless, Golden became the first city in Colorado to put the question to a vote, which goes to show how the idea is gaining traction across the country.

C. LOWELL, MA 2009-2013

In 2009, a group organized by the United Teen Equality Center convinced the Lowell city council to vote in favor of drafting a home rule petition to send to the state legislature. Had the petition cleared the legislature, it would have allowed the city to hold a referendum, which, if successful, would have lowered the voting age for local elections to 17. The petition gained bipartisan support at the State House and passed in the Senate, but stalled in the House.

D. CAMBRIDGE, MA 2002-2006

High school students in Cambridge led an initiative to lower the voting age to 17 for municipal elections in 2002. Per Massachusetts law, the city council had to vote to send a home rule petition to the state legislature. The council voted in favor of the initiative 8-1, but the petition did not advance at the State House. The council continued to express its support in subsequent years, and in 2006 sent a petition to the state seeking to lower the voting age for only School Committee elections, but did not succeed on the state level.

E. OTHER PAST STATE-LEVEL BILLS

State Representatives and State Senators in several states introduced bills between 2003-2015 that would have lowered the voting age for either all of the states' elections or just school board elections in the state. None of these bills passed, and few made it out of committee. These bills include:

- 2003 – Texas
- 2004 – California
- 2004 - Iowa
- 2005 - Washington
- 2008 - Illinois
- 2008 - Michigan
- 2009 - Wisconsin
- 2011 - Washington
- 2014 - Missouri
- 2015 - Minnesota
- 2015 - New Mexico
- 2015 - Arizona
- 2015 - Hawaii

CURRENT LANDSCAPE INTERNATIONALLY

Initiatives to extend voting rights to 16- and 17-year-olds have seen considerably more momentum internationally. At least 16 countries around the world use a voting age of 16 or 17 for local, state, or national elections—including Germany, Austria, Estonia, Scotland, Ecuador, and Argentina. **A full list of these countries and their specific voting age policies is in Appendix A.*

As mentioned earlier in this report, research on the countries that have implemented 16- and 17-year-old voting shows positive results. In Latin America, the region with the most countries that allow 16- and 17-year-olds to vote, research focusing on Ecuador, Brazil, Argentina, and Nicaragua shows that people who were able to vote starting at age 16 exhibited greater satisfaction with democracy and trust in government.⁵⁴

Evidence from Europe also supports the notion that 16 is a better age than 18 to establish voting as a habit. In Austria, over the 10 years since a 16-year-old voting age was implemented on the national level, turnout among 16- and 17-year-olds has been higher than 18-20 year-olds, and similar to the electorate's overall average. Sixteen- and 17-year-olds have followed political campaigns to the same extent as other eligible young voters and have exhibited higher levels of satisfaction of democracy, which has a positive effect on turnout.⁵⁵

In Germany, turnout among 16-20 year olds is higher than citizens up to 10 years older.⁵⁶ In Norway, where 30 municipalities have used a 16-year-old voting age for local elections on a trial basis, 16- and 17-year-old turnout was much higher than turnout among traditional first-time voters ages 18-

2008
**Austria lowered its
voting age to 16 for
all elections.**



2011
**Norway allowed
16-and 17-year-olds
in 21 municipalities
to vote in local
elections.**



2014
**Scotland allowed
16-and 17-year-
olds to vote in
the Scottish
independence
referendum.**



2015
**Scotland lowered
the voting age to
16 for all elections.**



2019
**Wales passed a
law granting 16-
and 17-year-olds
the right to vote in
Welsh Assembly
elections beginning
in 2021.**

21.⁵⁷ One of the most recent European countries to make the change, Estonia, also saw turnout among 16- and 17-year-olds exceed the overall voter participation rate. This is a remarkably positive result considering turnout among the youngest voters has tended to be significantly lower than the overall rate.

Preliminary calculations by Generation Citizen indicate that globally, 7.9 percent of all 17-year-olds are eligible to vote, and 4.1 percent of all 16-year-olds can vote. Enfranchising 16-and 17-year olds is not a new idea, and momentum for lowering the voting age has continued to gain steam across the globe.

Debate has advanced significantly in the UK. Scotland and Wales now both use 16-year-old voting for their elections (Scotland made the change in 2015, Wales in 2019), fueling a push to lower the voting age UK-wide. Members of parliament from all major political parties have spoken out in favor of the change and the “Votes at 16” campaign has been a notable political force. Iceland has also begun to consider the change; a bill introduced in 2018 was supported by a third of the members of parliament.

NEXT STEPS TO ADVANCE THE CAUSE

The landscape around 16-year-old voting in the United States has changed dramatically since the launch of Vote16USA and the publication of the first edition of this white paper in 2015.

In recent years, additional municipalities have lowered their local voting ages, campaigns in some of the country's largest cities made tangible progress that sets the stage for future success in enacting policy change, and the issue was debated on the floor of the U.S. House of Representatives. The issue has also become more prominent in the public discourse. Media coverage on the topic has increased tremendously in the past three years, bills have been introduced and sparked public conversation on the state level in 13 states, and members of Congress, presidential candidates, and even the President are now talking about and taking stances on the issue.

To build on this momentum, we aim to advance legislation in concrete ways in targeted municipalities, while working to build widespread support for the issue and bring it further into mainstream policy conversations on the national level. Below are intended next steps to advance the cause through the year 2020. Updated iterations of this strategic outlook will be published on Vote16USA.org to keep up with shifting circumstances.

ADVANCE LEGISLATION ON THE MUNICIPAL AND STATE LEVELS

Maryland: In Maryland, opportunity exists to build on existing progress by supporting new cities in adopting 16-year-old voting on the local level. We aim to work closely with youth leaders, elected officials, and other partners in an array of cities to support further adoption of 16-year-old voting in the next two years. In addition, we will support efforts to ensure high turnout of young voters in the cities that have implemented 16-year-old voting, and we will support any data collection efforts to track the effects of a lower voting age on the local level.

California: Interest in lowering the voting age in California is very high among youth organizers, influential political and community organizations, and elected officials. Following the victory of Vote16 Berkeley and substantial progress made by Vote16SF in 2016, the conditions are ripe for ballot measure campaigns in 2020. We hope to support a renewed effort in San Francisco and earlier stage work led by youth organizers in other cities in California.

Massachusetts: While cities do not have direct authority to lower the voting age on the local level in Massachusetts, significant efforts are underway to pass legislation on the state level to change that. Should that work succeed, several municipalities are poised to take the next steps in lowering the voting age locally. There is an opportunity to anchor advocacy for this issue in the context of recently enacted legislation on civics education to build a comprehensive narrative around youth civic engagement.

Illinois: Young people in Illinois have made significant progress in building support for 16-year-old voting in recent years, and there may be an opportunity in the near future to advance legislation on the state level that would make it easier for cities to lower the voting age locally. Notably, Chicago Mayor Lori Lightfoot is a supporter, and several members of the state legislature have expressed interest and support. Such a measure would build on Illinois' recently enacted laws bolstering high school and middle school civics education.

Colorado: Colorado remains a ripe environment for progress through city charter amendment changes on the local level, due to the state's clear legal framework that allows cities to make and implement this change locally. Most members of the Boulder City Council are supportive, and we are working with young people to pursue a potential ballot measure campaign. Smaller cities may present opportunities for successful campaigns in the near future as well. Opportunity also exists to build on recent activity in the state legislature around considering a lower voting age for school board elections.

NEXT STEPS TO ADVANCE THE CAUSE

“ I am really proud of the amount of youth activism that has happened over the past year. It was teenagers that organized a worldwide climate strike and national walkouts to protest gun violence. ”

-Amira Tripp Folsom

Vote16USA Youth Advisory Board Member

DEMONSTRATE WIDESPREAD SUPPORT FOR 16-YEAR-OLD VOTING

Cultivate increased media coverage

Media coverage on Vote16USA and 16-year-old voting has increased dramatically over the past four years, and it is imperative to work intentionally to ensure it continues to grow in the years ahead. We will build relationships with reporters and conduct media outreach around key events to secure coverage in print and online publications, on television, and on the radio. We will also work to place op-eds from the diverse array of voices supporting lowering the voting age.

Leverage support from federal level elected officials

Interest in and support for 16-year-old voting has grown markedly among members of Congress, presidential candidates, and other national political figures. We will work with allies in Congress to continue to build the profile of the issue through their reach, and will leverage their support to bring attention to the issue around key moments in national politics, such as presidential debates and national and state party conventions.

Build the corps of individual and organizational endorsers and validators

Just like local level campaigns to lower the voting age have been bolstered by endorsements from widely known and respected individuals and organizations in the area, we believe the national effort can benefit tremendously from endorsements from both individual and organizational validators. We will work to build a corps of supportive individuals who are nationally-recognized leaders in politics, civic engagement, and other areas, and will work with partners in the field to build a strong list of national organizations publicly supporting the work.



Vote16USA Youth Advisory Board member Alek Schier, 17, gives a TV interview at the Council of the District of Columbia. June 27, 2018

Amplify youth activism on the issue to bring new attention to the issue and achieve legislative goals

The bedrock of progress toward each of these objectives is effective youth organizing. We know from experience that the most effective advocates for a lower voting age are the 16- and 17-year-olds who are directly affected. Through the Youth Advisory Board (a group of students leading local Vote16 efforts who help guide Vote16USA's national work), support for youth leaders of local campaigns, and other activities, we will ensure that young people remain front and center in this work. The stronger youth organizing is on this issue, the more possible it becomes to win endorsements, secure media coverage, earn support from key decision makers, grow the movement, and win campaigns to lower the voting age.

CONCLUSION

After many years of leadership and passionate advocacy from young people around the country, lowering the voting age to 16 is now beginning to break into the mainstream public discourse on potential solutions to improve our democracy. Now, the time is ripe to advance work to secure legislative victories on the local and state levels while continuing to advance widespread public education on the issue.

Extending voting rights to 16- and 17-year-olds on the local level can increase turnout in the long run by making it easier for young people to establish the habit of voting, and 16- and 17-year-olds have indeed voted at higher rates than older first-time voters when given the chance. Lowering the voting age can also catalyze improvements in civic education that so many have called for in the past few years, and 16- and 17-year olds have shown they are ready to vote and have a stake in local issues.

Critically, lowering the voting age is an effort to reinvigorate our democracy by fostering active and engaged citizens. It is not the idea of one party, and it does not aim to benefit any political ideology. Rather, lowering the voting age is an effort to reinvigorate our democracy by fostering active and engaged citizens.

As the 2020 campaign cycle comes into full swing, national political discourse will remain alive with discussion and debate on many important issues. The health of our democracy itself is one of those critical issues. Lowering the voting age can and should be part of that conversation. There is a real possibility that by the end of 2020, 16-year-old voting could be law in multiple additional municipalities while enjoying vocal support from all levels of government and a growing share of the general public. Realizing that potential requires supporting and amplifying the work young people are leading across the country. Following their lead, we will continue to move closer to a day when all 16- and 17-year-olds are eligible to vote, and our democracy is better for it.

**“ HELPING MY CITY
TAKE THE FIRST
STEPS TOWARDS
ENCOURAGING
YOUTH CIVIC
ENGAGEMENT IS AN
EXTRAORDINARY
OPPORTUNITY.
LEARNING TO VOTE
AT A YOUNG AGE
HAS PROFOUND
EFFECTS ON
SUSTAINED
POLITICAL
INVOLVEMENT, AND
THE YOUTH OF OUR
COUNTRY DESERVE
TO HAVE A SAY IN
THE ISSUES THAT
AFFECT THEM. ”**

- Sadie Fleig

Vote16USA Youth Advisory Board Member

APPENDIX A

COUNTRIES WITH A VOTING AGE LOWER THAN 18

COUNTRY	VOTING AGE
Argentina	16 for all elections. Lowered from 18 to 16 in 2012.
Austria	16 for all elections. Lowered from 18 to 16 in 2008. Some municipalities let 16-year-olds vote in local elections before national change.
Bosnia	16 if employed, otherwise 18.
Brazil	16- and 17-year-olds and those over 70 have the option of while those 18-69 are legally required to vote.
Croatia	16 if employed, otherwise 18.
Cuba	16 for all elections.
East Timor	17 for all elections.
Ecuador	16- and 17-year-olds and those over 65 have the option of while those 18-64 are legally required to vote.
Estonia	16 for local elections, 18 for all other elections.
Germany	16 for several states, 18 for national elections.
Guernsey (British Crown Dependency)	16 for all elections.
Hungary	16 if married, otherwise 18.
Indonesia	17 for all elections, and married persons regardless of age.
Isle of Man (British Crown Dependency)	16 for all elections.
Jersey (British Crown Dependency)	16 for all elections.
Malta	16 for Local Council elections, 18 for all other elections.
Nicaragua	16 for all elections.
Norway	Performed pilot programs in 2011 and 2015 in which 20 municipalities used a voting age of 16 for local elections each year.
Scotland	16 for Scottish Parliament and local elections
Serbia	16 if employed, otherwise 18.
Sudan	17 for all elections.
Wales	16 for Welsh Assembly and local elections.

APPENDIX B

LEGAL FEASIBILITY OF CITY CAMPAIGNS TO LOWER THE VOTING AGE IN LOCAL ELECTIONS

This study aims to determine the legal feasibility of municipal-level campaigns to lower the voting age for local elections in each state. Cities can take action to lower their local voting age in some states, while the law clearly prohibits this in other states. Some states remain unclear – advice from local legislative counsel is needed to better understand the situation in these states.

GLOSSARY

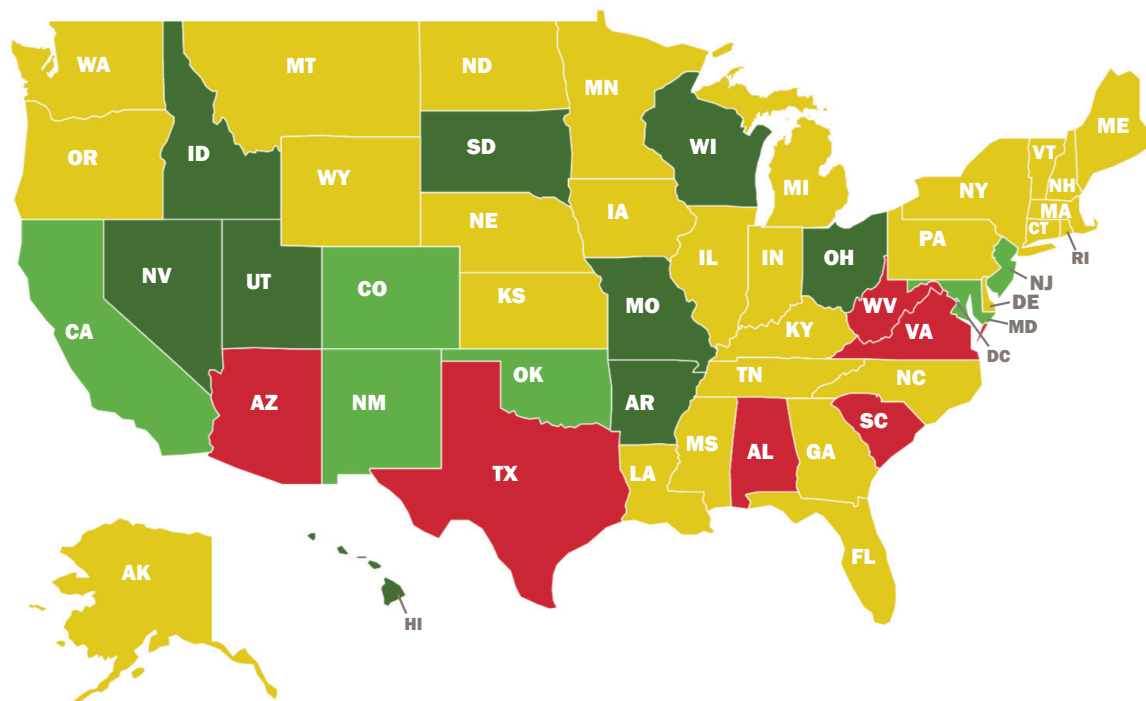
Case law: Case law is legal precedent that is established by judicial decisions in court cases. It often clarifies or interprets statutory or constitutional laws.





Home rule: Home rule refers to the degree of authority that local units of government (i.e. municipalities, cities, counties, etc.) have to exercise powers of governance within their boundaries. Each state determines how much home rule power, if any, its municipalities have. In some states, municipalities have a wide degree of authority to pass laws and govern themselves as they see fit, as long as they obey the federal and state Constitution. In others states, municipalities have virtually no home rule authority. In order for a municipality to lower its voting age, it must have the appropriate home rule power to do so.

Constitution: Just like the U.S. Constitution is the “supreme law of the land” for the whole country, each state has its own Constitution that serves as a blueprint for the political and legal organization of the state. No state or local laws can conflict with the state Constitution.

Statute: Statutes are laws. Federal statutes apply to the whole country, while state statutes apply to one state. A compilation of all of a state’s laws is sometimes referred to as the state statutory code, or just the state code. Phrases like “election code” refer to a group of laws related to one topic, in this case elections.

MAP OF LEGAL FEASIBILITY OF CITY CAMPAIGNS TO LOWER THE VOTING AGE IN LOCAL ELECTIONS



- | | | | |
|---|--|---|--|
|  | Cities can lower voting age, usually through charter amendments |  | Need to change state law (city-specific enabling legislation may be a possibility) |
|  | Cities may be able to lower voting age through charter amendment, but the law is less clear or potential barriers exist. See state descriptions. |  | Need state constitutional amendment |

APPENDIX B

METHOD FOR DETERMINING LEGAL FEASIBILITY OF LOWERING THE VOTING AGE

Determining the legal feasibility of lowering the voting age in any given city starts with a two step process—first examining the state’s voting age provisions, and then its home rule laws. Although we are interested in individual cities, the initial analysis takes place on the state level.

Step 1: Analysis of Voting Age Provisions

First, we must look at both the state Constitution and the state election statutes for provisions regarding the voting age. The key is to determine, in both the Constitution and the statute, whether the voting age requirement is phrased as a grant or a restriction. The Ohio Constitution, for example, says “Every citizen of the United States, of the age of eighteen years [...] is entitled to vote at all elections.” This phrase can be interpreted two ways: either (1) the right to vote is given exclusively to citizens over the age of 18, or (2) while those over 18 cannot be denied the right to vote, voting rights could be granted on a discretionary basis to those under 18.

To determine which of these interpretations is correct, further analysis is needed of case law in each state, although it is likely that many states do not have any case law on this subject. In the context of the 26th Amendment to the U.S. Constitution, which is also worded as a grant, at least one federal court has suggested that the more inclusive interpretation is correct, noting that the amendment “provides that the right to vote cannot be denied on the basis of age to persons age eighteen or over, but it does not prohibit the states from setting a lower voting age.”²⁷ However, this decision is not binding precedent over state courts.

The Ohio provision quoted above is an example of what we call a grant. The Arizona Constitution, on the other hand, gives an example of what we refer to as a restriction: “No person shall be entitled to vote at any general election [...] unless such person be a citizen of the United States of the age of eighteen years or over.” This clearly prohibits those under 18 from voting.

If a state Constitution phrases the voting age as a restriction, the first step to lowering the voting age in cities in that state must be a state constitutional amendment to rephrase that provision. If a state statute phrases the voting age as a restriction, the state legislature must pass a new law to change the statute and make it more permissible of under-18 voting. Statewide or city-specific enabling legislation may also be a possible solution in this situation.

If both the state Constitution and state election statute phrase the voting age requirement as a grant, we can move on to an analysis of home rule. It is important to note, however, that the true meaning of the phrases we call grants is open for interpretation by individual state courts. If a municipality takes action to lower its voting age, this action could be challenged in court, and the state court may interpret the voting age provision as meaning that the right to vote is reserved exclusively to those over 18.

Step 2: Home rule analysis:

The second key to determining the legal feasibility of lowering the voting age in cities in any given state is establishing the degree of home rule, if any, municipalities are granted in that state. Home rule allows municipal flexibility in local affairs so far as is consistent with applicable state law, and it comes from the state Constitution, state statutes, or both. In some cases, a state will list exactly which subjects municipal governments can and cannot exercise control over. Other states with home rule are more vague in their descriptions of what powers local governments can exercise, leaving the issue open for interpretation. Lastly, there are instances in which municipalities can take action in a matter of local governance, but the action must be approved by the state legislature. This was the case in Massachusetts when Lowell and Cambridge tried to lower their local voting ages.

It is necessary to consult with local experts to more conclusively determine the legal feasibility of a municipality lowering its voting age in some situations. Municipal actions in some areas where it seems legal may still be subject to court challenge over the interpretation of home rule statutes.

Step 3: Deeper Analysis

For states that appear feasible, the next step is to take a deeper look at state laws related to elections that would impact a cities’ ability to implement 16-year-old voting, such as voter registration laws. This research is specific to each state.

FEASIBLE STATES

In these states, our research indicates that cities can take action to lower the voting age for their local elections, usually through city charter amendments. A charter amendment must be proposed by one city council member, passed by the council, and then approved by a majority of voters as a ballot issue. Citizens can also bring a petition to propose a charter amendment in many cities, but this is less practical in most jurisdictions.

CALIFORNIA

Charter cities can change their local voting ages through charter amendments.

The California Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. California gives its charter cities (nearly every major city is a charter city) broad home rule authority. Elections are not specifically addressed, but municipalities “may make and enforce all ordinances and regulations in respect to municipal affairs” (Calif. Const. art. XI, § 5a) and case law supports the determination that elections are considered municipal affairs. This indicates that California charter cities may lower their local voting ages through city charter amendments, as San Francisco is pursuing now.

COLORADO

Charter cities can change their local voting ages through charter amendments.

The Colorado Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state Constitution provides a process for cities to adopt home rule charters and gives charter cities the power to control “all matters pertaining to municipal elections” (Colo. Const. art. XX 20, § 6). Thus, home rule charter cities can lower the voting age for their local elections through charter amendments. All of Colorado’s major cities are home rule charter cities.

MARYLAND

Cities can lower the voting age for local elections by city council vote, except for Baltimore.

The Maryland Constitution grants the right to vote to those over 18, and does not explicitly prohibit those under 18 from voting. Further, the Maryland election code states that: “Except for the City of Baltimore, the provisions of this section do not apply to a municipal corporation in the State in which the municipal or charter elections

are regulated by the public local laws of the State or the charter of the municipal corporation” (Md. Code § 2-202). This gives cities the ability to regulate their local elections, and is what allowed Takoma Park and Hyattsville to lower the voting age with just a city council vote.

NEW JERSEY

Cities operating under optional plan municipal governments appear to have the ability to change their local voting ages through charter amendments.

The Constitution grants the right to vote to those over 18 and does not explicitly prohibit those under 18 from voting (NJ Const. art. 2, § 1.3) and the election code refers back to the Constitution (N.J. Rev. Stat. § 19:4-1). Regarding home rule, Title 40, section 40:69A-29 lists specific powers granted to optional plan municipal governments, and this list does not include the power to regulate elections. But, Title 40, section 40:69A-30 states that this list is not exhaustive, and the powers of municipalities should be construed liberally. This provision is written in a generous way and appears to let cities do anything that is not in conflict with other state law. So, it appears that New Jersey cities operating under optional plan municipal governments can lower the voting age, as long as this action is not interpreted to conflict with state laws on the voting age. Further research is needed on related provisions, including voter registration statutes.

NEW MEXICO

Charter cities can change their local voting ages through charter amendments.

The New Mexico Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state Constitution provides a process for cities to adopt home rule charters, and gives charter cities very broad authority (NM Const. art. 10, § 6). Further, the election code contains a section regulating municipal elections, but states that “The provisions of the Municipal Election Code shall not apply to home rule municipalities [...] unless the Municipal Election Code is adopted by reference by such municipality” (NMSA § 3-8-1). This indicates that the nine home rule charter cities in New Mexico can indeed lower the voting age in their local elections, through charter amendments.

OKLAHOMA

Charter cities can change their local voting ages through charter amendments, which need to be approved by voters and the Governor.

Oklahoma's Constitution phrases the voting age provision as a grant, and the statute refers back to the Constitution. Regarding home rule, cities with populations greater than 2,000 are allowed to adopt home rule charters and amend them so long as they do not conflict with the state Constitution or statutes. Charter amendments must be approved by the city council, then approved by voters, then submitted to the governor for approval (Constitution Section 18-3(a)). The governor shall grant approval if the amendment "shall not be in conflict with the Constitution and laws of this State." However, it is unclear how the governor decides to approve charter amendments in reality.

WASHINGTON, D.C.

Washington, D.C.'s city council can pass a bill to lower the voting age in the city, but the U.S. Congress can overturn it.

Washington, D.C. is unique in this discussion. The city council can pass a bill to lower the voting age, but, like any other D.C. law, the U.S. Congress could pass a bill to overturn it.

CITIES THAT MAY BE ABLE TO LOWER THE VOTING AGE FOR LOCAL ELECTIONS, BUT THE LAW IS LESS CLEAR OR POTENTIAL BARRIERS EXIST

In these states, the constitutional and statutory provisions on the voting age are phrased as grants, and cities appear to have the necessary home rule power, but the legal situation is ambiguous enough to warrant scrutiny, or other potential barriers have been identified. These states range from those where it is somewhat likely that a city's action to lower the voting age would hold up to scrutiny, to those where it is possible but doubtful.

ARKANSAS

Counties may be able to lower the voting age for their local elections.

Arkansas' Constitution and statutes do not deny a city or county the ability to lower the voting age for its local elections. First class cities can exercise power related to "municipal affairs" as long as it does not conflict with state law (14-43-601). Act 1187 of 2011 repealed Dillon's Rule. This gave municipalities the authority to "perform any function and exercise full legislative power in any and all matters of whatsoever nature pertaining to its municipal affairs." However, Arkansas does not allow for 16-year-old voter pre-registration, and the state constitution's voter registration provisions require citizens to be 18 by the time of the next election to register. This would complicate voter registration for 16-year-olds to vote in local elections.

HAWAII

Counties can likely lower the voting age for their local elections through charter amendments, although more research is needed to verify.

Hawaii's Constitution grants the right to vote to those 18 and up and does not specifically prohibit those under 18 from voting. The state statutes do not contain a provision on the voting age. Local government in Hawaii is mostly administered on the county level, and counties have broad power to self-govern via charters, as long as charter provisions do not conflict with general laws of the state. It does not appear that there are any state laws that would prohibit a county in Hawaii from lowering the voting age for its local elections, but this needs to be confirmed with more research on related statutes, including voter registration laws.

IDAHO

The election code appears to disqualify those under 18 from voting, but it is not entirely clear. City-specific enabling legislation may be an option.

The Idaho Constitution grants the right to vote to those over 18 and does not explicitly prohibit those under 18 from voting (Idaho Const. art. 6, § 2). The Idaho election code, however, contains a provision titled "Disqualified Electors Not Permitted to Vote" (Idaho Code. Ann. § 34-403) This provision states that "no elector shall be permitted to vote if he is disqualified as provided in article 6, sections 2 and 3 of the state constitution." Article 2 says, among other things, that all citizens over the age of 18 are qualified to vote. Taken together, this

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could very well be interpreted as meaning that one who is not qualified to vote under article 2 is disqualified. In this case, the Disqualified Electors statute would need to be changed. Regarding home rule, the Constitution states that “Any county or incorporated city or town may make and enforce, within its limits, all such local police, sanitary and other regulations as are not in conflict with its charter or with the general laws” (Idaho Const. art. 12, § 2). This could likely be interpreted to give cities the ability to change the local voting age. City-specific enabling legislation could be an alternative to changing the Disqualified Electors statute. Further research is also needed on provisions related to implementation, including voter registration statutes.

MISSOURI

The city of Kansas City may be able to lower the voting age for its local elections through either a charter amendment or a local ordinance.

The Missouri Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state has a specific statute that gives any city with a population over 400,000 the right to regulate its own elections (§ 122.650.1). The only such city in Missouri is Kansas City. Other charter cities “shall have all powers which the general assembly of the state of Missouri has authority to confer upon any city, provided such powers are consistent with the constitution of this state” (Art. 6 § 19a), but it is unclear whether this provision grants authority over local elections. The existence of the statute specific to cities over 400,000 suggests it does not. Kansas City’s charter includes a provision stating that state election laws shall apply to all city elections, “except as provision is otherwise made by this Charter or ordinance” (§ 601). So, it appears that Kansas City can lower its voting age for local elections. However, City Council staff for Kansas City shared commented to Vote16USA staff that they are not confident in the city’s authority to make this change. Further research is also needed on provisions related to implementation, including voter registration statutes.

NEVADA

More research is needed on home rule law.

The Nevada Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. Nevada does not provide home rule through its Constitution, but it does give incorporated cities (the classification of city with the most autonomy

in Nevada) certain powers listed under NRS 268.008. Authority over local elections is not listed. But, the state law about city elections says that “conduct of any city election is under the control of the governing body of the city, and it shall, by ordinance, provide for the holding of the election, appoint the necessary election officers and election boards and do all other things required to carry the election into effect” (NRS 293C.110). This may mean that cities can lower the voting age for their local elections through charter amendments or ordinances, but the law is particularly open to interpretation. Further research is also needed on related provisions like registration statutes.

OHIO

Charter cities can change their local voting ages through charter amendments but may be especially subject to court challenge.

The Ohio Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state Constitution provides that “municipalities shall have authority to exercise all powers of local self-government” (Art. 18 Sec. 3). The scope of “local self-government” is not defined and has needed to be determined by the courts. Generally, if an issue is a matter of “general and statewide concern,” it is outside the scope of home rule. There is no way to tell whether the voting age in local elections would be considered “general and statewide concern” or a “power of local self-government.” It appears that a city in Ohio could attempt to change its voting age through a charter amendment, declaring that doing so is a “power of local self-government,” and would then have to defend the action if it is challenged in court. More research is needed on related statutes, like voter registration laws.

SOUTH DAKOTA

Cities and counties can lower the voting age for their local elections through charter amendments.

The South Dakota state Constitution and election code both grant the right to vote to those 18 and older, and do not specifically prohibit those under 18 from voting (Const. Art. 7 § 2 and SDCL 12-3-1). Any county or city in South Dakota can adopt a charter, and “A chartered governmental unit may exercise any legislative power or perform any function not denied by its charter, the Constitution or the general laws of the state” (Const. Art. 9 § 2). A state statute lists the restrictions on the power of home rule units, and this list does not include

elections. Therefore, it seems that home rule units (cities or counties) in South Dakota can lower the voting age for their local elections through charter amendments. Charter amendments must be approved by voters. Further research is also needed on provisions related to implementation, including voter registration statutes.

UTAH

Cities may be able to lower the voting age for local elections, but the issue is especially open to interpretation.

The Utah Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The Constitution also gives cities the ability to adopt charters for their local government. Cities with charters have “the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary and similar regulations not in conflict with the general law, and no enumeration of powers in this constitution or any law shall be deemed to limit or restrict the general grant of authority hereby conferred” (Const. Art. 11 § 5). This indicates cities might be able to use their home rule power to lower the voting age. However, local elections are included in the statutory definition of “election” in the state election code (20A-1-102), which could prevent cities from acting on the issue. Further interpretation and case law research are needed, as well as research on related statutes, like the voter registration laws.

WISCONSIN

It appears that cities can lower the voting age through charter amendments, but the election code and home rule and provisions are especially open to interpretation, complicated by case law.

The Constitution (Art. 3 § 1) and statute (§ 6.02) both phrase the voting age requirement as a grant. The Constitution (Art. 11 § 3) gives cities power to “determine their local affairs and government, subject only to this Constitution and to such enactments of the legislature of statewide concern as with uniformity shall affect every city or every village.” It is likely that state election statutes are of “statewide concern,” especially since (§ 5.02) defines “election” as “every public primary and election.” If this is true, cities may still be able to lower the voting age, since doing so may not directly conflict with the state law. On the other hand, cities may be prohibited from doing anything in an area of statewide concern where there already are statewide laws. Case law does not give very clear direction but leans toward a more limited interpretation of home rule. Research is also needed on state status related to implementation, such as voter registration laws.

NEED STATE LEGISLATION TO GIVE CITIES THE POWER TO LOWER THE VOTING AGE FOR LOCAL ELECTIONS

In these states, some aspect of state law prevents a city from taking action to lower its voting age. Legislation is needed on the state level. Such a bill could take a variety of forms depending on the specifics of state law.

ALASKA

Home rule statute prevents cities from lowering local voting age.

Alaska’s Constitution presents the voting age requirement for voting as a grant (Art. 5 § 1), but the statute that provides voter requirements for state elections is less clear (15.05.010). A strict reading of the statute may interpret it as a grant, but the way the statute is structured makes it seem like a restriction. Further, there is a specific statute about voter qualifications for municipal elections (29.26.050). It does not mention age but refers back to the state election statute, and uses more restrictive language, lending credence to the more restrictive interpretation of the state election statute. Alaska’s Constitution provides broad power to home rule cities, but a statute prohibiting home rule cities from acting to supersede specific statutes includes the municipal voter qualification statute mentioned above (29.10.200). So, for a home rule city in Alaska to lower its voting age, the statute concerning restriction of home rule powers must be changed, and the general voter qualification statute may need to be changed as well. Statewide or city-specific enabling legislation may also be an option.

CONNECTICUT

Home rule statute prevents cities from lowering local voting age.

The Connecticut Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. Additionally, Connecticut does grant home rule to its municipalities. However, the law specifically prohibits municipalities from taking action that affects “matters concerning qualification

and admission of electors” (Title 7, Chapter 99, Section 7-192a). It may be possible for one or more specific cities to seek enabling legislation, but this is unclear because Connecticut’s Constitution contains a provision that limits the general assembly’s ability to enact special legislation specific to a single city (Article 10 Section 1). Statewide or city-specific enabling legislation may also be an option.

DELAWARE

Home rule statute prevents cities from lowering local voting age.

Delaware’s Constitution phrases the voting age requirement as a grant, and the statute does not mention it, so the question turns to home rule. Delaware does give its cities a degree home rule powers, but cities are specifically prohibited from amending a municipal charter to “change the qualifications of those entitled to vote at municipal elections” (§ 835). Statewide or city-specific enabling legislation may also be an option.

FLORIDA

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

The Florida Constitution does not specifically prohibit those under 18 from voting, but the state’s election code reads “A person may become a registered voter only if that person is at least 18 years of age” (Chapter 97) (emphasis added). Florida municipalities have home rule, but cannot take action that is preempted by or in conflict with state law. The way the election code is written, it would almost certainly either preempt or conflict with a municipality’s action to lower the voting age. Thus, it appears that the law would have to be changed to allow those over 18 to vote, while not specifically denying that right to those under 18. This may still leave enough ambiguity for a legal challenge—a more certain strategy would be to also change the home rule law to specifically state that municipalities have authority over their local elections. Statewide or city-specific enabling legislation may also be an option.

GEORGIA

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

Georgia’s Constitution grants the right to vote to those over 18 and does not specifically prohibit those under 18 from voting. The Georgia code contains a statute listing voter qualifications that clearly restricts those under 18

from voting (§ 21-2-216). Further, while Georgia gives its municipalities some home rule powers, the home rule law lists specific powers that are reserved for the state, including “action affecting ... the procedure for election or appointment of the members [of the municipal governing authority]” (§36-35-6). For municipalities in Georgia to lower their local voting ages, the state legislature would need to pass bills changing both the voter qualification law and the home rule law. Statewide or city-specific enabling legislation may also be an option.

ILLINOIS

Charter cities have home rule authority to lower the voting age, but state law about voter registration would prevent implementation.

The Illinois Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state Constitution states that home rule units (counties and municipalities with populations over 25,000) “may exercise any power and perform any function pertaining to [their] government and affairs” except as expressly limited, and that home rule powers “shall be construed liberally” (art. 7 § 6). Neither the constitution nor state statutes explicitly preempt municipalities from lowering their voting ages, so it seems that municipal units in Illinois can lower the voting age for their local elections, through charter amendments. However, the state Constitution requires that “laws governing voter registration and conduct of elections shall be general and uniform” (Const. art. 3, § 4). Voter registration forms are required to include a space where the prospective voter affirms that “I will be at least 18 years old on or before the next election” (Ill. Comp. Stat. Ann. § 5/1A-16). A home rule unit could not use a different registration form without an amendment to state registration law. State legislation could amend the registration provision to affirm that home rule units that exercise their home rule authority to enact 16-year-old voting may also implement corresponding registration procedures.

INDIANA

Home rule statute prevents cities from lowering local voting age.

The Indiana Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state has home rule, but it is extremely limited and specifically prohibits municipalities from conducting elections, or from regulating “conduct that is regulated by a state agency,” which would include

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elections (IC 38-1-3-9-7). Thus, advocacy efforts in Indiana would have to begin with changing the home rule law to allow municipalities to exercise control over local elections. Given the limited nature of the current law, this seems particularly unlikely. Statewide or city-specific enabling legislation may also be an option.

IOWA

Voter qualification statute prevents cities from lowering local voting age.

Iowa's Constitution phrases the voting age provision as a grant, but the election code phrases it as a restriction (§ 48A.5). The state Constitution has an amendment granting municipal corporations "home rule power and authority, not inconsistent with the laws of the General Assembly, to determine their local affairs and government" (Section 38A). However, the election code provides that "county commissioner of elections shall ... conduct the election pursuant to the provisions of [the state election code]" (376.1). It appears that, if the voting age statute was changed to make it a grant rather than a restriction, a city could take action to lower its voting age. While the county commissioner would still conduct elections pursuant to the state laws, a lower voting age would no longer be contrary to those laws. Statewide or city-specific enabling legislation may also be an option.

KANSAS

Voter qualification statute prevents cities from lowering local voting age.

The Kansas Constitution phrases the voting age requirement as a grant, but the election code presents it as a clear restriction. Fortunately, Kansas does have relatively broad home rule powers. If the law regarding the voting age were changed to phrase the requirement as a grant, like the state Constitution does, it appears that cities would be able to use their home rule power to lower the voting age for local elections. Statewide or city-specific enabling legislation may also be an option.

KENTUCKY

Open to interpretation, but home rule law likely prevents cities from lowering local voting age.

Kentucky's Constitution phrases the voting age requirement as a grant. The voter qualification statute refers back to the Constitution, but in a way that may possibly be construed to restrict voting to only those above 18 (KRS § 116.025). Kentucky grants home rule via statute 82.082(1), which says, "A city may exercise any power and perform any function within its boundaries [...]"

that is in furtherance of a public purpose of the city and not in conflict with a constitutional provision or statute." Additionally, cities do not have power where there is a "comprehensive scheme of legislation on the same general subject" (82.082(2)). Although the state election code does not specifically address municipal elections, it is certainly arguable that it is a "comprehensive scheme of legislation on the same general subject" as municipal elections. In sum, it would be possible for a city in Kentucky to take action to lower its voting age, declaring that doing so is "in furtherance of a public purpose of the city" and that the state election code does not represent a "comprehensive scheme of legislation on the same general subject" as municipal elections. But, these declarations are subject to court challenges, and it is possible a court would reject the city's claims, preventing it from lowering its voting age. Statewide or city-specific enabling legislation may also be an option.

LOUISIANA

Voter qualification statute prevents cities from lowering local voting age.

Louisiana's Constitution phrases the age requirement for voting as a grant, but a statute in the state's election code specifically states that "no one, under the age of eighteen years shall be permitted to vote in any election" (Title 18 § 101). If that statute were changed, local governments (parishes and municipalities) with home rule charters may be able to lower the voting age in their local elections through charter amendments, because they can exercise any power that is "necessary, requisite, or proper for the management of its affairs, not denied by general law or inconsistent with this constitution" (Const. Art. 6 § 5e). However, whether changing the local voting age falls under this description is subject to interpretation. In sum, advocacy in Louisiana must start with changing the statute that prohibits those under 18 from voting, and then it may be possible for local governments to take action. Statewide or city-specific enabling legislation may also be an option.

MAINE

Voter qualification statute prevents cities from lowering local voting age.

Maine's state Constitution phrases the voting age as a grant, but the state election code presents it as a restriction. Further, while Maine's Constitution provides for municipal home rule, the state election code specifically states that "The qualifications for voting in a municipal election conducted under this Title are governed solely by [the state election code's voter qualification statute,

which is phrased as a restriction]” (Title 30-A § 2501). Therefore, in order for municipalities to lower their voting ages in Maine, the state election code must be changed to phrase the voter qualification provision as a grant. To eliminate ambiguity, the statute previously mentioned (§ 2501) could also be eliminated or changed to specifically state that the qualifications for voting in municipal elections are not governed by state laws. Statewide or city-specific enabling legislation may also be an option.

MASSACHUSETTS

Cities need the state legislature’s approval for home rule petitions.

The Massachusetts Constitution and election code phrase the voting age requirement as a grant. Cities in Massachusetts have the ability to adopt home rule charters, but to amend a charter to lower the voting age, cities must send home rule petitions, also referred to as special act charters, to the state legislature (Chapter 43B). First, the city council must form a study committee, which recommends the home rule petition to the council. Then, if the city council votes in favor of the petition, it goes to the state legislature and is treated as a piece of legislation. If it passes the House and Senate and is signed by the Governor, the petition is returned to the city for implementation. Cities can write their petitions to make the proposal subject to approval by voters after being passed by the state legislature, but don’t necessarily have to. See this paper’s discussion of Lowell’s effort to lower the voting age for more details on the process in Massachusetts.

MICHIGAN

Voter qualification statute prevents cities from lowering local voting age. Home rule law is open to interpretation, but may also prevent cities from lowering local voting age.

The Michigan Constitution phrases the voting age as a grant, but the election code says that to vote a person must be “not less than 18 years of age,” which is a restriction (Ch. 168 Sec. 492). Cities have a degree of home rule, but “No provision of any city or village charter shall conflict with or contravene the provisions of any general law of the state” (MCL 117.36; 78.27), and charter amendments must be submitted to the governor for approval. First, the voting age statute must be changed to phrase the age as a grant rather than a restriction. Even if this happens, it would be unclear whether a city could take action to lower its voting age, or if that would still conflict with or contravene the state law.

To avoid this uncertainty, the home rule law would need to be changed to specifically give cities authority over elections. Statewide or city-specific enabling legislation may also be an option.

MINNESOTA

Voter qualification statute prevents cities from lowering local voting age. More research is needed on home rule.

The Minnesota state Constitution phrases the voting age requirement as a grant, but the state’s election code phrases it as a restriction (Ch. 201.014). There is a state statute (Ch. 205.02) regarding the applicability of state election law to municipal elections, but further analysis is needed to understand how this affects cities’ ability to lower the voting age. Regardless, statewide or city-specific enabling legislation could be a viable option.

MISSISSIPPI

Home rule statute prevents cities from lowering local voting age.

The Mississippi Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. However, the Mississippi home rule law specifically prohibits cities from changing “the requirements, practices or procedures for municipal elections,” unless specifically authorized by another statute (Miss. Code Ann. § 21-17-5). Thus, the home rule law would have to be changed to allow municipalities to exercise home rule authority over local elections. Statewide or city-specific enabling legislation may also be an option.

MONTANA

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

Montana’s state Constitution phrases the voting age requirement as a grant, but the state statute phrases it as a clear restriction (13-1-111). Further, while cities in Montana can adopt charters, they are still subject to state laws concerning elections, and charters “shall not contain provisions establishing election, initiative, and referendum procedures” (§ 7-3-708). So, for a municipality in Montana to have the ability to lower its local voting age, both the state law on voter qualifications and the home rule law would need to be changed. Statewide or city-specific enabling legislation may also be an option.

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NEBRASKA

Voter qualification statute prevents cities from lowering local voting age.

Nebraska's Constitution presents the age requirement for voting as a grant, but the election code defines an elector as a citizen "who is at least eighteen years of age." Cities with populations greater than 5,000 are allowed to adopt charters. City councils can propose charter amendments, which must be approved by referendum (Const. Art. 11-4), but charters are still subject to the Constitution and state laws. Therefore, the statute defining an "elector" must be changed before cities can take action to lower their voting ages through charter amendments. Statewide or city-specific enabling legislation may also be an option.

NEW HAMPSHIRE

Home rule statute prevents cities from lowering local voting age.

New Hampshire's Constitution phrases the voting age provision as a grant, and the statute simply refers to the Constitution (Const. Art. 11 and § 654:1). However, while New Hampshire's towns and cities have the ability to adopt charters, charters do not give towns or cities any additional powers other than to determine the organization of their local government (§ 49-C:15). Further, New Hampshire law provides for the qualifications of voters in municipal elections (49-C:5). Additionally, in 2000, voters did not approve a proposed constitutional amendment that would have given cities and towns broad home rule powers. For a New Hampshire municipality to lower its voting age for local elections, the legislature would have to pass a bill specifically giving municipalities the authority to regulate local elections. Statewide or city-specific enabling legislation may also be an option.

NEW YORK

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

The New York Constitution phrases the voting age as a grant, but the state election code phrases it as a restriction. Additionally, while New York provides home rule, it is limited, and municipalities do not have control over voter registration requirements. Therefore, advocacy efforts in New York must aim to change both the state law on the election age and the state law on home rule. Statewide or city-specific enabling legislation may also be an option. This would be similar to the city-specific law that allowed New York City to extend voting rights to non-citizens for school board elections from 1969-2002, when the mayor took control of the schools.

NORTH CAROLINA

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

North Carolina's state Constitution phrases the voting age requirement as a grant, but the state statute phrases it as a clear restriction (§163-55). North Carolina does not provide for home rule in its Constitution, and home rule authority has been given in a limited way through subject-specific statutes. No such statute exists concerning municipal elections, and the state election code contains sections governing municipal elections (Chapter 163 Article 24). To lower the voting age in cities in North Carolina, advocates would have to pass a bill changing the voting age statute and specifically granting municipalities the authority to regulate local elections. Statewide or city-specific enabling legislation may also be an option.

NORTH DAKOTA

Home rule statute prevents cities from lowering local voting age.

North Dakota's Constitution and election statutes grant the right to vote to those over 18 and do not specifically prohibit those under 18 from voting. But, state statutes list the powers that are given to home rule cities and counties, and both cities and counties have the power to "provide for all matters pertaining to [city or county] elections, except as to qualifications of electors" (40-05.1-06 and 11-09.1-05). So, for a city or county to lower the voting age in its local elections, these statutes would need to be changed. Statewide or city-specific enabling legislation may also be an option.

OREGON

Statute on state election law's applicability to local elections prevents cities from lowering local voting age.

Oregon's constitutional provision on the voting age is a bit ambiguous, but it can likely be interpreted as a grant (Art. 2 § 2). The state election code does not contain a voter qualification provision. Cities in Oregon have some degree of home rule, but the state election code states that "any primary election, general election or special election held in this state shall be conducted under the provisions of this chapter, unless specifically provided otherwise in the statute laws of this state" (§ 254.016). It seems that this provision prevents cities from enacting their own regulations related to elections, like lowering the voting age. In order to give cities in Oregon the power to lower their voting ages, either this statute or the home

APPENDIX B

rule laws would need to be amended. Statewide or city-specific enabling legislation may also be an option.

PENNSYLVANIA

Home rule statute prevents cities from lowering local voting age.

The Pennsylvania Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. Pennsylvania gives its municipalities a degree of home rule, but the state law specifically prohibits municipalities from exercising home rule authority over “the registration of electors and the conduct of elections.” Advocacy efforts in Pennsylvania would need to begin with changing that state law to give municipalities more control over their local elections. Statewide or city-specific enabling legislation may also be an option.

RHODE ISLAND

State legislation is needed to give cities the authority to lower the voting age locally.

The Rhode Island Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting (Const. Art. 2 § 1 and §17-1-3). The state Constitution also says that any city can amend its charter and “enact and amend local laws relating to its property, affairs and government not inconsistent with this constitution and laws enacted by the general assembly” (Article 13, Section 2). On the surface, it appears this should be interpreted to mean that cities do have the power to lower the voting age, since the provisions about the voting age are presented as grants. However, conversations with elected officials and elections administrators in Rhode Island reveal that in reality the laws are interpreted to mean that the state controls all matters related to elections, despite cities’ apparent home rule powers. So, legislation on the state level would need to more explicitly give cities this power.

TENNESSEE

State legislation is needed to give cities the power to lower the local voting age under home rule authority.

Tennessee’s Constitution presents the voting age requirement as a grant, and the state’s statutes don’t address the voting age. Home rule is unclear. Art. 11 Sec. 9 of the Constitution gives any municipality the ability to become a home rule municipality, but it doesn’t elaborate on powers granted. Title 6, Chapter 53 regulates municipal elections, but does not say whether home rule municipalities can form their own regulations regarding

elections. While not explicitly clear, this is likely enough to determine that cities in Tennessee do not currently have the authority to lower the voting age for local elections. It is likely that state legislation would be needed to affirm a city’s ability to lower the local voting age under its home rule authority.

VERMONT

Cities need the state legislature’s approval for charter amendments.

The Vermont Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. Municipalities in Vermont do have the ability to amend their charters, but all charter amendments must be approved by the city’s voters as well as the state’s General Assembly (§ 2645). It is possible for a city to amend its charter through this process to lower the voting age, because the state’s election code says that charter provisions shall apply over state law when they provide for election procedures different than those outlined in the state laws (§ 2631).

WASHINGTON

State legislation would need to affirm that home rule powers extend to the issue of the local voting age.

The Washington constitution arguably frames voting as a right to those 18 and over, rather than a prohibition on those under 18. However, certain case law suggests that age is a minimum qualification, and the state registration statute indicates that registration is allowed only for those 18 or over. Washington’s home rule provisions permit municipal autonomy, but only to the extent that the legislature has not adopted “a law concerning [that] particular interest.” In the case of voting age, municipal efforts to lower the voting age would likely be found to conflict with the state registration statute, unless it can be shown that the registration statute itself is inconsistent with the constitutional language. State legislation would need to affirm that home rule authority extends to the issue of the local voting age and does not conflict with the registration statute.

WYOMING

Statute on state election law’s applicability to local elections prevents cities from lowering local voting age.

Wyoming’s Constitution phrases the voting age requirement as a grant, but the state election code’s provisions on qualifications to register to vote is unclear (22-3-102). Regardless, the state election code does state that “a municipal election shall be governed by



laws regulating statewide elections” (22-23-101). So, for a city in Wyoming to lower its voting age, that provision would have to be changed to give cities control over the regulation of their elections, and the registration qualification statute may need to be changed as well. Statewide or city-specific enabling legislation may also be an option.

STATE CONSTITUTION PREVENTS CITIES FROM LOWERING LOCAL VOTING AGE

In these states, an aspect of the state Constitution prevents cities from taking action to lower the voting age on the local level. Advocacy in these states would have to focus on a state constitutional amendment, which would be rather unlikely. In most states, constitutional amendments must be approved by two thirds of each House and by the state’s voters.

ALABAMA

State Constitution does not provide for any degree of home rule.

Alabama’s Constitution phrases the voting age provision as a grant, and the statute simply refers to the Constitution. However Alabama does not give its municipalities any degree of home rule. The state legislature can pass “local acts” that apply to one municipality. Home rule would have to be provided through an amendment to the Constitution, which is unlikely. Individual cities could advocate for “local acts” allowing them to lower the voting ages, but these acts still have to be passed as constitutional amendments.

ARIZONA

State Constitution specifically prohibits voting by those under 18.

The Arizona Constitution and election code both clearly restrict voting to only those over 18 years of age. Advocacy efforts in Arizona would have to start with an amendment to the state constitution, which is rather unlikely. A majority of each House must approve the amendment, and then it must be approved by the state’s voters.

SOUTH CAROLINA

State Constitution prohibits municipalities from enacting provisions related to elections.

South Carolina’s Constitution and election statutes grant the right to vote to those over 18 and do not specifically prohibit those under 18 from voting (Const. Art. 2 § 4 and S.C. Code Ann. § 7-5-610). But, while the Constitution allows municipalities to adopt home rule charters, it specifically prohibits them from enacting provisions related to “election and suffrage qualifications” (Art. 8 § 14). City-specific enabling legislation may be a possibility, but this is unlikely due to the constitutional provision. Constitutional amendments must be approved by two-thirds of each House, and then approved by the state’s voters.

TEXAS

State Constitution specifically prohibits voting by those under 18.

The Texas Constitution and election code both clearly restrict voting to only those over 18 years of age. Advocacy efforts in Texas would have to start with an amendment to the state constitution, which is rather unlikely. Two-thirds of each House must approve of the amendment, and then it must be approved by the state’s voters.

VIRGINIA

State Constitution specifically prohibits voting by those under 18, and does not provide for home rule.

The Virginia Constitution phrases its voting age provision as “Each voter shall be [...] eighteen years of age” (Article 2 Section 1). This phrase clearly restricts voting to those over the age of 18, so advocacy efforts in Virginia would have to start with an amendment to the Constitution to change this provision. In addition, Virginia does not offer home rule to its municipalities, which makes lowering the voting age in cities in Virginia especially unlikely.

WEST VIRGINIA

State Constitution specifically prohibits voting by those under 18, and does not provide for home rule.

West Virginia’s Constitution and election code both clearly restrict voting to only those over 18 years of age (Const. Art 4 § 1 and WV Code § 3-1-3). Advocacy efforts in West Virginia would have to start with an amendment to the state constitution, which is rather unlikely. Two-thirds of each House must approve of the amendment, and then it must be approved by the state’s voters.

VOTE16USA YOUTH ADVISORY BOARD

SUMMARY

The Vote16USA Youth Advisory Board is comprised of young people from around the country who are working to advocate for 16-year-old voting in their cities or states. Board members help guide Vote16USA's national efforts, ensure that young voices remain at the center of the initiative, and support each other's local campaigns by sharing best practices and learning from other members' experiences. Youth Advisory Board members serve one-year terms beginning in the early summer.



Vote16USA Youth Advisory Board members at the board retreat in Washington, DC August 2019

CURRENT VOTE16USA YOUTH ADVISORY BOARD

Alexis Campbell, Fayetteville, GA

Alik Schier, Washington, DC

Amira Tripp Folsom, Portland, OR

Arianna Nassiri, San Francisco, CA

Caleb DeBerry, Chicago, IL

Catie Macauley, Portland, OR

Helisa Cruz, Washington, DC

Joy Georgie, Boston, MA

Kayla Morrison, Denver, CO

Mahita Bobba, Los Altos, CA

Marianna Reddick, Boston, MA

Megan Zheng, San Francisco, CA

Noah Kassiss, Northampton, MA

Sadie Fleig, Berkeley, CA

Tiffany Missembe, Washington, DC

Zo Pancoast, Berkeley, CA

“Vote16 will change the conversation surrounding voting and democracy to be more inclusive of young people, make voting a habit, and encourage young people to be civically engaged.”

- Amira Tripp Folsom

“At the core of the [VOTE16] movement are the principles of equity, engagement, and true democracy. By enfranchising young voters, we create a truly dynamic population that is empowered to use their voices on issues that affect them every day.”

- Catie Macauley

“Students have been underrepresented when it comes to... the issues that affect our age.”

- Caleb DeBerry

“The youth deserves a choice in policy because we are significantly affected by it.”

- Alexis Campbell

APPENDIX D

ACKNOWLEDGEMENTS

Countless individuals have contributed to the work of Vote16USA and progress toward lowering the voting age over the past few years. Though this list is only partial and there are many more who have been invaluable advocates for Vote16USA, we wish to acknowledge the important contributions of some of these individuals.

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56. "Voting at 16 in Germany: Examining Subnational Variation." *LOWERING THE VOTING AGE TO 16: Learning from Real Experiences Worldwide*. (S.I.: PALGRAVE MACMILLAN, 2020).
57. Johannes Bergh, "Does voting rights affect the political maturity of 16- and 17-year-olds? Findings from the 2011 Norwegian voting-age trial," *Electoral Studies* 92 (2013): 92.

RESEARCH NOTE

Are People More Inclined to Vote at 16 than at 18? Evidence for the First-Time Voting Boost Among 16- to 25-Year-Olds in Austria

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ABSTRACT *Potential consequences of lowering voting age to 16 have been discussed in recent scientific and public debates. This article examines turnout of young voters aged 16 to 17 in Austria, the first European country that lowered the general voting age to 16. For this purpose we use unique data taken from electoral lists of two recent Austrian regional elections. The results support the idea that the so-called “first-time voting boost” is even stronger among the youngest voters as turnout was (a) higher compared to 18- to 20-year-old first-time voters and (b) not substantially lower than the average turnout rate. We conclude that our findings are encouraging for the idea of lowering voting age as a means to establish higher turnout rates in the future.*

1. Introduction

There is overwhelming evidence from various countries that electoral turnout among young voters is significantly and substantially lower than in the overall electorate (e.g. Arzheimer, 2006; Bhatti & Hansen, 2012b; Blais et al., 2004; Blais & Rubenson, 2013; Electoral Commission, 2002; Fieldhouse et al., 2007; Gallego, 2009; Milner, 2009; Rubenson et al., 2004; Topf, 1995; Wass, 2007; Wattenberg, 2002, 2008). More precisely, the relation between turnout and age is a curvilinear relationship (e.g. Fieldhouse et al., 2007; Verba & Nie, 1972), where turnout is relatively lower at the beginning of one’s voting career and falls off again for the elderly (around 65 years and above). Recently, several studies have also tried to clarify the peculiar pattern of a so-called “first-time voter boost”. First time voters, usually 18- to 19-year-olds, vote more often than 20- to 21-year-olds who exhibit a markedly low

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turnout rate (see Bhatti & Hansen, 2012a; Bhatti et al., 2012; Konzelmann et al., 2012).

In this article we add empirical evidence to extend these findings for 16- and 17-year-old first-time voters. This article explores young voters' turnout for the case of Austria, which is the first of the EU member states and one of only a few countries in the world having a general voting age of 16 for all elections. We describe electoral turnout of young voters based upon electoral lists in two recent Austrian regional elections. Thus, for the first time this article presents evidence on turnout rates of 16- and 17-year-olds in a European country using official data. In particular, we will address two key questions: (1) Can the first-time voter boost also be observed for 16- and 17-year-old first-time voters? (2) Is the turnout rate of 16- and 17-year-olds higher than for other first-time voters?

The findings of this article will thus contribute to the larger debate on further lowering the voting age to 16, which is now debated in public in several European countries – among them Denmark, the UK and Norway.

2. Turnout of Young Voters

Why does age matter for turnout? It has been argued that the age between 18 and the mid-twenties is a critical phase in one's lifecycle and, thus the "political biography". In young adulthood people have to make many important decisions that influence their whole life, such as deciding on an educational career, finding a job, choosing a partner, starting a family or moving to a new town. Therefore young people simply seem to be too preoccupied to worry about politics (Strate et al., 1989) and often exhibit lower political interest and civic duty (Blais et al., 2004; Blais & Rubenson, 2013). Moreover, several authors argued that social embeddedness is a driving factor in this context. While some young adults are still living at home, others have left their parents' household to start their "own life". For instance, it has been shown that moving out of one's parents' home decreases turnout in the short run (Highton & Wolfinger, 2001), as the influence of parents decreases, while at the same time the influence of peers with weak voting habits increases (Bhatti & Hansen, 2012a). Mobility additionally increases the costs of voting, as young voters have to inform themselves about the political "supply" or orient themselves in new situations in life after secondary education (e.g. Blais, 2000). According to these findings, voting at the age of 18 or 19 seems to be easier and thus results in higher turnout rates than voting at the age of 20 to the mid-twenties. This pattern can be observed as the first-time voter boost (Bhatti & Hansen, 2012a; Bhatti et al., 2012; Konzelmann et al., 2012).

Anticipating these findings, Franklin (2004) pointed out that a first-time voting age of 18 was exceptionally disadvantageous. Given a four- or five-year electoral cycle, people experience their first election at 20 or 21 on the average, which – as pointed out above – is an inconvenient time to start one's voting career. The general decline of turnout in many Western democracies can partly be traced back to those cohorts that started with low turnout rates at their first elections when voting ages were

lowered from 21 to 18 or 19 in many countries (Franklin, 2004; Franklin et al., 2004). Franklin's (2004) main argument in the debate on youth suffrage therefore was that one can expect *higher* levels of turnout among voters younger than 18 years, as life is still more "simple" and people are not yet that preoccupied positioning themselves in new social realities and they are primarily embedded in the social surroundings of family and school. At the same time, because of being strongly embedded in schools and families, young voters would hence "learn to vote" in a more sheltered environment. In particular, school attendance is seen as important factor in providing a stable social environment and also relevant information, which are, in general, the basis for political participation. This is of particular importance, bearing in mind the hypothesis that the first election leaves a footprint in one's voting biography and fosters voting as a habit (Dinas, 2012; Gerber et al., 2003; Plutzer, 2002). It is easier to repeat a learned behaviour that has already been performed than to override it with new behavioural patterns (Aldrich et al., 2011). Simply speaking, he who starts his electoral biography as a voter is likely to stay a voter. Hence, the lowering of voting age is also considered a possibility to restore higher levels of turnout in the long run (Franklin, 2004), assuming that younger first-time voters will maintain higher turnout rates.

However, the assumption that 16- and 17-year-olds will show a higher turnout level is not shared throughout the literature. The scientific controversy revolving around lowering the voting age has accumulated various arguments in favour or against such a reform. The arguments against foremost cover such concerns as the lack of political maturity, political interest and political knowledge of young voters which might lead to an uninformed vote choice (e.g. Bergh, 2013; Chan & Clayton, 2006; Electoral Commission, 2002, 2004; Hofer et al., 2008). Political maturation is assumed to increase when people grow older. Moreover, 16- and 17-year-olds are considered to be less interested and, hence, less likely to participate in an election than older first-time voters. Following this line, possible low turnout rates of 16- and 17-year-olds are thus used to strengthen the case against youth suffrage.

The arguments in favour, on the other hand, provide evidence that 16- and 17-year-olds are as ready to vote as are older voters in terms of political involvement (Hart & Atkins, 2011; Wagner et al., 2012; Wattenberg, 2008). Wagner et al. (2012) as well as Hart and Atkins (2011) argue that they are in no way inferior in their ability (e.g. quality of vote choice and knowledge) and willingness to participate in politics compared to other age groups. Still, regarding actual turnout rates empirical evidence is yet scarce. "Trial elections" that were held in Norwegian municipalities confirmed that turnout of 16- and 17-year-old enfranchised people was lower than overall turnout but higher than turnout of older first-time voters, which confirms Franklin's assumption. However, these findings do not necessarily apply to "real" elections, primarily because the municipalities participating in the trial elections volunteered to do so and were described as municipalities that were particularly engaged in youth politics (Bergh, 2013).

Our study will thus (a) explicitly test Franklin's (2004) hypothesis that turnout of the youngest voters is higher than for older first-time voters and (b) overcome some of the shortcomings of previous studies on youth turnout.

3. Case Selection: Austrian Regional Elections

Austria is known to be a country with traditionally high turnout rates. Even before the voting age was lowered, young Austrians were said to be comparable in terms of turnout to young people in countries such as Denmark, Sweden, Germany and the Netherlands (Milner, 2009). Some Austrian regions started lowering the voting age to 16 in regional and local elections in the first years of the millennium. Eventually, the federal electoral reform of 2007 included a general voting age of 16 for all elections, including federal elections, presidential elections and elections for the European Parliament, as well as referenda and all forms of plebiscites (Hofer et al., 2008). Meanwhile, the electoral law reform in Austria was accompanied by a bundle of measures for young voters, including an awareness-raising campaign and enhancing the status of civic and citizenship education in schools. It is safe to say that, at that time, first-time voters were also encouraged to participate in elections as schools were strongly engaged in preparing 16- and 17-year-olds for the federal elections of 2008, for instance (Schwarzer & Zeglovits, 2013).

So far, studies conducted in Austria found an increase in political interest among 16- and 17-year-olds after the time voting age was lowered (Zeglovits & Zandonella, 2013). As political interest can be regarded as an important motivational factor that increases participation (Verba et al., 1995), this finding would also suggest high turnout rates. In turn, the turnout *intention* of Austrian voters aged less than 18 in the weeks before the European Parliament elections of 2009 was lower than for voters that are aged 30 or older (Wagner et al., 2012). Consequently, this would suggest that turnout of 16- and 17-year-olds is, at least, lower than the average turnout rate.

Unfortunately, reliable data for the last federal elections in 2008 are not available. On the one hand, Austria is more restrictive in terms of data policy. Therefore no official registers of voters and factual participation in an election are available. On the other hand, surveys are usually biased by "overreporting" of voter turnout (e.g. Holbrook & Krosnick, 2010; for Austria see also Zeglovits & Kritzinger, 2013), and standard errors in surveys prevent one from detecting small group differences. This is why we examine turnout in two recent Austrian regional elections, where we were able to get access to electoral lists: the 2010 election in Vienna,¹ the capital of Austria, and the 2012 election in Krems, a small sized town in Lower Austria. Choosing these elections has several advantages. First, both elections were already the second elections after lowering the voting age, so we do not expect much of an impact of "novelty" effects, as excitement should fade over time. Still, it should be mentioned that both elections are so-called "second order" elections. It is known that turnout rates and interest in these elections will be lower, in general. Moreover, one has to take into account that electoral turnout of young voters who have not yet developed a habit of voting is particularly low in second order elections (Franklin &

Hobolt, 2011). So, we expect the importance to participate to be even lower and any differences in turnout to be even more noteworthy than in a first order election.

4. Data

For examining turnout among 16- and 17-year-olds we use electoral lists. Electoral lists include all eligible voters, that is, residents² who are 16 years and older and have Austrian citizenship, and whether a voter did cast a ballot. The list has three possible outcomes: (1) voted, (2) registered as absentee voter, and (3) did not vote.

As turnout of persons who registered for absentee voting is not known, calculations were done twice when analysing turnout in the Vienna elections: First, we assume that all absentee voters (9.8% of eligible voters in the age group examined) did cast their vote (to be referred to as “maximum turnout”). Thus, maximum turnout will somewhat overestimate factual turnout. This is why we also tested our results against a more conservative estimator, which takes into account that the total number of voters in Vienna who registered for absentee voting was 162,039, while the total number of absentee votes was 129,332 or 79.8%. Since registered absentee voters can also cast their vote directly in the polling station, the figure only serves as a *lower* limit for turnout of absentee voters across all ages. Thus, the “low-rated turnout” estimator assumes that four out of five absentee voters cast their vote and will most likely underestimate turnout of young voters. It is approximately two percentage points lower than maximum turnout. However, substantive conclusions on Vienna presented below are not affected by the turnout estimate. The absentee voting phenomenon is, however, negligible in Krems as the total share of absentee voters was much lower (2.1%). This is why we also use the “maximum turnout” approach for Krems. As a robustness check we additionally ran all analyses again excluding absentee voters. Results do not change substantially.

The total age group of interest is 16- to 25-year-old voters. This allows for the comparison of all first-time voters and older (second-time) voters in the election, leading to the birth cohorts of 1985–1994 for the elections in Vienna 2010, and birth cohorts of 1987–1996 for the elections in Krems 2012.³ The age of the youngest birth cohort is limited by a due date for reaching age 16 before the election. However, as only the year of birth is included in the electoral lists, for some voters one cannot distinguish whether they were (older) first-time voters or (younger) second-time voters (see Table 1). When comparing 16- and 17-year-old first-time voters to older first-time voters, we will thus omit the oldest first-time voters (aged 21) from the analysis.

We had to limit ourselves to a sample procedure in Vienna⁴ (approx. 1,145,000 eligible residents). For this purpose we drew a two-stage stratified clustered sample within 59 polling stations, including $n=5,411$ eligible voters born between 1985 and 1994. All data analyses concerning Vienna take into account the clustered structure of the sample and standard errors are adjusted accordingly (Kish, 1995). In contrast, a full census was conducted in Krems, since the city is considerably smaller in size (approx. 23,000 eligible residents). For the city of Krems we examined all eligible voters born between 1987 and 1996 ($n=3,304$).

Table 1. Sample or population size by birth cohort

Year of birth	Age (approx.)	Year of first election	n
Vienna			Sample size
1994	16	2010	337
1993	17	2010	473
1992	18	2010	482
1991	19	2010	498
1990	20	2010	582
1989	21	2010 or 2005	617
1988	22	2005	560
1987	23	2005	638
1986	24	2005	619
1985	25	2005	605
Total	16–25		5,411
Krems			Population size
1996	16	2012	198
1995	17	2012	234
1994	18	2012	276
1993	19	2012	288
1992	20	2012	348
1991	21	2012 or 2007	397
1990	22	2007	420
1989	23	2007	398
1988	24	2007	406
1987	25	2007	339
Total	16–25		3,304

5. Results

Figure 1 and Figure 2 examine the levels of turnout by age. Figure 1 illustrates that, in Vienna, the turnout of 16- and 17-year-olds was not significantly lower than the overall turnout of 67.6%.⁵ This finding is robust, also if the low-rated turnout estimator is used (estimated turnout decreases by about 1.3 to 2.5 percentage points, depending on the share of absentee voters in each birth cohort). A similar phenomenon can be observed for the election in Krems (Figure 2): Turnout of 16- and 17-year-olds was only slightly lower than the overall turnout of 62.6%.⁶

With our data, the common finding that turnout of young voters is significantly and substantially lower than the overall turnout can be replicated, as long as only people aged 18 to 25 are concerned. Turnout of 16- and 17-year-olds rather resembles overall turnout.

Looking at the first-time voting boost in more detail, however, we observe that turnout *decreases* with increasing age from 16 to 20. In Vienna, this downturn is nearly linear: The older the first-time voter, the lower the turnout. In Krems, in contrast, 16- to 18-year-olds do not differ substantially in their turnout rate, but we see a

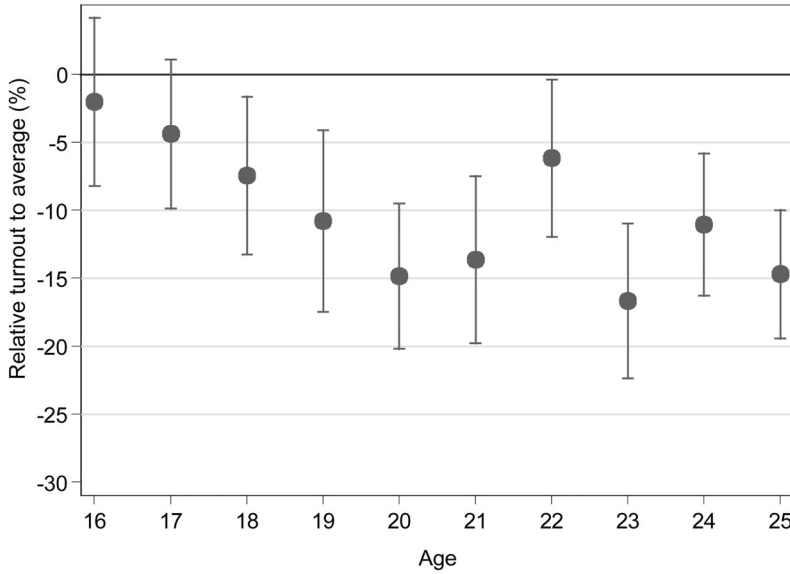


Figure 1. Turnout rate by age in Vienna using the maximum turnout estimator, relative to average turnout (67.6%).

Note: Graph for Vienna shows confidence intervals for the proportion ($\pm 1.96 \times \text{S.E.}$); total $n=5,411$ within 59 clusters.

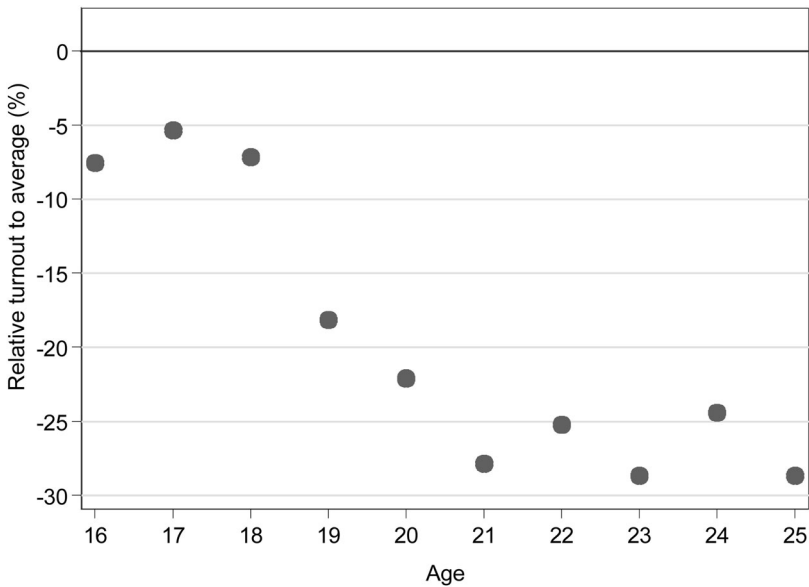


Figure 2. Turnout rate by age in Krems using the maximum turnout estimator, relative to average turnout (62.6%).

Note: Graph for Krems shows proportions of census data; total $n=3,304$.

Table 2. Turnout of first-time voters in Vienna, 2010

	16–17 years	18–20 years
Voters	64.2	56.3
Non-voters	35.8	43.7
n	810	1,562
S.E. of proportion	+/-2.3	+/- 2.6
Corrected χ^2 , p=0.004		

Note: Maximum turnout estimator.

Table 3. Turnout of first-time voters in Krems, 2012

	16–17 years	18–20 years
Voters	56.3	46.3
Non-voters	43.7	53.7
n	432	912
χ^2 , p=0.001		

Note: Maximum turnout estimator, census data.

sharp decline of turnout between age 18 and 19, similar to the decline described by Bhatti and Hansen (2012a) or Konzelmann et al. (2012). The first-time voting boost is thus found to be progressively less for older first-time voters.

In order to test Franklin’s (2004) conjecture we next compare the overall turnout of 16- to 17-year-olds to the turnout of older first-time voters that are aged 18 to 20 (Tables 2 and 3). In fact, turnout of 16- to 17-year-olds in Vienna (Table 2) was estimated to be 64.2% and thus significantly and substantially higher than the turnout of 18–20-year-olds, which was 56.3%. In Krems turnout of 16- and 17-year-olds was 56.3% and substantially higher than turnout of older first-time voters (46.3%). In both towns we find that the share of the youngest first-time voters (16 to 17 years) participating in the election was higher than among older first-time voters (18 to 20 years). Our findings confirm Franklin’s conjecture and Bergh’s findings from the trial elections in Norway.

6. Discussion

When debating voting age, the case of Austria can provide empirical evidence on voting behaviour of enfranchised voters aged 16 to 17. In this article, we discussed electoral turnout in two Austrian regional (i.e. second order) elections, each of which was the second regional election after voting age was lowered to 16.

First, results from Vienna showed that turnout among 16- and 17-year-olds was not significantly lower than overall turnout, and also in Krems turnout was only somewhat lower than the average. The general trend that turnout of young people is by far lower than in the overall electorate cannot be applied to 16- and 17-year-old Austrian voters.

In both towns, turnout decreased with age for voters aged 18 to 21. Our study on 16- and 17-year-old voters thus confirms and extends previous evidence on the “first-time voting boost” phenomenon at the beginning of one’s voting career, which has so far been described for countries having a voting age of 18 (Bhatti & Hansen, 2012a; Bhatti et al., 2012; Konzelmann et al., 2012). Second, Franklin’s (2004) conjecture proved to be correct: electoral turnout of 16- and 17-year-olds was significantly *higher* than turnout of older first-time voters (18 to 20). Our study thus extends previous findings from Norwegian trial elections (Bergh, 2013) to a case study of “real” elections for a country having a general voting age of 16.

The results are particularly important in the debate about possible consequences of lowering the voting age to 16: our findings contradict the studies that assume low electoral participation of 16- and 17-year-olds because of lack of political interest (Chan & Clayton, 2006; Electoral Commission, 2004). Moreover, it has been argued that those who have not yet developed a habit to vote will especially abstain in second order elections (Franklin & Hobolt, 2011), such as the Austrian regional elections studied here. Thus, our findings of high turnout of young voters should also hold true in the case of first order national elections.

Of course, our results are limited. When interpreting the findings, one has to consider that elections take place in a certain societal context. The lowering of the voting age was accompanied by various measures, such as awareness-raising campaigns for the youngest eligible voters, in particular in the context of the federal election in 2008 (Schwarzer & Zeglovits, 2013, give an overview). It will take some time until we know if the effects observed here will continue, though accompanying measures cease to be continued. Future research will have to examine the short-term and long-term impact of the electoral reform on individual voting behaviour and aggregate turnout rates. With the data and design used here we simply cannot address whether higher turnout will actually leave a “footprint” in the youngest cohort’s voting biography that continues in future elections. Finally, important information on individual covariates as well as the social embedding like family, schools and work, as well as spatial mobility, is missing. Further survey-based research is needed to disentangle the causes of participation or abstention of the youngest voters.

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Notes

1. The City of Vienna lowered voting age for regional elections to 16 in 2005, that is, before the general reform.
2. Austrian citizens who reside in another country are eligible to vote in the municipality of their last residence in Austria.
3. Note that some voters in the cohort examined here may have participated in the general election in 2008. Though people acquire their habit of voting especially in first order national elections (see Franklin & Hobolt, 2011), we refrain from analysing the impact of this event on turnout rates of certain age groups, as we do not have the data to do so. Given the high turnout of the Vienna election, the findings of Franklin and Hobolt (2011) might not be perfectly applicable here.
4. A detailed description of the sampling procedure in Vienna is available in the online appendix (available on the publisher's website <http://dx.doi.org/10.1080/17457289.2013.872652>).
5. Note that the overall turnout rate in Vienna was similar to previous elections: 2005: 60.8%; 2001: 66.6%; 1996: 68.5%.
6. Note that the overall turnout rate in Krems was somewhat lower than in previous elections: 2007: 66.0%; 2002: 68.4%; 1997: 67.6%.

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ESSAY

IN DEFENSE OF LOWERING THE VOTING AGE

JOSHUA A. DOUGLAS[†]

INTRODUCTION

In 2016, voters in Berkeley, California, overwhelmingly favored lowering the voting age for school board elections to sixteen.¹ San Francisco came close to passing a similar measure, Proposition F, which would have lowered the voting age to sixteen for all local elections. Unofficial results indicate it lost by approximately 52%–48%.² This close outcome suggests that advocates may continue to push the measure in the future, with a fairly strong chance of success once voters are better educated about its merits.

Lowering the voting age is by no means a radical idea. The Maryland municipalities of Takoma Park and Hyattsville recently lowered the voting age to sixteen for their own elections.³ Turnout among sixteen- and seventeen-year-olds has been relatively robust, strengthening the democratic

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¹ *Measure Y1 - City of Berkeley*, ACGOV.ORG, http://www.acgov.org/rov_app/current_election/nofrace.jsp?e=230&f=124124.htm [https://perma.cc/2QRF-HBZQ] (last updated Nov. 18, 2016, 8:11 PM).

² *November 8, 2016 Unofficial Election Results*, CITY AND COUNTY OF SAN FRANCISCO, http://www.sfelections.org/results/20161108/#a_english_42 [https://perma.cc/W6G2-3S5F] (last updated Nov. 28, 2016, 4:13 PM); see also Emily Green, *Supervisors OK Ballot Measure to Lower SF Voting Age to 16*, SF GATE (May 10, 2016, 9:02 PM), <http://www.sfgate.com/politics/article/Supervisors-OK-ballot-measure-to-lower-SF-voting-7458077.php> [https://perma.cc/5B88-DZBX].

³ Elena Schneider, *Students in Maryland Test Civic Participation and Win Right to Vote*, N.Y. TIMES (Jan. 9, 2015), <http://www.nytimes.com/2015/01/10/us/politics/students-in-maryland-test-civic-participation-and-win-right-to-vote.html> [https://perma.cc/K3RD-LX7V].

process in these cities.⁴ Moreover, several countries, including Brazil, Argentina, and Scotland, allow sixteen-year-olds to vote.⁵

This Essay outlines the various policy arguments in favor of lowering the voting age to sixteen. Part I presents a very brief history of the voting age in U.S. elections. It notes that setting the voting age at eighteen is, in many ways, a historical accident, so lowering the voting age for local elections does not cut against historical norms. Part II explains that there are no constitutional barriers to local jurisdictions lowering the voting age for their own elections. Part III highlights the benefits to democracy and representation that lowering the voting age will engender. Turning eighteen represents a tumultuous time for most young adults as they leave home either to enter the workforce or go off to college. Sixteen, by contrast, is a period of relative stability when young people are invested in their communities and are learning about civic engagement in school. Lowering the voting age can, therefore, create a habit of voting and increase overall turnout in later years. Finally, Part IV presents psychological studies demonstrating that, by age sixteen, individuals possess the cognitive capabilities required to perform an act that takes forethought and deliberation like voting. That is, sixteen-year-olds are as good as, say, forty-year-olds at making the deliberative decisions necessary for democratic participation. Part IV also refutes the claim that lowering the voting age will “create” additional votes for parents, as prior experience shows that young people do not simply follow their parents in the voting booth.

In sum, lowering the voting age is a sound mechanism to improve our elections. It brings additional, competent individuals with a stake in electoral outcomes into the democratic process and guarantees them a voice.

In the current political environment, reform advocates should focus their energies particularly on local measures that will increase voter participation—as that is where they are likely to succeed. These local successes can breed statewide reforms once people see the rules working well in local elections.

⁴ See J.B. Wogan, *Takoma Park Sees High Turnout Among Teens After Election Reform*, GOVERNING (Nov. 7, 2013), <http://www.governing.com/news/headlines/gov-maryland-city-sees-high-turnout-among-teens-after-election-reform.html> [https://perma.cc/23HT-XAJP] (reporting that “roughly 44 percent of registered voters in the under-18 voting bloc participated in” elections in Takoma Park, Maryland, compared to an overall turnout rate of only 11%); see also GENERATION CITIZEN, LOWERING THE VOTING AGE FOR LOCAL ELECTIONS IN TAKOMA PARK AND HYATTSVILLE, MD: A CASE STUDY 2 (Oct. 2016) [hereinafter GENERATION CITIZEN], <http://voter6usa.org/wp-content/uploads/2016/10/Final-MD-Case-Study.pdf> [https://perma.cc/CF5K-EYLH] (showing higher voter turnout, as a percentage, among sixteen- and seventeen-year-olds than older age groups in the 2013 and 2015 elections, albeit representing a small number of actual voters).

⁵ Angus Johnston, *Why We Should Lower the Voting Age in America*, ROLLING STONE (Nov. 3, 2016), <http://www.rollingstone.com/politics/features/why-we-should-lower-the-voting-age-in-america-w447875> [https://perma.cc/2GA4-DPSD].

The fact that Berkeley enacted a lower voting age in 2016 for school board elections is a positive development. Given the close vote in San Francisco, advocates should try again there. Other cities across the country should follow suit. This Essay explains why.

I. A BRIEF HISTORICAL ACCOUNT OF THE VOTING AGE IN U.S. ELECTIONS

At the Founding, the voting age under British common law was twenty-one.⁶ American colonies simply copied this prior British rule.⁷ Although the reason for setting the voting age at twenty-one is “lost in the mists of time,” “[o]ne—perhaps apocryphal—claim that popped up often in the voting age debates was that twenty-one was the age at which a medieval adolescent was thought capable of wearing a suit of heavy armor and was therefore eligible for knighthood.”⁸ Thus, for the first 182 years of our history (until the ratification of the Twenty-Sixth Amendment), using twenty-one for the voting age was, in many ways, a historical accident. There was no sustained discussion or reasoned justification for not allowing individuals aged twenty or younger to vote. It was just common practice left over from colonial England.

The Twenty-Sixth Amendment changed that practice nationwide when it lowered the voting age to eighteen for all national and state elections.⁹ The main impetus for the Twenty-Sixth Amendment was the Vietnam War. Eighteen-year-olds were expected to fight and die for their country, so supporters of the Twenty-Sixth Amendment rallied around the cry of “old enough to fight, old enough to vote.”¹⁰ Further, the youth-driven protests of the late 1960s and early 1970s demonstrated a need for young people to have an outlet for political engagement. The right to vote provided such an opportunity.¹¹

6 See Jenny Diamond Cheng, *How Eighteen-Year-Olds Got the Vote* 9 (Aug. 4, 2016) (unpublished manuscript), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2818730 [https://perma.cc/U3E8-TPQE] (noting that “British common law put the age of majority at twenty-one”); see also ROBERT J. DINKIN, *VOTING IN PROVINCIAL AMERICA: A STUDY OF ELECTIONS IN THE THIRTEEN COLONIES, 1689–1776*, at 30–31 (1977) (noting that the colonies at the time of the Founding generally barred individuals under twenty-one from voting in local elections, following the traditions and wisdom of the Old World).

7 DINKIN, *supra* note 6, at 30–31.

8 Cheng, *supra* note 6, at 9.

9 U.S. CONST. amend. XXVI, § 1.

10 See Cheng, *supra* note 6, at 43–46 (detailing the effects of the Vietnam War on efforts to lower the voting age and concluding that “[t]he ‘old enough to fight, old enough to vote’ refrain from the early 1940s gained new resonance in the late 1960s, as American involvement in Vietnam reached its zenith and public opinion swung against the war”).

11 See *id.* at 46–57 (arguing that “the notion that reducing the voting age would stem the rising tide of student unrest by channeling youthful energies . . . gained a surprising amount of traction, especially among federal legislators”).

The main point for today's debate is that the current voting age is more a product of happenstance than reasoned judgment. The states initially set the age at twenty-one because that was the custom at British common law. The Twenty-Sixth Amendment lowered the voting age to eighteen because young people were asked to fight in an unpopular war and were engaged in significant political protests. But few people considered in-depth why eighteen, as opposed to a different age, was the appropriate age to choose.

II. THE U.S. CONSTITUTION DOES NOT BAR LOWERING THE VOTING AGE FROM EIGHTEEN

The text of the Twenty-Sixth Amendment to the U.S. Constitution provides that "[t]he right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or any state on account of age."¹² Thus, the Twenty-Sixth Amendment sets the voting age at eighteen, but it does not stipulate that eighteen is a floor. Nothing in the language of the Amendment prohibits states or localities from setting a lower voting age.

Similarly, most state constitutions and laws do not forbid a lower voting age for local elections.¹³ For the Berkeley and San Francisco debates in 2016, California law certainly allowed this innovation, as its relevant constitutional provision closely tracks the language of the Twenty-Sixth Amendment and its state laws do not impose any impediments.¹⁴

III. BENEFITS OF LOWERING THE VOTING AGE TO SIXTEEN

Lowering the voting age to sixteen, at least for local elections, will improve our democracy. Democracy flourishes when those who have a stake in the outcome participate—so long as they can make reasoned judgments about who should lead them. Experience has shown that lowering the voting age is one way to improve voter turnout both now and likely into the future.

¹² U.S. CONST. amend. XXVI.

¹³ In a forthcoming article, I explain in detail the legal arguments that surround voter expansions for local elections. See Joshua A. Douglas, *The Right to Vote Under Local Law*, 85 GEO. WASH. L. REV. (forthcoming 2017).

¹⁴ See CAL. CONST. art. II, § 2 ("A United States citizen 18 years of age and resident in this State may vote."); CAL. CONST. art. XI, § 5(a) (conferring upon municipalities broad home rule power to govern "municipal affairs"); CAL. ELEC. CODE § 2000(b) (West 2016) ("Any person who will be at least 18 years of age at the time of the next election is eligible to register and vote at that election."); see also Douglas, *supra* note 13, app. (providing a fifty state survey of state constitutions and statutes regarding the power of municipalities to enact local rules for voting); cf. Tara Kini, *Sharing the Vote: Noncitizen Voting Rights in Local School Board Elections*, 93 CALIF. L. REV. 271, 284 (2005) (outlining analogous legal arguments supporting San Francisco's push to allow noncitizens to vote in school board elections).

Turnout among the youngest current voters, those aged eighteen to twenty-four, is abysmal. In the 2012 presidential election, for example, the turnout rate for persons aged eighteen to twenty-four was 38%, compared to an overall population turnout rate of just under 62%.¹⁵ We need to implement strategies to engage young voters.

Jurisdictions that lower the voting age can experience increased voter turnout. For example, in the November 2013 municipal election in Takoma Park, Maryland—an election with “no state or national offices on the ballot and no competitive local races”—the turnout rate among newly eligible and registered sixteen- and seventeen-year-olds was 44%, while the overall turnout rate was 11%.¹⁶ Yet the first Hyattsville, Maryland, election after the city lowered its voting age—which took place in May 2015, a few months after the change—saw only four new voters in this age group, showing the need for greater education and registration opportunities for young people.¹⁷

With stronger outreach efforts, individuals are more likely to turn out for the first time when they are age sixteen or seventeen as opposed to age eighteen. Why? One possible answer is that sixteen- and seventeen-year-olds are part of their communities, engaged in local debates, and immersed in civic education in high school. By contrast, eighteen-year-olds are graduating from high school, moving away from home, and entering the workforce or enrolling in college. The sheer fact of moving makes it more difficult to begin voting. These individuals must both register ahead of the election and often deal with absentee balloting hurdles. Thus, at an already tumultuous time in their lives, we also expect eighteen-year-olds to jump through various administrative hoops to participate in our democracy. Sixteen-year-olds do not face these same hurdles. Instead, they typically are living at home and are invested in their communities, and they are enrolled in high school, where improved civics education can teach them about the registration process and the intricacies of voting—not to mention the candidates and issues. Indeed, in Takoma Park, one of the mayoral candidates made it a point to reach out to this newly enfranchised age group.¹⁸ Once individuals begin voting at a

15 THOM FILE, U.S. CENSUS BUREAU, U.S. DEP'T OF COMMERCE, POPULATION CHARACTERISTICS NO. P20-573, YOUNG-ADULT VOTING: AN ANALYSIS OF PRESIDENTIAL ELECTIONS, 1964–2012, at 2–3 (Apr. 2014), <https://www.census.gov/prod/2014pubs/p20-573.pdf> [<https://perma.cc/Z5R4-9HFE>].

16 GENERATION CITIZEN, *supra* note 6, at 4; Wogan, *supra* note 4.

17 GENERATION CITIZEN, *supra* note 6, at 7; cf. Rebecca Bennett, *Ward and Warner Election Winners; City Exceeds Voter Turnout Goal*, HYATTSVILLE LIFE & TIMES (May 6, 2015), <http://hyattsvillelife.com/ward-and-warner-election-winners-city-exceeds-voter-turnout-goal/> [<https://perma.cc/YX2U-2YRH>] (suggesting that the city exceeded its turnout goals in part because 25% of sixteen- and seventeen-year-olds voted, but not providing the raw number of voters).

18 See GENERATION CITIZEN, *supra* note 6, at 5–6.

younger age, they are more likely to continue the habit when they leave home.¹⁹

Lowering the voting age thus presents one way to increase overall voter turnout: high participation among young people in local elections will eventually lead to higher turnout in all elections, as these individuals turn eighteen and become eligible to vote in federal and state elections. Studies show that voting is habit-forming; once someone votes in one election, he or she is more likely to vote in subsequent elections.²⁰ Consequently, lowering the voting age in local elections can serve as a catalyst for increased turnout nationwide in later elections. Assuming, from a normative perspective, that higher turnout is better for our democracy, then lowering the voting age is one path to achieve that goal. In addition, once a few cities like Takoma Park, Maryland, or Berkeley, California, lower the voting age without negative consequences to their elections, other cities, and eventually states, are more likely to follow.

There is also a fairness aspect to lowering the voting age.²¹ Although eighteen is the age of legal majority in many states, our society grants certain privileges to, and imposes legal obligations on, sixteen- and seventeen-year-olds. In particular, in most states, sixteen-year-olds may obtain a drivers' license²² and are eligible to work part-time jobs.²³ But they must follow the local

¹⁹ See *infra* note 20 and accompanying text.

²⁰ See Alexander Coppock & Donald P. Green, *Is Voting Habit Forming? New Evidence from Experiments and Regression Discontinuities*, 60 AM. J. POL. SCI. 1044, 1060 (2015) (reviewing various studies and concluding that “a vast body of evidence now suggests that habits form when people vote”); Alan S. Gerber, Donald P. Green & Ron Shachar, *Voting May Be Habit-Forming: Evidence from a Randomized Field Experiment*, 47 AM. J. POL. SCI. 540, 545-48 (2003) (using regression analysis to evaluate voter turnout in separate elections and concluding that “the reason voting behavior is correlated over time is not simply that the background factors that cause people to vote at one point in time reassert their influence during each subsequent election. In addition to the continuities created by socio-psychological and environmental influences, voting and nonvoting per se appear to create behavioral patterns that persist over time”).

²¹ See *Lower the Voting Age*, FAIRVOTE, <http://www.fairvote.org/reforms/right-to-vote-amendment/lowering-the-voting-age/> [<https://perma.cc/6L9V-VN53>] (noting that lowering the voting age is “also a matter of fairness: when unable to vote until turning 18, some citizens won’t have a chance to vote for their mayor until they are almost 22”); *Top Ten Reasons to Lower the Voting Age*, NAT’L YOUTH RTS. ASS’N, <http://youthrights.org/issues/voting-age/top-ten-reasons-to-lower-the-voting-age/> [<https://perma.cc/DV8N-JT2D>] (“Youth suffer under a double standard of having adult responsibilities but not rights.”).

²² Judith G. McMullen, *Underage Drinking: Does Current Policy Make Sense?*, 10 LEWIS & CLARK L. REV. 333, 360 (2006).

²³ See Fair Labor Standards Act, 29 U.S.C. §§ 212, 213(c) (2012) (specifying restrictions on child labor); 29 C.F.R. § 570.2(a) (2015) (noting that the FLSA “sets a general 16-year minimum age which applies to all employment subject to its child labor provisions in any occupation other than in agriculture”); Peter J. McGovern, *Children’s Rights and Child Labor: Advocacy on Behalf of the Child Worker*, 28 S.D. L. REV. 293, 298 (1983) (“In general, the state laws parallel the restrictions and the statutory age breakdowns of the federal statutory scheme . . .”).

driving rules and pay taxes on their wages. Sixteen is also the age of majority for consenting to sexual activity in most states.²⁴ Further, in many states, compulsory school attendance ends at age sixteen or seventeen—meaning that high school students may choose to drop-out of school at that age.²⁵ Unless there is a competency-based reason to bar them from voting, then, it seems only fair that we permit sixteen- and seventeen-year-olds to participate in our democratic process.

IV. PSYCHOLOGICAL STUDIES SUPPORT SETTING THE VOTING AGE AT SIXTEEN

Psychologists are in general agreement: sixteen-year-olds are as strong, cognitively speaking, as twenty-year-olds, forty-year-olds, or anyone else older than them at processing the information necessary to vote. Psychologists have recognized two primary kinds of decisionmaking: “hot” cognition and “cold” cognition. Activities that entail “hot” cognition are those that are impulsive, include high levels of emotion or stress, and suffer from significant peer pressure.²⁶ Individuals’ brains are not fully developed to make proper “hot” cognition decisions until about age twenty-one, or perhaps twenty-four or twenty-five.²⁷ “Cold” cognition activities, on the other hand, require deliberation and measured decisionmaking.²⁸ Brains develop the full mechanism for appropriate “cold” cognition by age sixteen.²⁹ These “cold” cognition capabilities do not improve in later years.³⁰

²⁴ Kate Sutherland, *From Jailbird to Jailbait: Age of Consent Laws and the Construction of Teenage Sexualities*, 9 WM. & MARY J. WOMEN & L. 313, 314 (2003).

²⁵ See Table 5.1. *Compulsory School Attendance Laws, Minimum and Maximum Age Limits for Required Free Education, By State: 2015*, NAT’L CTR. FOR EDUC. STAT., https://nces.ed.gov/programs/statereform/tab5_1.asp [<https://perma.cc/MF2B-9KJ2>] (listing each states’ respective age requirements for compulsory school attendance).

²⁶ Laurence Steinberg, Opinion, *A 16-Year-Old Is as Good as an 18-Year-Old—or a 40-Year-Old—at Voting*, L.A. TIMES (Nov. 3, 2014, 5:15 PM), <http://www.latimes.com/opinion/op-ed/la-oe-steinberg-lower-voting-age-20141104-story.html> [<https://perma.cc/6PYM-CEM3>]; accord Patrick Begley, *Hot and Cold Thinking: Why 16-Year-Olds Are Smart Enough to Vote, but Not Drink*, SYDNEY MORNING HERALD (Mar. 28, 2015), <http://www.smh.com.au/nsw/nsw-state-election-2015/hot-and-cold-thinking-why-16-year-olds-are-smart-enough-to-vote-but-not-drink-20150212-13cpgo.html> [<https://perma.cc/UF2Y-CNQ5>] (discussing how there is no evidence to suggest that sixteen- and seventeen-year-olds cannot make informed decisions).

²⁷ See *supra* note 26.

²⁸ See *supra* note 26.

²⁹ See *supra* note 26.

³⁰ See Vivian E. Hamilton, *Democratic Inclusion, Cognitive Development, and the Age of Electoral Majority*, 77 BROOK. L. REV. 1447, 1504-10 (2012) (surveying various cognitive studies and concluding that “adolescents’ basic cognitive abilities are mature by the age of sixteen, giving them the capacity to process information and make rational decisions. But the heightened sensitivity to reward that increases and peaks around midadolescence inclines young people towards risk taking, sensation seeking, and impulsivity. These inclinations may dominate or overwhelm their cognitive

Voting requires “cold” cognition.³¹ It occurs on a certain, known date, so individuals can take the time to learn about the candidates and issues in advance. There is typically little emotion or stress involved. Although there may be peer pressure to support a particular candidate, peer pressure is not a concern when individuals actually vote because of the secret ballot. As one psychologist notes, “[a]dolescents may make bad choices [in voting], but statistically speaking, they won’t make them any more often than adults.”³² In one study, sixteen- and seventeen-year-olds scored about the same as older adults on measures of political tolerance, skill, efficacy, and interest.³³

Thus, nothing magical happens, from a psychological or cognitive standpoint, when someone turns eighteen. But something magical *does* occur by age sixteen, because by that time individuals have gained the cognitive capabilities to engage in measured, reasoned decisionmaking. This fact is probably why, as mentioned earlier, we allow sixteen-year-olds to drive, work in part-time jobs, consent to sexual activity, and drop-out of school (in many states). If we already treat these young people like “adults” in these settings—because we believe they are cognitively mature enough to make these decisions—then there is little reason why we should not also extend to them the right to vote.

Some might protest that, because of their young age and because most youth are still living with their parents, granting voting rights to sixteen- and seventeen-year-olds is tantamount to giving their parents an extra vote. In other words, parents could unduly influence, or even require, their children to vote in a certain way. Yet this was the same specious argument that many people used in opposing the Nineteenth Amendment’s extension of the right to vote to women: that wives would simply follow their husbands at the voting booth.³⁴ Not only is that argument itself insulting, it is simply not true. Married women have never blindly adhered to how their husbands want them

processes and shape their behaviors, especially in situations triggering heightened emotion or pressure”). Some psychologists, however, have questioned whether age is the driving force behind poor decisionmaking among youth—instead suggesting that socioeconomic inequalities may be the more important factor. *See generally* Mike Males, *Age, Poverty, Homicide, and Gun Homicide: Is Young Age or Poverty Level the Key Issue?* SAGE OPEN (Mar. 5, 2015), <http://sgo.sagepub.com/content/spsgo/5/1/2158244015573359.full.pdf> [<https://perma.cc/KLG7-GRUW>] (noting that some studies of youth behavior fail to control for socioeconomic status).

³¹ Steinberg, *supra* note 26.

³² *Id.*

³³ Daniel Hart & Robert Atkins, *American Sixteen- and Seventeen-Year-Olds Are Ready to Vote*, 633 ANNALS AM. ACAD. POL. & SOC. SCI. 201, 212-13 (2011).

³⁴ *See* Eleanor Barkhorn, ‘Vote No on Women’s Suffrage’: Bizarre Reasons for Not Letting Women Vote, ATLANTIC (Nov. 6, 2012), <http://www.theatlantic.com/sexes/archive/2012/11/vote-no-on-womens-suffrage-bizarre-reasons-for-not-letting-women-vote/264639/> [<https://perma.cc/HQU9-8E8E>] (presenting a pamphlet from 1910 that argued women should not be allowed to vote because “80% of the women eligible to vote are married and can only double or annul their husband’s votes”).

to vote.³⁵ Moreover, in places that have lowered the voting age, such as Scotland, studies show that young individuals do not just follow their parents. For instance, one survey leading up to the Scottish independence vote of 2014 found that only about half of sixteen- and seventeen-year-olds planned to vote in the same way as their parents.³⁶ The fact that young voters generally hold different political views from older generations³⁷ suggests that many sixteen- and seventeen-year-olds will vote independently of their parents' political beliefs and irrespective of whether they are still living at home.

In sum, psychological studies, as well as prior experience in places that have tried it, support lowering the voting age to sixteen. This reform also comports with an understanding of democracy that favors a broader electorate with a higher turnout rate.

CONCLUSION

This Essay has not yet addressed the elephant in the room (pun intended): politics. The conventional wisdom is that younger voters will skew the electorate to the left, as young people tend to support Democrats.³⁸ Of course, there is no guarantee that sixteen- and seventeen-year-olds will always vote for Democrats. We simply do not know, *ex ante*, who might benefit from this reform. Further, an expanded electorate gives all political parties the opportunity to recruit new members at an early age. In any event, the ideal of an expanded electorate and higher turnout should outweigh any political concerns. There is a strong moral claim that democracy is better when more people participate.³⁹ That said, nothing I can write here will convince those who will look at this issue *purely* through a partisan lens that lowering the voting age will necessarily help or hurt one side or the other.

³⁵ Cf. Alex Wagner, *Marriage After Trump*, ATLANTIC (Oct. 18, 2016), <http://www.theatlantic.com/politics/archive/2016/10/marriage-after-trump/504440/> [<https://perma.cc/QW3F-LRT8>] (noting that married couples are increasingly voting for different presidential candidates).

³⁶ Emma Langman, *Scottish Independence: Research Finds Young Voters 'Don't Copy Parents'*, BBC SCOTLAND NEWS (Mar. 4, 2014), <http://www.bbc.com/news/uk-scotland-scotland-politics-26265299> [<https://perma.cc/E9MG-XFJV>].

³⁷ See, e.g., *Young People and Political Engagement*, PEW RES. CTR. (July 16, 2012), <http://www.pewresearch.org/2012/07/16/ask-the-expert-young-people-and-political-engagement/> [<https://perma.cc/22DN-VBDQ>] (finding that “[t]here was a 34 percentage point difference in 2008 between how 18-to-29-year-olds voted and how 65-and-overs voted”).

³⁸ For instance, in the 2012 Presidential Election, 60% of voters aged 18–29 voted for Democratic nominee President Barack Obama, compared to 37% who voted for Republican nominee Governor Mitt Romney. *How Groups Voted in 2012*, ROPER CTR., <http://ropercenter.cornell.edu/polls/us-elections/how-groups-voted/how-groups-voted-2012/> [<https://perma.cc/592C-EBSK>].

³⁹ See, e.g., Hamilton, *supra* note 30, at 1479 (arguing “that a democratic government derives its authority from the individuals governed by it,” which “presumptively entitles the[se] individual[s] to participate in the governance of a democratic system” by, for instance, voting); see also Douglas, *supra* note 13 (discussing the benefits of expanding the electorate in local elections).

But the legal and policy arguments, separate from politics, are strong. Eighteen is the current voting age largely through historical accident. Sixteen makes more sense from both legal and psychological perspectives. We impose legal obligations on sixteen-year-olds through driving rules and tax obligations, and most states' laws evince a belief that these young individuals are mature enough to consent to sexual activity and drop-out of school. Psychologically, sixteen-year-olds are no different from older individuals in making the reasoned decisions required of voting. We should allow them to participate in our democratic system.

The benefits of lowering the voting age to sixteen are myriad. Lowering the voting age will likely increase turnout, perhaps for years to come. It will give young people, who are engaged already in their local communities, a political voice. This voice, in turn, will force politicians to pay greater attention to the views and needs of younger individuals, who, after all, will have to live with the consequences of policy decisions for much longer than older voters.

Bringing people into the political system earlier in their lives will have tangible future benefits. If the right to vote is our most precious, fundamental right, then we should extend it to anyone who is competent enough to make democratic decisions and has a sufficient, actual stake in the outcome. We have already begun this reform at the municipal level by lowering the voting age in a few places for local or school-board elections. The policy should now trickle out to other cities, and once normalized, can influence statewide and national voting rules. For all of these reasons, cities, and eventually states, should lower the voting age to sixteen.

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Youth Who Learned about Voting in High School More Likely to Become Informed and Engaged Voters

August 31, 2020

CIRCLE surveys show that there's a relationship between being encouraged to vote and taught how to do so by teachers and a host of indicators of civic engagement later in life.

The 2020 presidential election is fast approaching, and the next few months will be critical for voter registration, education, and mobilization. Campaigns and grassroots organizers are revamping their outreach strategies to make the most of this final stretch, and it's also an important time for K-12 schools to acknowledge and embrace their role in preparing young people for electoral participation. As educators are forced to rethink their instructional approach in light of COVID-19 disruptions, new research from a recent CIRCLE youth survey underscores the power of high school teachers encouraging students to vote and teaching them how to register to vote. Our survey offers a deeper understanding of the extent to which young people, ages 18-29, benefited from these experiences in high school and describes the impact of voter education and encouragement on youth attitudes and civic behavior.^[1]

Our top findings reveal that:

Nearly two-thirds of respondents (64%) report having been encouraged to vote in high school, while half (50%) say they were taught how to register to vote

Who received civic encouragement or instruction in high school varies by race: two out of every three White students (67%) remember having being encouraged to vote in high school compared with one in two Black students (54%)

Youth who reported having been either encouraged to vote or taught how to register to vote in high school are more likely to vote and participate in other civic activities, more knowledgeable about voting processes, and more invested in and attentive to the 2020 election than other youth

Students who had not received encouragement to vote from teachers in high school were more than twice as likely to agree with the statement "Voting is a waste of time" as those who had been encouraged: 26% vs. 12%

Young people who learned about voting procedures in high school are more prepared for voting today: they were more likely than their peers to know if their states had online voter registration, and at least 10 percentage points more likely to respond that they had seen information on how to vote by mail, and to state that they would know where to go to find information on voting if their state's election was shifted to all mail-in ballots

About the Survey: *The first wave of the CIRCLE/Tisch College 2020 Youth Survey was fielded from May 20 to June 18, 2020. The survey covered adults between the ages of 18 and 29 who will be eligible to vote in the United States by the 2020 General Election. The sample was drawn from the Gallup Panel, a probability-based panel that is representative of the U.S. adult population, and from the Dynata Panel, a non-probability panel. A total of 2,232 eligible adults completed the survey, which includes oversamples of 18- to 21-year-olds (N=671), Asian American youth (N=306), Black youth (N=473), Latino youth (N=559) and young Republicans (N=373). Of the total completes, 1,019 were from the Gallup Panel and 1,238 were from the Dynata Panel. Unless stated otherwise, 'youth' refers to those ages 18- to 29-years old. The margin of error for the poll, taking into account the design effect from weighting, is +/- 4.1 percentage points. Margins of error for racial and ethnic subgroups range from +/-8.1 to 11.0 percentage points.*

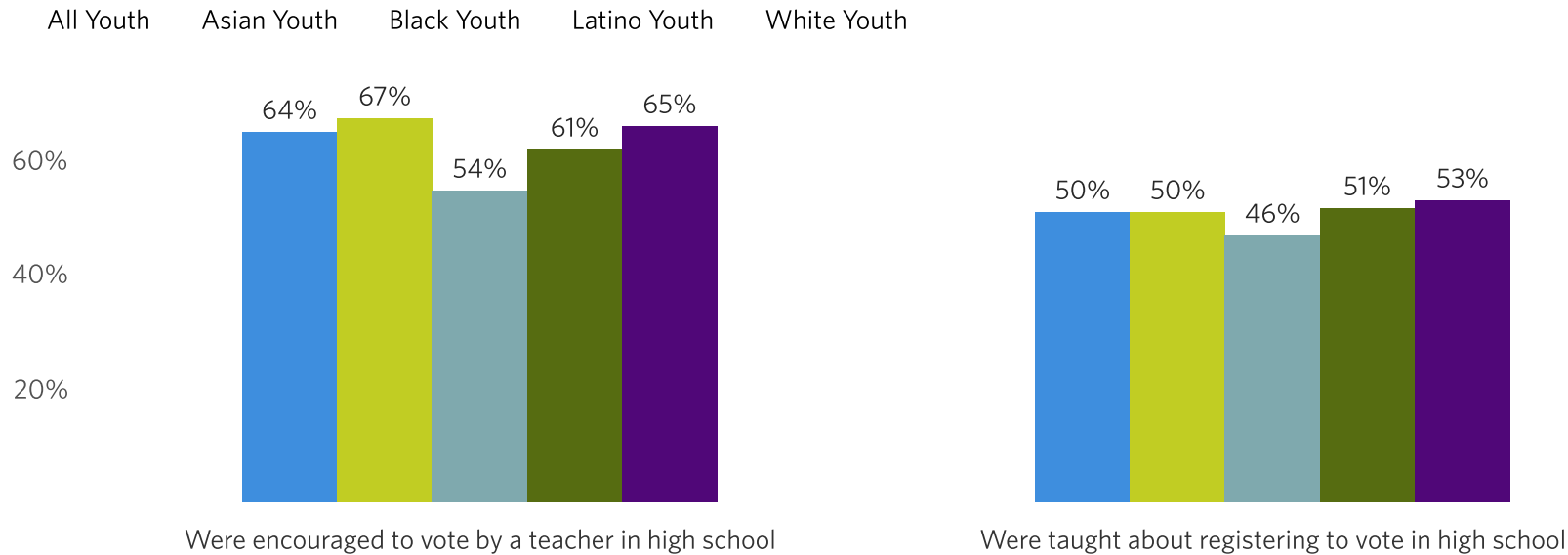
Access to Civic Instruction and Encouragement in High School Varies

Our survey indicates that half of young people in the U.S. have received instruction on how to register to vote (50%), and a majority have received encouragement to vote from teachers in high school (64%). While the survey offers limited insight into the quality or depth of these educational experiences, and does not imply causality, the data highlights a relationship between these experiences and outcomes that educators and allies across the country can build on to strengthen civics education in schools. Past CIRCLE research has found that young people who recall having received a better civics education are more likely to be civically engaged (https://circle.tufts.edu/sites/default/files/2020-01/all_together_now_commission_report_2013.pdf)

. These new results further illustrate the relationship between civic instruction and civic behavior.

Ensuring impact, however, begins with ensuring access. Our findings reveal inequities in who receives voter education and encouragement in high school, with disparities according to students' race/ethnicity and region.

Young People's Civic Experiences in High School Vary by Race/Ethnicity



CIRCLE Tufts University Tisch College · CIRCLE

Source: CIRCLE polling data

[Get the data](#)

While almost two in three students overall (64%) report having been encouraged to vote in high school, this was true for just over half of Black students (54%). Additionally, 50% of 18- to 29-year-olds remember explicitly having received instruction in how to register to vote, and a slightly lower percentage of Black youth say they remember such instruction—though this difference is small. This data echoes past CIRCLE findings that White students and students from higher socioeconomic backgrounds were exposed to more promising practices in civics education than other students (https://circle.tufts.edu/sites/default/files/2020-01/discussion_debate_naep_2013.pdf).

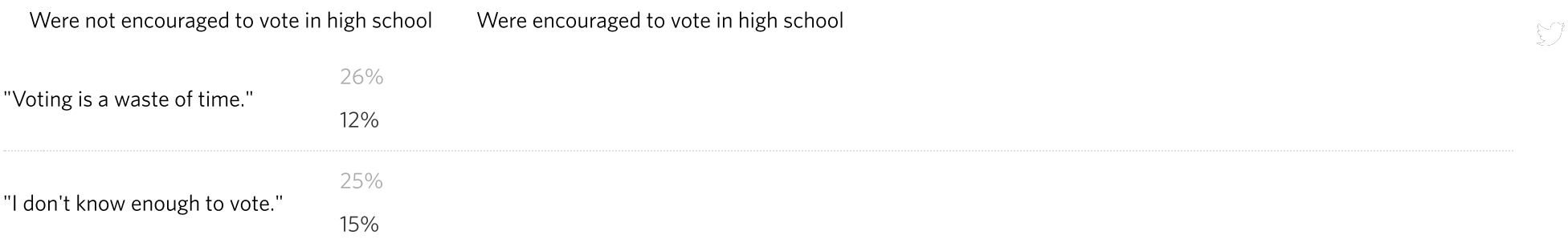
Lastly, by examining the responses of respondents of different ages (who would have been in school at different times) we tried to identify any trends in whether such voter instruction and/or encouragement has changed over time. While we found some evidence to suggest that colleges are doing better teaching and encouraging students to vote (<https://circle.tufts.edu/latest-research/growing-voters-profile-youngest-eligible-voters-2020>), than they have in the past, we observed no clear aggregate changes over time nationally in whether voting is/is not taught or encouraged in high schools.

Voter Education and Encouragement in High School Associated With Stronger Civic Behavior and Attitudes

Our survey finds that there is a strong and consistent relationship between young people’s self-reported high school experiences with voter education and encouragement, and their interest/engagement in civic participation later in life.

Young People's Attitudes toward Voting Influenced by Teachers' Encouragement

The percentage of young people, 18-29, in each category who agreed with the following statements:



CIRCLE [Tufts University Tisch College · CIRCLE](#)

Source: CIRCLE polling data

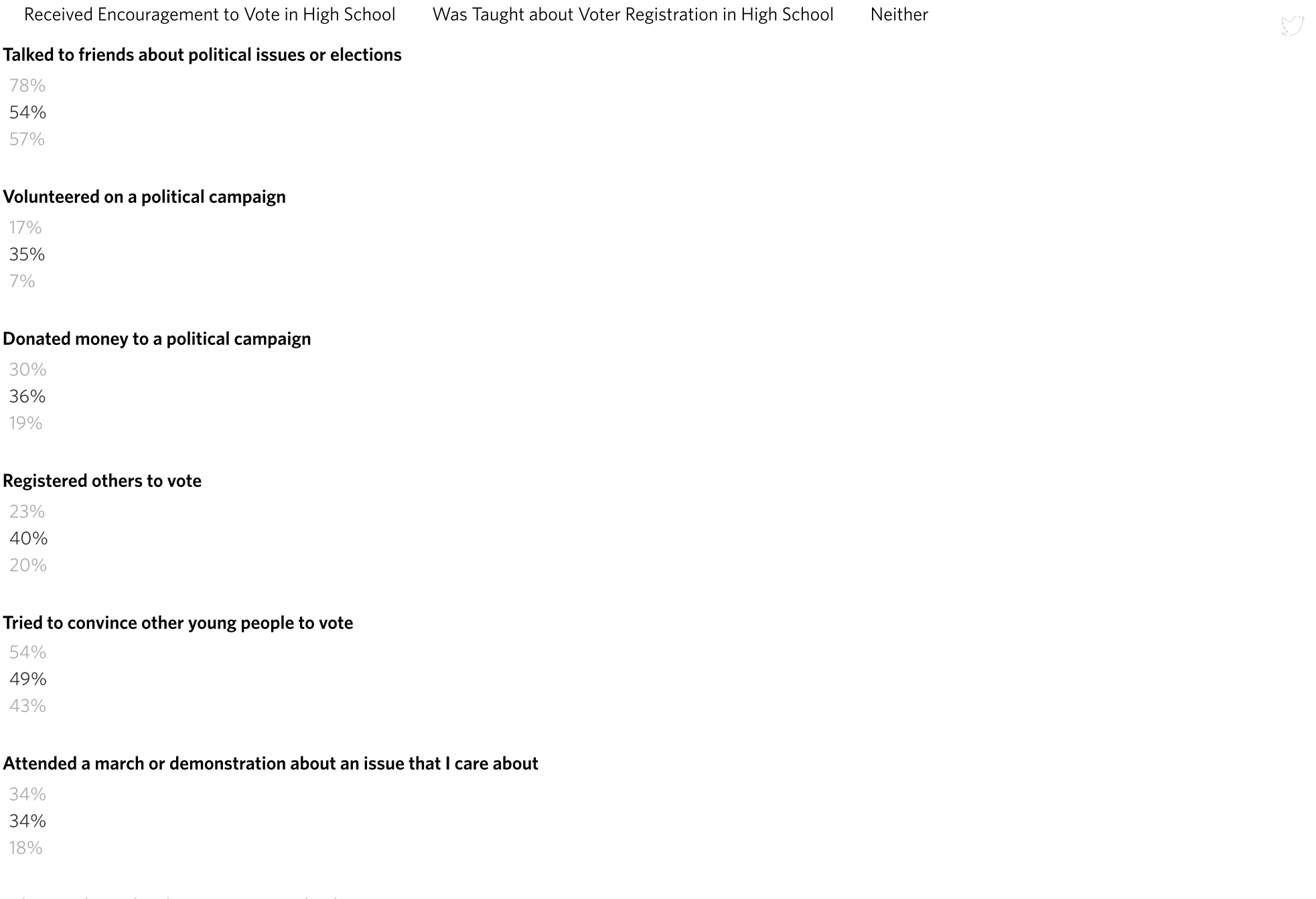
[Get the data](#)

While just over a quarter (26%) of survey respondents who did not remember being encouraged to vote in high school agreed with the phrase “Voting is a waste of time,” this number dropped by half (to 12%) among young people who had received encouragement to vote in high school. Similarly, one in four young people (25%) whose high school years lacked this form of civic encouragement agreed with the statement “I don’t know enough to vote;” this rate dropped ten percentage points (to 15%) among youth whose high school teachers had offered encouragement to vote.

Youth who remembered receiving voter instruction or encouragement in high school also reported higher rates of participation across a range of civic activities, some explicitly political and some not.

Students Taught or Encouraged to Vote in High School More Civically Engaged

The percentage of young people, 18-29, in each category who have engaged in the following activities:



Advocated for a local, state or national policy

39%
40%
20%

Helped someone who was in need of help

66%
43%
53%

Served in a leadership role at a community organization

24%
20%
8%

CIRCLE  Tufts University Tisch College · CIRCLE

[Get the data](#)

For example, youth who were encouraged or taught how to register to vote in high school were at least 10 percentage points more likely to have volunteered on or donated money to a political campaign. They were also at least 12 percentage points more likely to have served in a leadership role in a community organization, attended a march or demonstration, or advocated for policy change. According to self-reported voter turnout from our survey, in both the 2016 and 2018 elections young people who had received both encouragement and instruction on voting in high school voted at a rate 7 percentage points higher than youth who received neither.

Educators Can Play an Important Role in Expanding Equitable Voter Participation

The ongoing COVID-19 pandemic adds a new layer of challenges and complexity to enabling and inspiring youth electoral participation this fall. But among all of the other educational priorities, helping youth navigate what they are seeing and hearing about civic life right now is crucial. Our survey suggests that youth who received instruction on registering to vote or encouragement to do so in high school are more invested in the 2020 election than youth who did not receive either, and that they will be better prepared to navigate changes to eligibility rules and election procedures in the months ahead.

Regardless of how long ago youth were in high school, those who received encouragement or instruction about voting from secondary school teachers are paying more attention to the 2020 election than their peers who did not have these experiences in school. That said, they're not always more likely to believe that the election's outcomes will significantly impact their communities.

Students who had these experiences in high school are not only more attentive to what's going on in the election; they're more informed as well. And our analysis revealed that students who had been both encouraged to vote and taught how to register to vote in high school were the best prepared to navigate modern election procedures.

Survey respondents who had either been encouraged to vote or taught how to register in high school were 10+ percentage points more likely to have seen information about how to vote by mail than students who had neither experience, and this likelihood grew among young people who were *both* encouraged and taught to register to vote in high school.

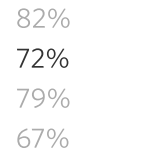
Youth Taught or Encouraged to Vote in High School Are Better Prepared for the 2020 Election



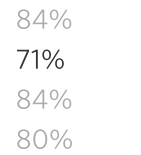
The percentage of young people, 18-29, in each category for whom the following is true:

Received Encouragement to Vote in High School Taught about Voter Registration in High School Both Neither

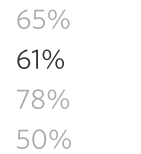
Are paying “Some” or “A Lot” of attention to the 2020 elections



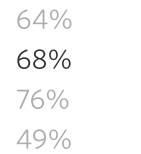
Agree that the outcomes of the 2020 election will make a significant impact on everyday issues involving their community



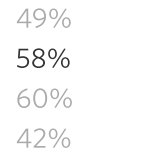
Have ever seen information about how to vote by mail or absentee



Would know where to go for information if their election were to shift to all mail-in ballots



Correctly identified whether or not their state has online voter registration



Source: CIRCLE/Tisch College 2020 Pre-Election Youth Poll

[Get the data](#)

The same was also true for young people's self-reported ability to find information about casting a ballot if their state's election shifts to all-mail: 76% of youth who had been taught about voter registration and encouraged to vote in high school said they'd know where to get such information, compared to just 49% of their peers who had had neither experience. Likewise, 60% of youth in our survey who had received both encouragement and instruction on voting in high school correctly identified whether or not their state offered online voter registration, compared to 42% of youth who had not been afforded either experience.

When young people were both encouraged to vote and taught how to register to vote in school, these experiences seem to have had a compounding effect. Students who were exposed to both types of 'civic support' were more likely to have tried to convince other young people to vote. About half (49%) of young people who had only reported being taught how to register to vote in high school had worked to convince their peers to register, and 54% of youth who had been encouraged to vote in high school had tried to register others. However, among youth who had been both taught and encouraged to vote, 59% reported they've worked to register peers.

This analysis demonstrates that high school teachers' guidance about, and enthusiasm for, student voting is important insofar as it not only impacts young people's knowledge about current voting processes; it also builds students' sense of skill or confidence navigating election information and prepares them to stay abreast of future changes to election systems. That said, high quality implementation and instruction should be an important consideration. A more detailed account of young people's experiences would go a long way towards understanding differences in the implementation and the effects of these strategies on various outcomes.

Making the Most of the Months Ahead

The data is clear: young people's experiences being taught and encouraged to vote in high school matter, and young

[\(<https://circle.tufts.edu/latest-research/growing-voters-18-ways-youth-under-18-can-contribute-elections>\)](https://circle.tufts.edu/latest-research/growing-voters-18-ways-youth-under-18-can-contribute-elections)

people

[\(<https://circle.tufts.edu/latest-research/growing-voters-18-ways-youth-under-18-can-contribute-elections>\)](https://circle.tufts.edu/latest-research/growing-voters-18-ways-youth-under-18-can-contribute-elections)

and young voters have the potential to impact elections in many ways this fall

It's also clear that, because of COVID-19, schooling this fall is not business as usual. As educators, administrators, and parents work collaboratively to shape what students' educational experiences look like in the months ahead, they must include voting and elections as part of that conversation for the sake of youth engagement in 2020 and for years to come.

They may start by looking at their state's policies and statutes

[\(<https://circle.tufts.edu/latest-research/state-statutes-support-growing-voters>\)](https://circle.tufts.edu/latest-research/state-statutes-support-growing-voters)

and clarifying what opportunities their state offers for engaging students in learning about or participating in elections. Educators and others can turn also to the Teaching for Democracy Alliance

[\(<http://www.teachingfordemocracy.org/>\)](http://www.teachingfordemocracy.org/)

(TFDA), a 17-member coalition coordinated by CIRCLE, for resources on how to embed civic learning within classrooms, schools, and districts. We recommend teachers and administrators adopt an approach that is both holistic—incorporating media literacy, classroom discussion, and Action Civics/experiential learning alongside voter registration and education

[\(<http://www.teachingfordemocracy.org/schooldistrict-checklist.html>\)](http://www.teachingfordemocracy.org/schooldistrict-checklist.html)

—and explicit, providing young people direct access to accurate and detailed information on registration and voting procedures. We cannot take for granted that young people will access this information on their own just because it is available online. Past CIRCLE studies have revealed (https://circle.tufts.edu/sites/default/files/2020-01/expanding_electorate_you_report.pdf) that young people often prefer utilizing these online tools with the guidance of trusted adults, such as teachers, so that they can ask questions and ensure they’re filling out forms correctly.

In a year when teachers and administrators are facing extraordinary challenges, the challenge of helping youth be ready to vote remains one of the most crucial. It holds the potential to impact young people’s participation in the November elections and in the civic life of their communities for years to come.

[1]

This analysis is centered around two questions from the CIRCLE/Tisch College 2020 Youth Survey: “Did/have teachers in high school encouraged you to vote?” and “Did you learn about where and how to register to vote in high school?” We report on responses to these questions, and we use these questions as a filter for analyzing how participants answered other survey questions.

Authors: Sarah Andes, Abby Kiesa, Rey Junco, Alberto Medina

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

PLAN AND PROFILE OF

WHEELER LANE, MOUNTAIN AVENUE,
DICKSON AVENUE, AND HEMLOCK STREET

IN THE TOWN OF

ARLINGTON

MIDDLESEX COUNTY

PRELIMINARY RIGHT OF WAY PLANS

FEDERAL AID PROJECT NO. -

NOTES

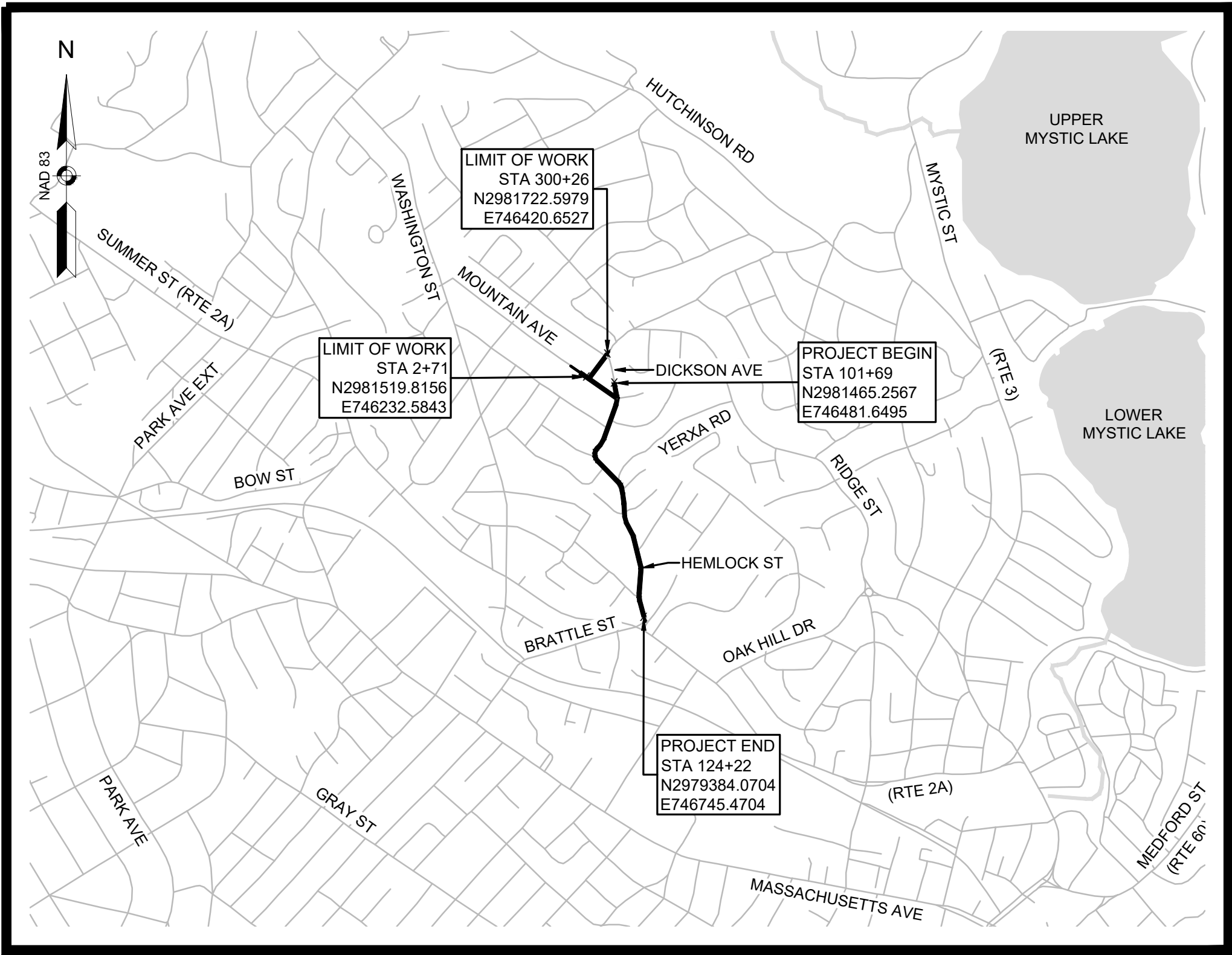
1. THIS PROJECT CONSISTS OF SIDEWALK AND ADA IMPROVEMENTS WITH NO CHANGES TO THE ROADWAY GRADES. AS SUCH, NO CRITICAL PROFILES ARE NEEDED NOR PROVIDED.

INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	LEGEND, ABBREVIATIONS & PROJECT DESCRIPTION
3 - 4	TYPICAL SECTIONS 1 - 2
5 - 7	PARCEL SUMMARY 1 - 3
8	LOCATION PLAN
9 - 12	PROPERTY PLAN 1 - 4

BASEPLAN NOTES

1. THE SURVEY BASEPLAN WAS PREPARED BY BSC GROUP INC. IN APRIL, 2021 AND SUPPLEMENTED BY BSC GROUP INC. IN JANUARY 2022.
2. THE MOST RECENT SITE VISIT WAS COMPLETED FEBRUARY 2024 TO VERIFY THAT THE EXISTING CONDITIONS SHOWN ON THE PLAN ARE THE CURRENT CONDITIONS IN THE FIELD.
3. THE PROPERTY LINES SHOWN ON THE PLANS WERE COMPILED FROM PLANS AND DEED OF RECORD CERTIFIED BY MARIE HASSANOVA, A PLS IN DIRECT CHARGE AND SUPERVISION OF THE SURVEY BASEPLAN.
4. LAYOUT LINES ARE UNAMBIGUOUSLY RETRACEABLE AND DEPICTED ACCURATELY ON THE RIGHT OF WAY PLANS BY AN ON-THE-GROUND SURVEY PERFORMED IN ACCORDANCE WITH CMR 6.01 AND 6.02.
5. THE OWNERS HAVE BEEN CHECKED AND UPDATED PER THE REGISTRY OF DEEDS AS OF JUNE 2023.
6. THE PREQUALIFIED SURVEYOR UNDER THE S3 CATEGORY IS PARTICIPATING IN THE DEVELOPMENT OF THE ROW PLANS. MARIE HASSANOVA FROM BSC GROUP INC., HAS VERIFIED HIGHWAY LAYOUT BASELINES AND SIDELINES, VERIFIED MUNICIPAL LAYOUTS, VERIFIED THAT ABUTTERS PROPERTY LINES ARE CREATED BASED ON RECORD DEEDS AND PLANS, VERIFIED CURRENT ABUTTERS OWNERSHIP INFORMATION, VERIFIED EXISTING PERMANENT EASEMENTS, AND VERIFIED ANY OTHER ELEMENTS IN THE SURVEY BASEPLAN THAT AFFECTS DISPOSITIONS AND LAND ACQUISITIONS.



LOCUS MAP



WHEELER LANE LENGTH OF PROJECT= 260.07 FEET - 0.049 MILES
MOUNTAIN AVENUE LENGTH OF PROJECT = 323.33 FEET = 0.059 MILES
DICKSON AVENUE LENGTH OF PROJECT = 682.11 FEET = 0.127 MILES
HEMLOCK STREET LENGTH OF PROJECT = 1570.53 FEET = 0.303 MILES

ARLINGTON
WHEELER LANE, MOUNTAIN AVENUE,
DICKSON AVENUE, AND HEMLOCK STREET

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	1	12
PROJECT FILE NO.		609531	

PRELIMINARY RIGHT OF WAY
TITLE SHEET

THE MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES DATED 2024, THE OCTOBER 2017 CONSTRUCTION STANDARD DETAILS, THE 2015 OVERHEAD SIGNAL STRUCTURE AND FOUNDATION STANDARD DRAWINGS, MASSDOT TRAFFIC MANAGEMENT PLANS AND DETAIL DRAWINGS, THE LATEST MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS WITH MASSACHUSETTS AMENDMENTS, THE 1990 STANDARD DRAWINGS FOR SIGNS AND SUPPORTS, THE 1968 STANDARD DRAWINGS FOR TRAFFIC SIGNALS AND HIGHWAY LIGHTING, AND THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, WILL GOVERN.

DATE	DESCRIPTION	REV #
3-29-2024	100% DESIGN NEW PARCELS: TE-38 THRU TE-49, 2-T, 3-T ALTERED PARCELS: TE-3 THRU TE-5, TE-7, TE-9 THRU TE-19, TE- 21 THRU TE-28, TE-30, TE-32 THRU TE-35, TE-37 DELETED PARCELS: TE-1, TE-2, TE-6, TE-8, TE-20, TE-29, TE-36	2
6-29-2023	75% DESIGN NEW PARCELS: TE-36, TE-37	1
01-18-22	25% DESIGN NEW PARCELS: 1-T, PUE-1, TE-1 THRU TE-35	0

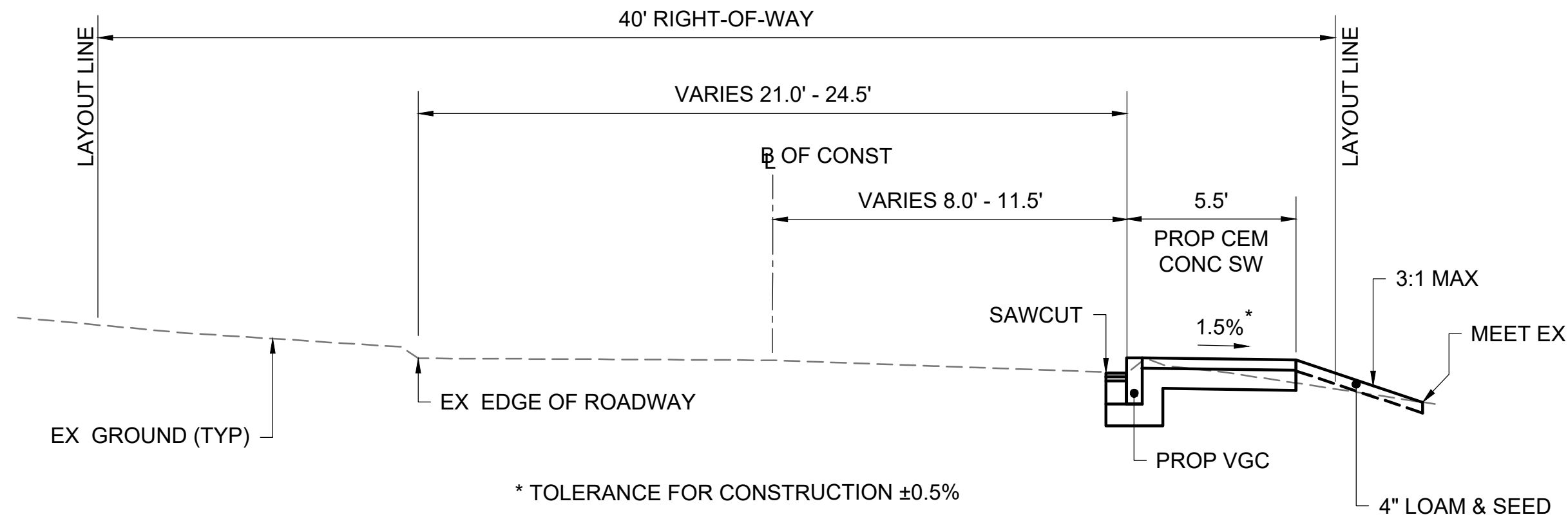
ROW PLANS PREPARED BY:	
APPROVED	
CHIEF ENGINEER	DATE

GENERAL SYMBOLS			TRAFFIC SYMBOLS			ABBREVIATIONS		ARLINGTON WHEELER LANE, MOUNTAIN AVENUE, DICKSON AVENUE, AND HEMLOCK STREET													
EXISTING	PROPOSED	DESCRIPTION	EXISTING	PROPOSED	DESCRIPTION	GENERAL		PRELIMINARY RIGHT OF WAY LEGEND, ABBREVIATIONS & PROJECT DESCRIPTION													
JB	JB	JERSEY BARRIER	JB	JB	CONTROLLER PHASE ACTUATED	AADT	ANNUAL AVERAGE DAILY TRAFFIC	<table><tr><td>STATE</td><td>FED. AID PROJ. NO.</td><td>SHEET NO.</td><td>TOTAL SHEETS</td></tr><tr><td>MA</td><td>-</td><td>2</td><td>12</td></tr><tr><td colspan="2">PROJECT FILE NO.</td><td colspan="2">609531</td></tr></table> <p>PRELIMINARY RIGHT OF WAY LEGEND, ABBREVIATIONS & PROJECT DESCRIPTION</p>		STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS	MA	-	2	12	PROJECT FILE NO.		609531	
STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS																		
MA	-	2	12																		
PROJECT FILE NO.		609531																			
CB	CB	CATCH BASIN	CB	CB	TRAFFIC SIGNAL HEAD (SIZE AS NOTED)	ABAN	ABANDON														
CB	CB	CATCH BASIN CURB INLET	CB	CB	WIRE LOOP DETECTOR (6' x 6' TYP UNLESS OTHERWISE SPECIFIED)	ADJ	ADJUST														
FP	FP	FLAG POLE	FP	FP	VIDEO DETECTION CAMERA	APPROX.	APPROXIMATE														
GP	GP	GAS PUMP	GP	GP	MICROWAVE DETECTOR	A.C.	ASPHALT CONCRETE														
MB	MB	MAIL BOX	MB	MB	PEDESTRIAN PUSH BUTTON, SIGN (DIRECTIONAL ARROW AS SHOWN) AND SADDLE	ACCM PIPE	ASPHALT COATED CORRUGATED METAL PIPE														
PS	PS	POST SQUARE	PS	PS	EMERGENCY PREEMPTION CONFIRMATION STROBE LIGHT	BIT.	BITUMINOUS														
PC	PC	POST CIRCULAR	PC	PC	VEHICULAR SIGNAL HEAD	BC	BOTTOM OF CURB														
WELL	WELL	WELL	WELL	WELL	VEHICULAR SIGNAL HEAD, OPTICALLY PROGRAMMED	BD.	BOUND														
EHH	EHH	ELECTRIC HANDHOLE	EHH	EHH	FLASHING BEACON	BL	BASELINE														
OG	OG	FENCE GATE POST	OG	OG	PEDESTRIAN SIGNAL HEAD, (TYPE AS NOTED OR AS SPECIFIED)	BLDG	BUILDING														
GG	GG	GAS GATE	GG	GG	RAILROAD SIGNAL	BM	BENCHMARK														
BHL #	BHL #	BORING HOLE	BHL #	BHL #	SIGNAL POST AND BASE (ALPHA-NUMERIC DESIGNATION NOTED)	BO	BY OTHERS														
MW #	MW #	MONITORING WELL	MW #	MW #	MAST ARM, SHAFT AND BASE (ARM LENGTH AS NOTED)	BOS	BOTTOM OF SLOPE														
TP #	TP #	TEST PIT	TP #	TP #	HIGH MAST POLE OR TOWER	BR.	BRIDGE														
H	H	HYDRANT	H	H	SIGN AND POST	CB	CATCH BASIN														
LP	LP	LIGHT POLE	LP	LP	SIGN AND POST (2 POSTS)	CBCI	CATCH BASIN WITH CURB INLET														
CO.BD.	CO.BD.	COUNTY BOUND	CO.BD.	CO.BD.	MAST ARM WITH LUMINAIRE	CC	CEMENT CONCRETE														
GPS	GPS	GPS POINT	GPS	GPS	OPTICAL PRE-EMPTION DETECTOR	CCM	CEMENT CONCRETE MASONRY														
CM	CM	CABLE MANHOLE	CM	CM	CONTROL CABINET, GROUND MOUNTED	CEM	CEMENT														
DM	DM	DRAINAGE MANHOLE	DM	DM	CONTROL CABINET, POLE MOUNTED	CI	CURB INLET														
EM	EM	ELECTRIC MANHOLE	EM	EM	FLASHING BEACON CONTROL AND METER PEDESTAL	CIP	CAST IRON PIPE														
GM	GM	GAS MANHOLE	GM	GM	LOAD CENTER ASSEMBLY	CLF	CHAIN LINK FENCE														
MS	MS	MISC MANHOLE	MS	MS	PULL BOX 12"x12" (OR AS NOTED)	CL	CENTERLINE														
SM	SM	SEWER MANHOLE	SM	SM	ELECTRIC HANDHOLE 12"x24" (OR AS NOTED)	CMP	CORRUGATED METAL PIPE														
TM	TM	TELEPHONE MANHOLE	TM	TM		CSP	CORRUGATED STEEL PIPE														
WM	WM	WATER MANHOLE	WM	WM		CO.	COUNTY														
MHB	MHB	MASSACHUSETTS HIGHWAY BOUND MONUMENT	MHB	MHB		CONC	CONCRETE														
MON	MON	STONE BOUND	MON	MON		CONT	CONTINUOUS														
SB	SB	TOWN OR CITY BOUND	SB	SB		CONST	CONSTRUCTION														
TB	TB	TRAVERSE OR TRIANGULATION STATION	TB	TB		CR GR	CROWN GRADE														
GUY	GUY	TROLLEY POLE OR GUY POLE	GUY	GUY		DHV	DESIGN HOURLY VOLUME														
HTP	HTP	TRANSMISSION POLE	HTP	HTP		DI	DROP INLET														
UFB	UFB	UTILITY POLE W/ FIREBOX	UFB	UFB		DIA	DIAMETER														
UPDL	UPDL	UTILITY POLE WITH DOUBLE LIGHT	UPDL	UPDL		DIP	DUCTILE IRON PIPE														
ULT	ULT	UTILITY POLE W / 1 LIGHT	ULT	ULT		DW	STEADY DON'T WALK - PORTLAND ORANGE														
UPL	UPL	UTILITY POLE	UPL	UPL		DWY	DRIVEWAY														
BUSH	BUSH	BUSH	BUSH	BUSH		ELEV (or EL.)	ELEVATION														
TREE	TREE	TREE	TREE	TREE		EMB	EMBANKMENT														
STUMP	STUMP	STUMP	STUMP	STUMP		EOP	EDGE OF PAVEMENT														
SWAMP / MARSH	SWAMP / MARSH	SWAMP / MARSH	SWAMP / MARSH	SWAMP / MARSH		EXIST (or EX)	EXISTING														
WG	WG	WATER GATE	WG	WG		EXC	EXCAVATION														
PM	PM	PARKING METER	PM	PM		F&C	FRAME AND COVER														
OVERHEAD CABLE/WIRE	OVERHEAD CABLE/WIRE	OVERHEAD CABLE/WIRE	OVERHEAD CABLE/WIRE	OVERHEAD CABLE/WIRE		F&G	FRAME AND GRATE														
CURBING	CURBING	CURBING	CURBING	CURBING		FDN.	FOUNDATION														
CONTOURS (ON-THE-GROUND SURVEY DATA)	CONTOURS (ON-THE-GROUND SURVEY DATA)	CONTOURS (ON-THE-GROUND SURVEY DATA)	CONTOURS (ON-THE-GROUND SURVEY DATA)	CONTOURS (ON-THE-GROUND SURVEY DATA)		FLDSTN	FIELDSTONE														
CONTOURS (PHOTOGRAMMETRIC DATA)	CONTOURS (PHOTOGRAMMETRIC DATA)	CONTOURS (PHOTOGRAMMETRIC DATA)	CONTOURS (PHOTOGRAMMETRIC DATA)	CONTOURS (PHOTOGRAMMETRIC DATA)		GAR	GARAGE														
UNDERGROUND DRAIN PIPE (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND DRAIN PIPE (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND DRAIN PIPE (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND DRAIN PIPE (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND DRAIN PIPE (DOUBLE LINE 24 INCH AND OVER)		GD	GROUND														
UNDERGROUND ELECTRIC DUCT (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND ELECTRIC DUCT (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND ELECTRIC DUCT (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND ELECTRIC DUCT (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND ELECTRIC DUCT (DOUBLE LINE 24 INCH AND OVER)		GG	GAS GATE														
UNDERGROUND GAS MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND GAS MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND GAS MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND GAS MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND GAS MAIN (DOUBLE LINE 24 INCH AND OVER)		GI	GUTTER INLET														
UNDERGROUND SEWER MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND SEWER MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND SEWER MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND SEWER MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND SEWER MAIN (DOUBLE LINE 24 INCH AND OVER)		GIP	GALVANIZED IRON PIPE														
UNDERGROUND TELEPHONE DUCT (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND TELEPHONE DUCT (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND TELEPHONE DUCT (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND TELEPHONE DUCT (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND TELEPHONE DUCT (DOUBLE LINE 24 INCH AND OVER)		GRAN	GRANITE														
UNDERGROUND WATER MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND WATER MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND WATER MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND WATER MAIN (DOUBLE LINE 24 INCH AND OVER)	UNDERGROUND WATER MAIN (DOUBLE LINE 24 INCH AND OVER)		GRAV	GRAVEL														
BALANCED STONE WALL	BALANCED STONE WALL	BALANCED STONE WALL	BALANCED STONE WALL	BALANCED STONE WALL		GRD	GUARD														
GUARD RAIL - STEEL POSTS	GUARD RAIL - STEEL POSTS	GUARD RAIL - STEEL POSTS	GUARD RAIL - STEEL POSTS	GUARD RAIL - STEEL POSTS		HDW	HEADWALL														
GUARD RAIL - WOOD POSTS	GUARD RAIL - WOOD POSTS	GUARD RAIL - WOOD POSTS	GUARD RAIL - WOOD POSTS	GUARD RAIL - WOOD POSTS		HMA	HOT MIX ASPHALT														
GUARD RAIL - DOUBLE FACE - STEEL POSTS	GUARD RAIL - DOUBLE FACE - STEEL POSTS	GUARD RAIL - DOUBLE FACE - STEEL POSTS	GUARD RAIL - DOUBLE FACE - STEEL POSTS	GUARD RAIL - DOUBLE FACE - STEEL POSTS		HOR	HORIZONTAL														
GUARD RAIL - DOUBLE FACE - WOOD POSTS	GUARD RAIL - DOUBLE FACE - WOOD POSTS	GUARD RAIL - DOUBLE FACE - WOOD POSTS	GUARD RAIL - DOUBLE FACE - WOOD POSTS	GUARD RAIL - DOUBLE FACE - WOOD POSTS		HYD	HYDRANT														
CHAIN LINK OR METAL FENCE	CHAIN LINK OR METAL FENCE	CHAIN LINK OR METAL FENCE	CHAIN LINK OR METAL FENCE	CHAIN LINK OR METAL FENCE		INV	INVERT														
WOOD FENCE	WOOD FENCE	WOOD FENCE	WOOD FENCE	WOOD FENCE		JCT	JUNCTION														
SEDIMENT BARRIER	SEDIMENT BARRIER	SEDIMENT BARRIER	SEDIMENT BARRIER	SEDIMENT BARRIER		L	LENGTH OF CURVE														
COIR LOG SEDIMENT BARRIER	COIR LOG SEDIMENT BARRIER	COIR LOG SEDIMENT BARRIER	COIR LOG SEDIMENT BARRIER	COIR LOG SEDIMENT BARRIER		LB	LEACH BASIN														
TREE LINE	TREE LINE	TREE LINE	TREE LINE	TREE LINE		LP	LIGHT POLE														
SAWCUT LINE	SAWCUT LINE	SAWCUT LINE	SAWCUT LINE	SAWCUT LINE		LT	LEFT														
TOP OR BOTTOM OF SLOPE	TOP OR BOTTOM OF SLOPE	TOP OR BOTTOM OF SLOPE	TOP OR BOTTOM OF SLOPE	TOP OR BOTTOM OF SLOPE		MAX	MAXIMUM														
LIMIT OF EDGE OF PAVEMENT OR COLD PLANE AND OVERLAY	LIMIT OF EDGE OF PAVEMENT OR COLD PLANE AND OVERLAY	LIMIT OF EDGE OF PAVEMENT OR COLD PLANE AND OVERLAY	LIMIT OF EDGE OF PAVEMENT OR COLD PLANE AND OVERLAY	LIMIT OF EDGE OF PAVEMENT OR COLD PLANE AND OVERLAY		MB	MAILBOX														
BANK OF RIVER OR STREAM	BANK OF RIVER OR STREAM	BANK OF RIVER OR STREAM	BANK OF RIVER OR STREAM	BANK OF RIVER OR STREAM		MH	MANHOLE														
BORDER OF WETLAND	BORDER OF WETLAND	BORDER OF WETLAND	BORDER OF WETLAND	BORDER OF WETLAND		MHB	MASSACHUSETTS HIGHWAY BOUND														
100 FT WETLAND BUFFER	100 FT WETLAND BUFFER	100 FT WETLAND BUFFER	100 FT WETLAND BUFFER	100 FT WETLAND BUFFER		MIN	MINIMUM														
200 FT RIVERFRONT BUFFER	200 FT RIVERFRONT BUFFER	200 FT RIVERFRONT BUFFER	200 FT RIVERFRONT BUFFER	200 FT RIVERFRONT BUFFER		M&O	MILL & OVERLAY														
STATE HIGHWAY LAYOUT																					

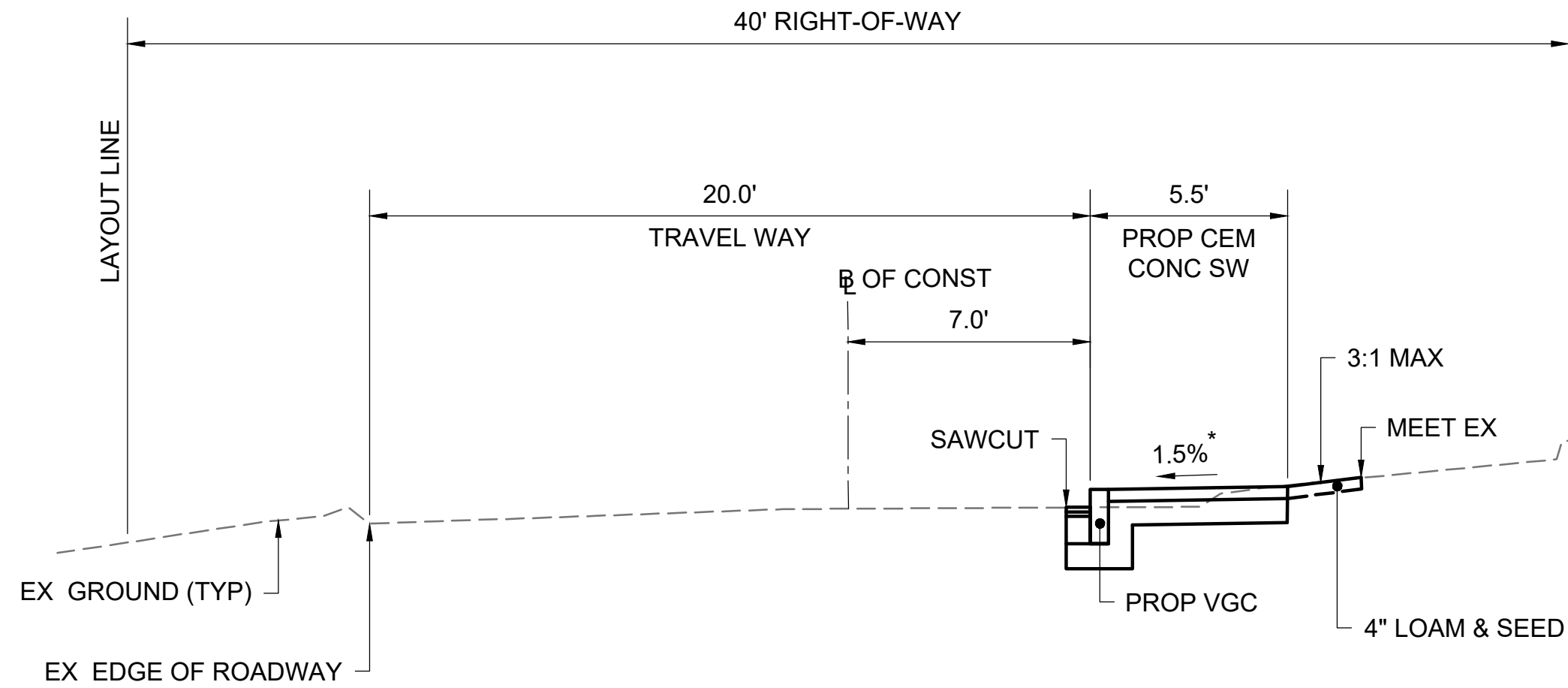
ARLINGTON
WHEELER LANE, MOUNTAIN AVENUE,
DICKSON AVENUE, AND HEMLOCK STREET

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	3	12
PROJECT FILE NO.		609531	

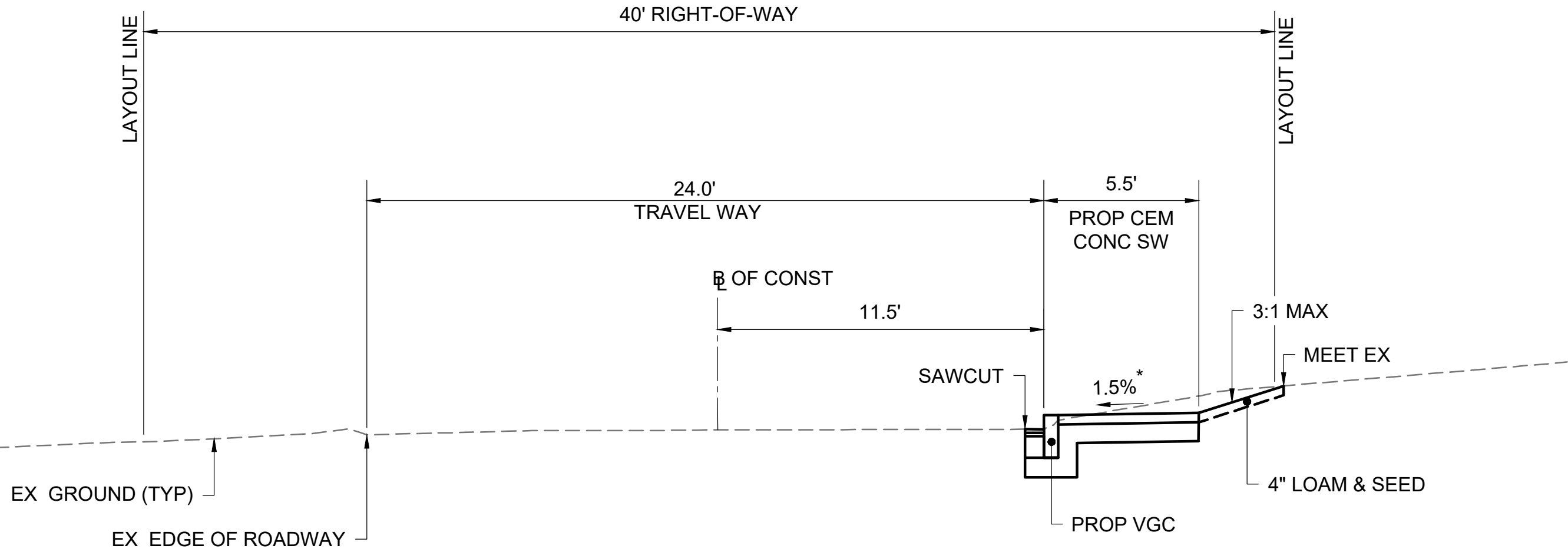
PRELIMINARY RIGHT OF WAY
TYPICAL SECTIONS 1



WHEELER LANE
STA 300+26 TO STA 302+87
SCALE: 1" = 4'



MOUNTAIN AVENUE
STA 2+71.49 TO STA 6+05.21
SCALE: 1" = 4'



DICKSON AVENUE
STA 101+78.39 TO STA 108+50
SCALE: 1" = 4'

NOTE:

1. PROP CEM CONC SW FROM STA 2+71 LT TO STA 3+00 LT.

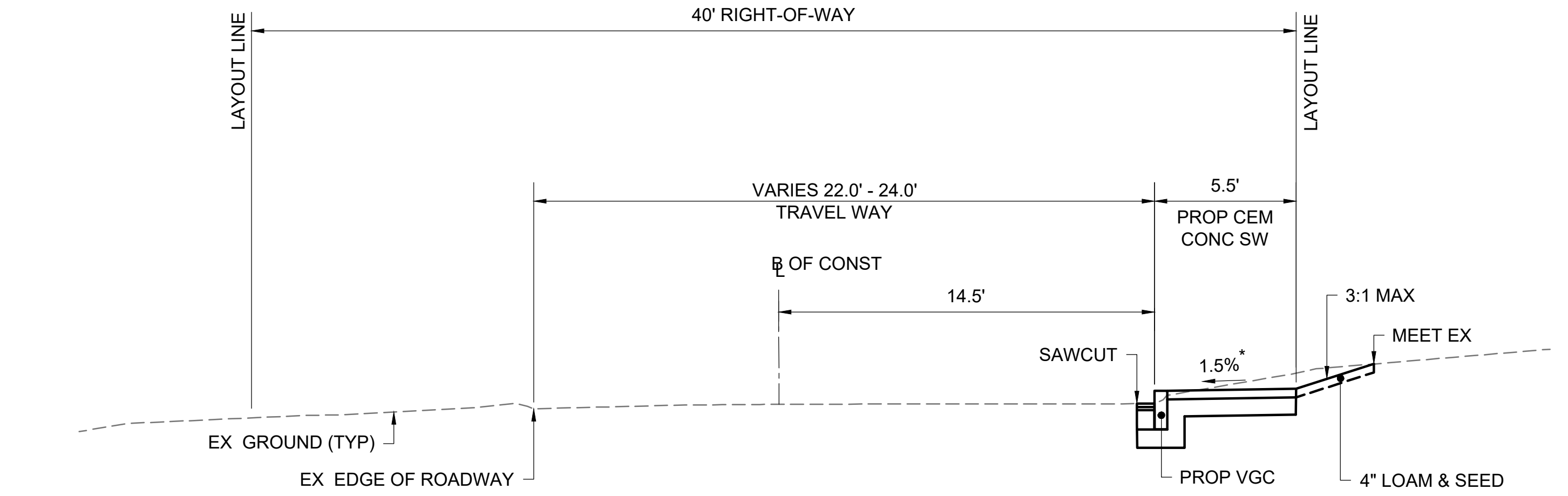
NOTES:

1. AT APPROX STA 107+20 RT TO STA 107+60 RT EX WALL AND WIDER SW SECTION.
2. PROP CEM CONC SW FROM STA 104+79LT TO STA 105+06 LT.

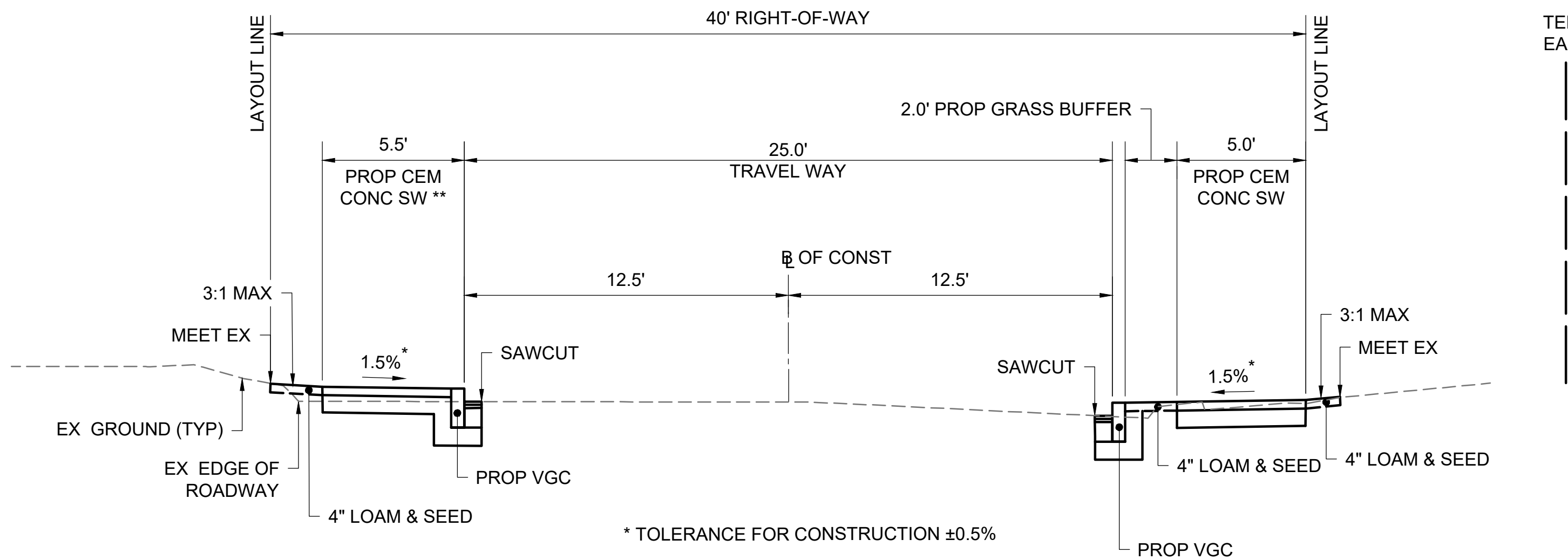
ARLINGTON
WHEELER LANE, MOUNTAIN AVENUE,
DICKSON AVENUE, AND HEMLOCK STREET

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	4	12
PROJECT FILE NO.			609531

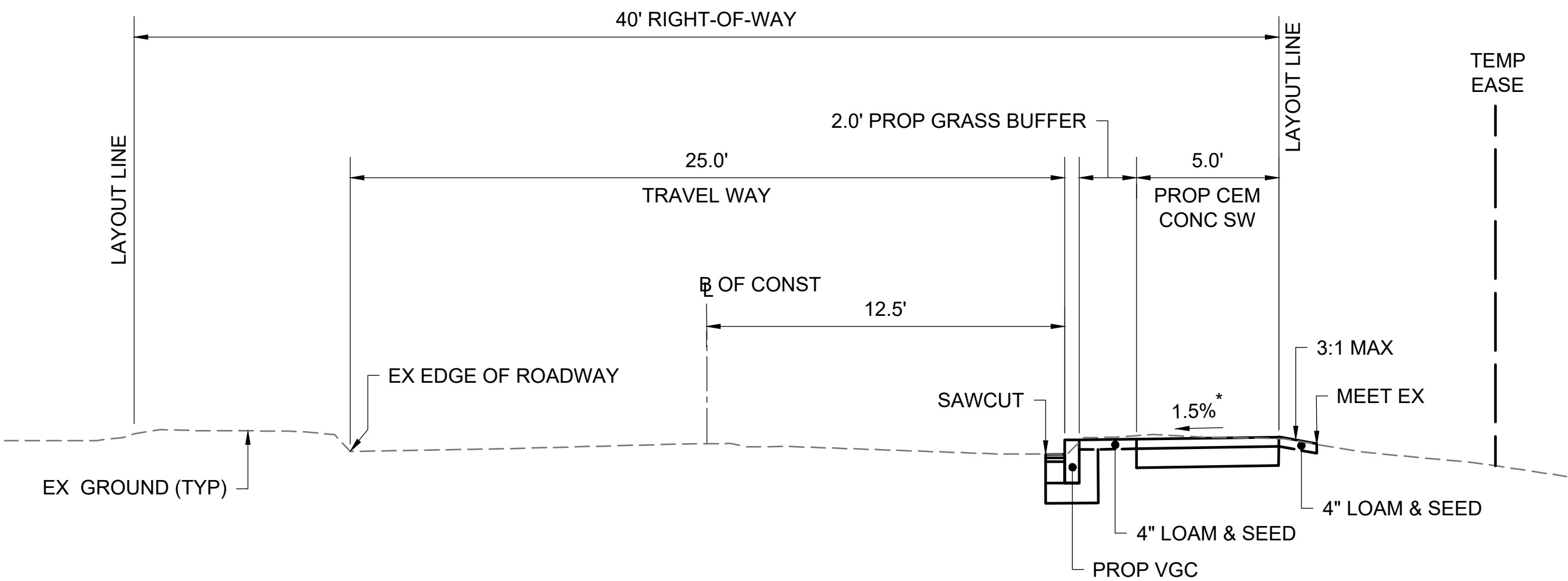
PRELIMINARY RIGHT OF WAY
TYPICAL SECTIONS 2



HEMLOCK STREET
STA 108+50 TO STA 111+62
SCALE: 1" = 4'



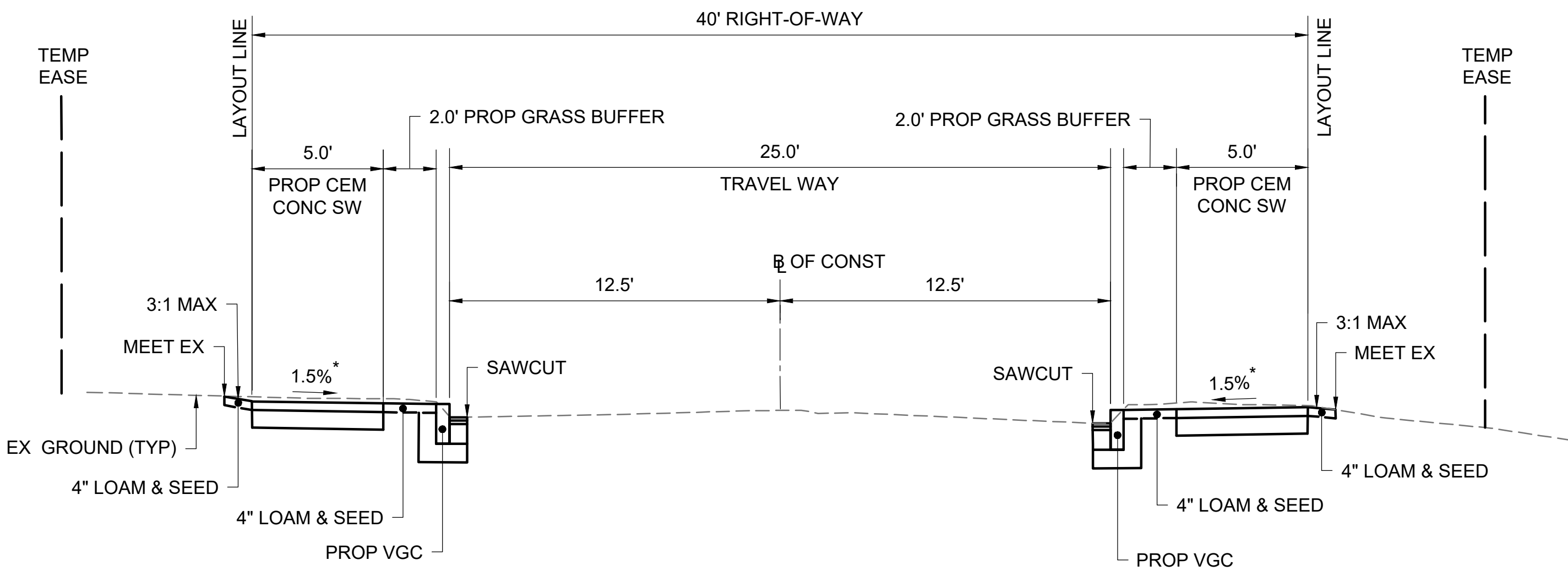
HEMLOCK STREET
STA 111+62 TO STA 112+62
SCALE: 1" = 4'



NOTE:
1. PROF CEM CONC SW FROM STA 113+90 LT TO STA 114+30 LT.

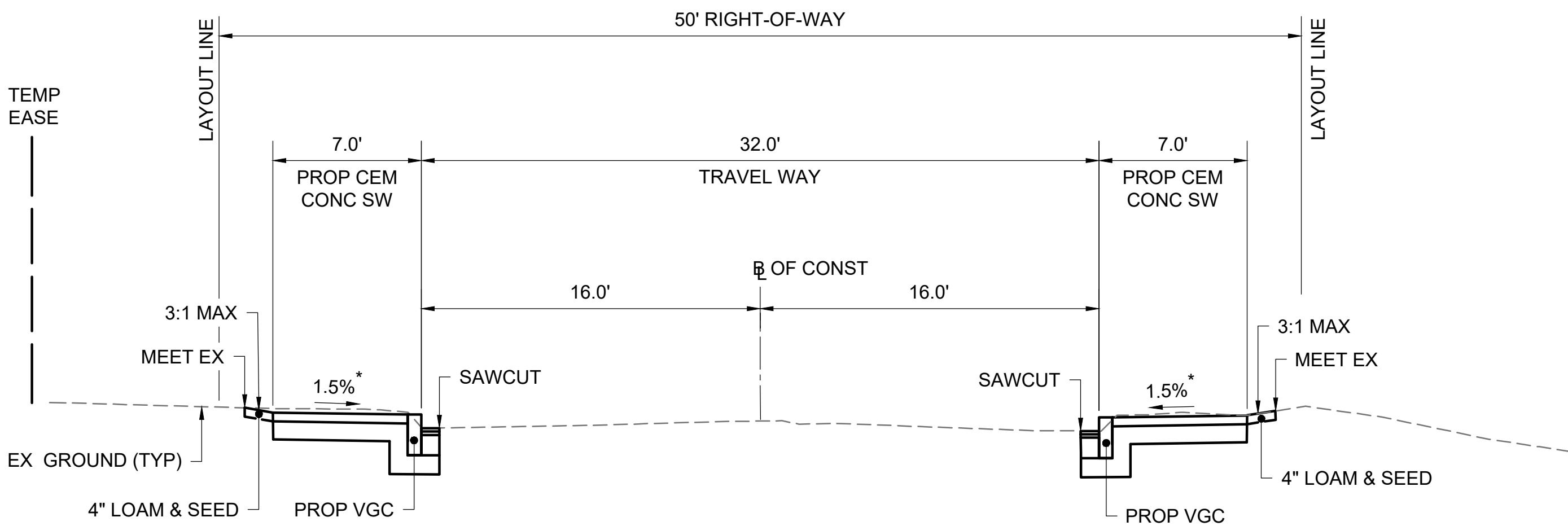
* TOLERANCE FOR CONSTRUCTION $\pm 0.5\%$

HEMLOCK STREET
STA 112+62 TO STA 116+56
SCALE: 1" = 4'



NOTE:
1. PROF GRASS BUFFER FROM STA 124+00 LT TO STA 124+14 LT.
* TOLERANCE FOR CONSTRUCTION $\pm 0.5\%$

HEMLOCK STREET
STA 116+56 TO STA 122+14
SCALE: 1" = 4'



NOTE:
1. PROF GRASS BUFFER FROM STA 124+14 LT TO STA 124+22 LT.
* TOLERANCE FOR CONSTRUCTION $\pm 0.5\%$

HEMLOCK STREET
STA 122+14 TO STA 124+22
SCALE: 1" = 4'

PROJECT TOTALS			
AFFECTED PROPERTIES	FEE TAKINGS	PERMANENT EASEMENTS	TEMPORARY EASEMENTS
41	3	1	42

ARLINGTON
WHEELER LANE, MOUNTAIN AVENUE,
DICKSON AVENUE, AND HEMLOCK STREET

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	5	12
PROJECT FILE NO.		609531	

PRELIMINARY RIGHT OF WAY
PARCEL SUMMARY 1

PARCEL NO.	PLAN SHEET NO.	TITLEHOLDER	DEED BOOK				ROW PARCEL		PROPERTY TOTALS (S.F.)			FRONTAGE ON ROW PLAN (FT.)	PROPERTY ADDRESS	ZONING DISTRICT	REMARKS	LAND RESTRICTION FROM THE DEED
			DEED BOOK	DEED PAGE	LCC NO,	CERT NO.	INTEREST ACQUIRED	AREA (S.F. +/-)	TOTAL TAKEN	REMAINING	TOTAL PROPERTY AREA (RECORD)					
TE-38	9	N/F SUDHIR VERMA & REA SETYA	69359	554			TEMP	35				7	49 DICKSON AVENUE		TREE PROTECTION	
TE-39	9	N/F IMREATILA KISS & AGNES BAYER-KISS	55072	81			TEMP	189				35	3 WHEELER LANE		GRADING (MAX 3:1)	
TE-40	9	N/F IMREATILA KISS & AGNES BAYER-KISS	55072	81			TEMP	87				17	3 WHEELER LANE		GRADING (MAX 3:1)	
TE-41	9	TOWN OF ARLINGTON-STRATTON SCHOOL	5127	498			TEMP	232				20	180 MOUNTAIN AVENUE		GRADING (MAX 3:1)	
TE-42	9	N/F PIETRO COTTONE & VALENTINA SABINO	75449	349			TEMP	14				6	170 MOUNTAIN AVENUE		INSTALLATION OF NEW TREE	
TE-3	9	N/F STEVEN S. & CHRISTINE MICHAEL	76224	252			TEMP	469				54	67 DICKSON AVENUE		GRADING (MAX 3:1)	
TE-4	9	N/F THOMAS E. EHBRECHT & CAITLIN M. SMITH	32617	476			TEMP	604				67	73 DICKSON AVENUE		GRADING (MAX 3:1)	
TE-5	9	N/F THOMAS E. EHBRECHT & CAITLIN M. SMITH	32617	476			TEMP	542					73 DICKSON AVENUE		GRADING (MAX 3:1)	
TE-43	9	JONATHAN R. COLE	31172	232			TEMP	36				8	151 PHEASANT AVENUE		GRADING (MAX 3:1)	
TE-7	9	N/F AMY SAVIN	62584	151			TEMP	256				37	72 DICKSON AVENUE		GRADING (MAX 3:1)	
TE-9	10	N/F RONALD H. SANTOSUOSSO & ELAINE KUNBERGER	36040	54			TEMP	201				20	83 DICKSON AVENUE		GRADING (MAX 3:1), HMA DWY APRON	
TE-10	10	N/F ELIZABETH R. & STEWART L. DECK	26534	482			TEMP	386				32	91 DICKSON AVENUE		GRADING (MAX 3:1), HMA DWY APRON	
TE-11	10	N/F DAVID J. & BETH M. MCLAUGHLIN	49182	358			TEMP	232				19	94 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-12	10	N/F TOMOHISA & RIEKO FUNABASHI			34673A		TEMP	633				71	92 HEMLOCK STREET		GRADING (MAX 3:1)	

PROJECT TOTALS			
AFFECTED PROPERTIES	FEE TAKINGS	PERMANENT EASEMENTS	TEMPORARY EASEMENTS
41	3	1	42

ARLINGTON
WHEELER LANE, MOUNTAIN AVENUE,
DICKSON AVENUE, AND HEMLOCK STREET

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	6	12
PROJECT FILE NO.		609531	

PRELIMINARY RIGHT OF WAY
PARCEL SUMMARY 2

PARCEL NO.	PLAN SHEET NO.	TITLEHOLDER	TITLE REFERENCE				ROW PARCEL		PROPERTY TOTALS (S.F.)			FRONTAGE ON ROW PLAN (FT.)	PROPERTY ADDRESS	ZONING DISTRICT	REMARKS	LAND RESTRICTION FROM THE DEED
			DEED BOOK	DEED PAGE	LCC NO.	CERT NO.	INTEREST ACQUIRED	AREA (S.F. +/-)	INTEREST ACQUIRED	REMAINING	TOTAL PROPERTY AREA (RECORD)					
TE-13	10	N/F PHYLLIS C. & DONALD O. RICKTER			34673A		TEMP	650				71	88 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
PUE-1	10	N/F THOMAS J. BOYLE			34673A&C		PERM	95				27	84 HEMLOCK STREET		UTILITY POLE AND WIRES	
TE-14	10	N/F THOMAS J. BOYLE			34673A&C		TEMP	829				110	84 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-15	10, 11	N/F MARDIC & CAROL MARDASHIAN			34673A&C		TEMP	1223				162	80 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-37	11	N/F GOVERNOR ROAD REALTY TRUST			26967A		TEMP	540				61	0 HEMLOCK STREET		GRADING (MAX 3:1)	
2-T	11	N/F GOVERNOR ROAD					FEE	917				107	GOVERNOR ROAD		GRADING (MAX 3:1), SIDEWALK, CURBING	
TE-16	10	N/F EDWARD & JANET S. SAKER	23829	544			TEMP	132				37	3 YERXA ROAD		GRADING (MAX 3:1)	
TE-44	11	N/F TOWN OF ARLINGTON					TEMP	189				10	0 HEMLOCK STREET		GRADING (MAX 3:1)	
TE-45	11	N/F MARIA R. CAPOBIANCO			14547A		TEMP	521				85	70 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-17	11	N/F DAVID CHAMBERLAIN			14547A		TEMP	262				40	84 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-18	11	N/F 64 HEMLOCK STREET CONDOMINIUM			14547A		TEMP	104				15	64 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-19	11	N/F 64 HEMLOCK STREET CONDOMINIUM			14547A		TEMP	84				11	64 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-46	11	N/F MARK & JAMIE WRIGHT	22037	258			TEMP	128				21	69 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-21	11	N/F 58-60 HEMLOCK STREET LLC	66224	375			TEMP	470				80	58-60 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-22	11	N/F 54-56 HEMLOCK STREET CONDOMINIUM	46384	153			TEMP	106				18	54 HEMLOCK STREET		HMA DWY APRON	

PROJECT TOTALS			
AFFECTED PROPERTIES	FEE TAKINGS	PERMANENT EASEMENTS	TEMPORARY EASEMENTS
41	3	1	42

ARLINGTON
WHEELER LANE, MOUNTAIN AVENUE,
DICKSON AVENUE, AND HEMLOCK STREET

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	7	12

PROJECT FILE NO. 609531

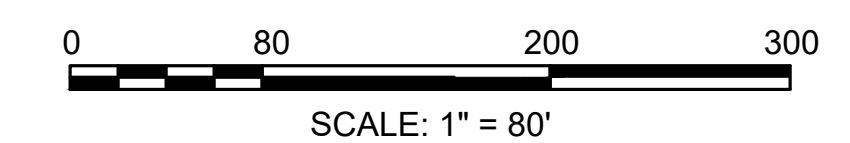
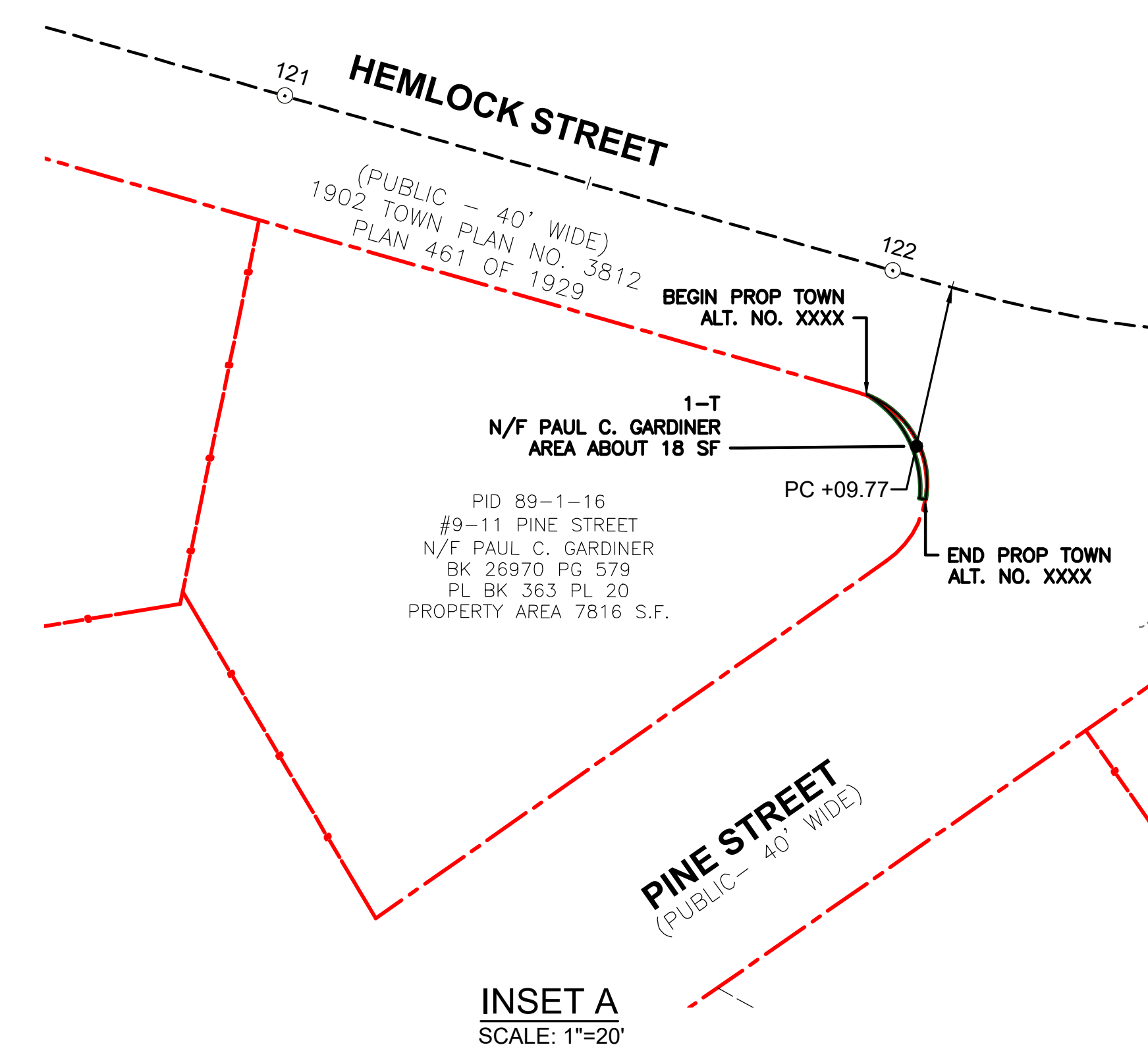
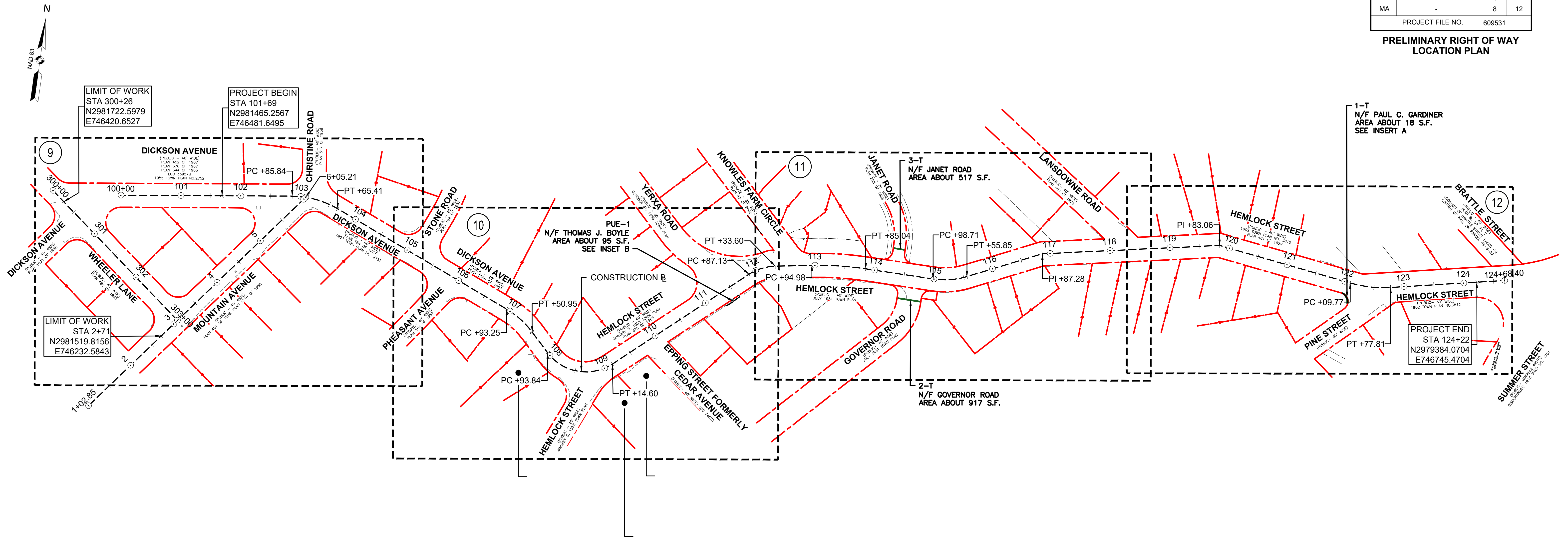
PRELIMINARY RIGHT OF WAY
PARCEL SUMMARY 3

PARCEL NO.	PLAN SHEET NO.	TITLEHOLDER	TITLE REFERENCE				ROW PARCEL		PROPERTY TOTALS (S.F.)			FRONTAGE ON ROW PLAN (FT.)	PROPERTY ADDRESS	ZONING DISTRICT	REMARKS	LAND RESTRICTION FROM THE DEED
			DEED BOOK	DEED PAGE	LCC NO.	CERT NO.	INTEREST ACQUIRED	AREA (S.F. +/-)	TOTAL TAKEN	REMAINING	TOTAL PROPERTY AREA (RECORD)					
TE-47	11	N/F RANDOLPH F. & DOINNA K. BERKSON	15953	555			TEMP	172				38	8 LANSDOWNE ROAD		GRADING (MAX 3:1)	
TE-23	12	N/F 50-52 HEMLOCK STREET CONDOMINIUM	58535	136			TEMP	299				49	52-52 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-24	12	N/F JAMES M. & LEIGH H. KEENAN	23555	457			TEMP	115				17	48 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-25	12	N/F CRAIG W. SHERMAN	47874	316			TEMP	280				15	42-44 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-49	12	N/F ZACHARY & STEPHANIE GENDRON	61846	267			TEMP	292				39	7 LANDSDOWNE ROAD		GRADING (MAX 3:1), HMA DWY APRON	
TE-26	12	N/F CLI-HEM INVESTMENT, LLC	67406	246			TEMP	361				23	36-38 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
TE-27	12	N/F ADMANFRED LLC	73691	229			TEMP	195				31	30-32 HEMLOCK STREET		GRADING (MAX 3:1), HMA DWY APRON	
1-T	12	N/F PAUL C. GARDINER	26970	579			FEE	18	18	7816	7834	21	9-11 PINE STREET	R2	SIDEWALK	
TE-28	12	N/F PAUL C. GARDINER	26970	579			TEMP	143				25	9-11 PINE STREET		GRADING (MAX 3:1)	
TE-30	12	N/F ZHONGJIE LIU	66384	248			TEMP	418				17	45 HEMLOCK STREET		HMA DWY APRON	
TE-31	12	N/F RICHARD A. & MARY S. SWEENEY	22375	575			TEMP	111				18	41 HEMLOCK STREET		HMA DWY APRON	
TE-32	12	N/F DEBORAH CHEN	65545	382			TEMP	311				1	37 HEMLOCK STREET		HMA DWY APRON	
TE-33	12	N/F DAVID P. & BETH A. MARTIN	27542	102			TEMP	290				12	33 HEMLOCK STREET		HMA DWY APRON	
TE-34	12	N/F JOVONNA DIX	55885	456			TEMP	579				82	25 HEMLOCK STREET		HMA DWY APRON	
TE-35	12	N/F JUSTIN & ANDRIA QUATTRINI	58800	401			TEMP	152				19	17 HEMLOCK STREET		HMA DWY APRON	
TE-48	12	N/F THERESA & MILSTEIN STUART	59108	260			TEMP	161				23	5 HEMLOCK STREET		HMA DWY APRON	

ARLINGTON
WHEELER LANE, MOUNTAIN AVENUE,
DICKSON AVENUE, AND HEMLOCK STREET

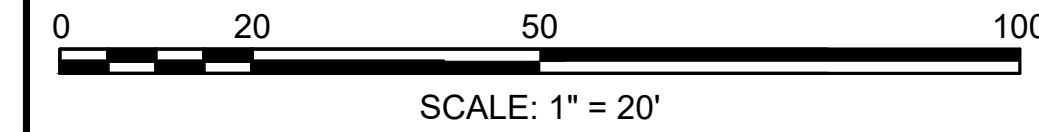
STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	8	12
PROJECT FILE NO. 609531			

PRELIMINARY RIGHT OF WAY
LOCATION PLAN



STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	10	12
PROJECT FILE NO.		609531	

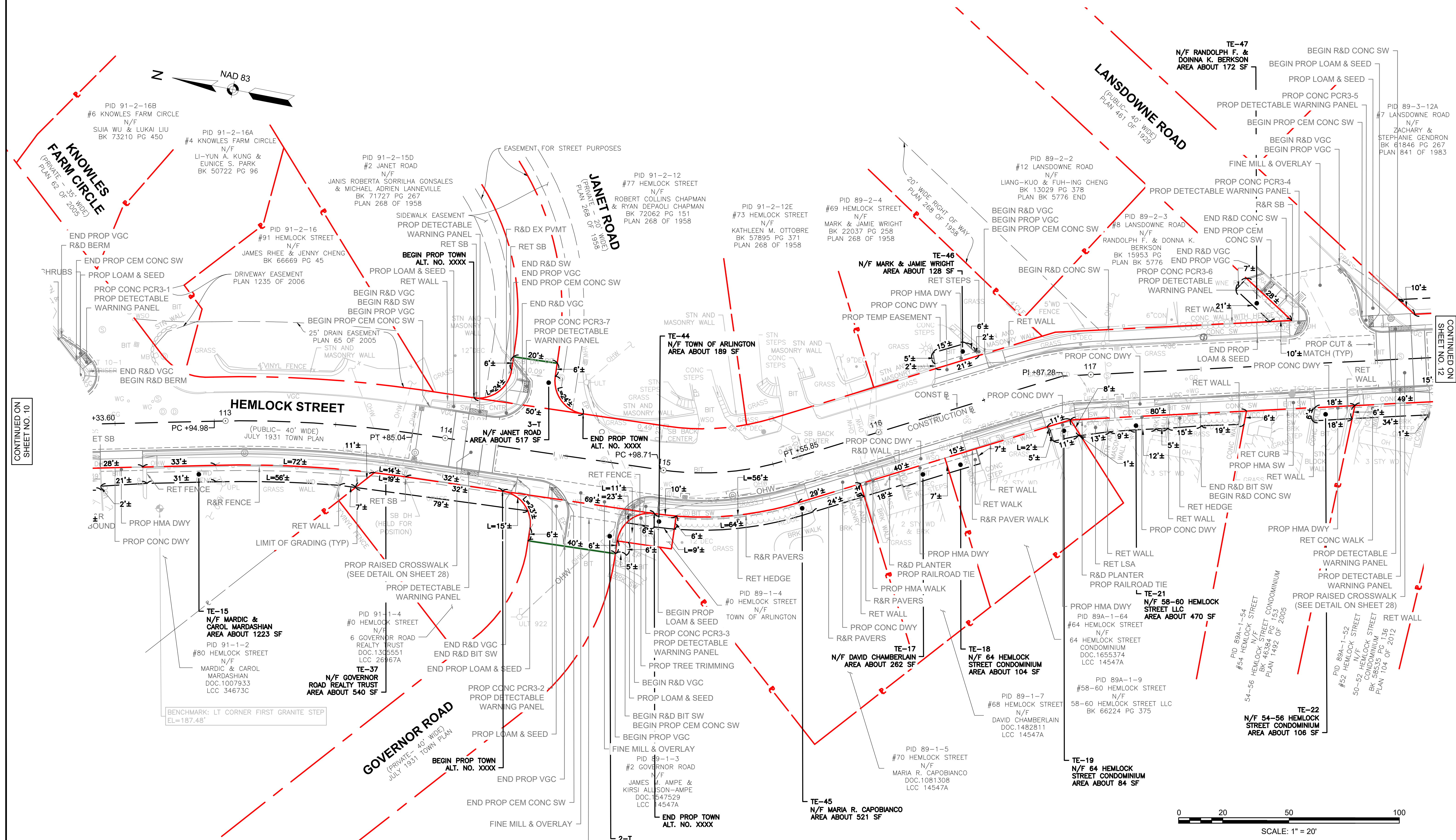
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CONTINUED ON
 SHEET NO. 11

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	11	12
PROJECT FILE NO.		609531	

**PRELIMINARY RIGHT OF WAY
PROPERTY PLAN 3**



CONTINUED ON
SHEET NO. 10

CONTINUED ON
SHEET NO. 12

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	12	12
PROJECT FILE NO.		609531	

**PRELIMINARY RIGHT OF WAY
PROPERTY PLAN 4**



309531 RW7 (PROPERTY PLAN) DWG Plotted on 27-Mar-2024 1:57 PM



Stratton Safe Routes to School Project

Town Meeting 2024 – Warrant Article 53

April 1, 2024

Town of Arlington
Department of Planning & Community Development



Tonight's Requested Action

Vote favorable action on Warrant Article 53 with the following draft motion language for Town Meeting:

Voted: that the Town authorizes the Select Board to acquire land parcels and or rights in land parcels to obtain and secure a public right of way, in and around the Stratton Elementary School area, for the purpose of placing sidewalks in connection with the Commonwealth's Safe Routes to School program. Further, the Select Board may acquire these parcels, or modification of these parcels, through all legal means, including, but not limited to, donation, purchase or eminent domain.

AGENDA

1. Background
2. Project Scope
3. ROW Acquisition
4. Next Steps

Background

- Town received a MassDOT SRTS Infrastructure Grant in 2019.
- Project Purpose: Provide a fully accessible walking route with safe roadway crossings for children and others to walk to the Stratton School.
- MassDOT-led project. \$1.6M+ in construction/design funding provided by MassDOT.
- Only Town funding required is ROW acquisition.

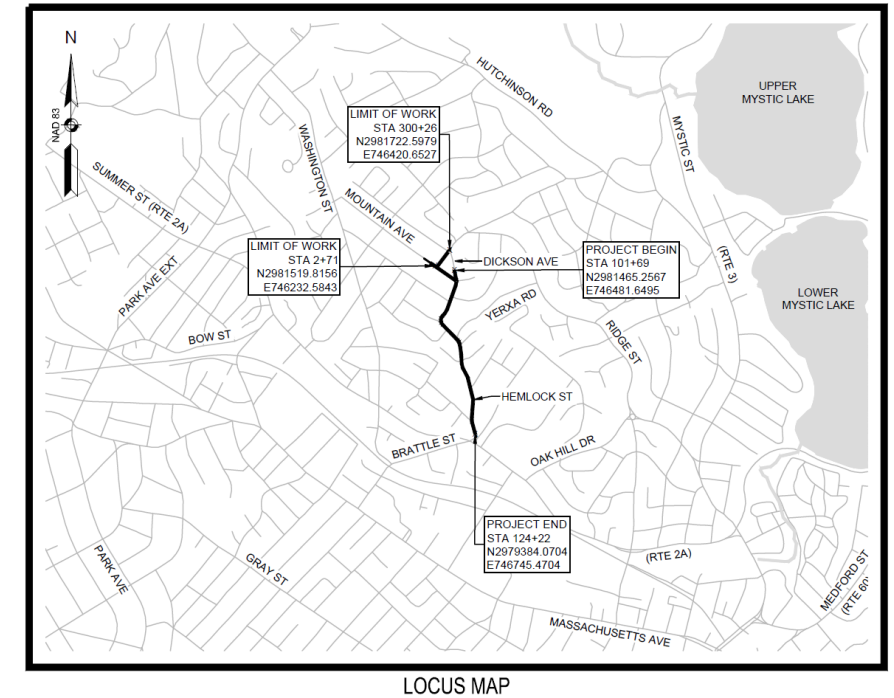


AGENDA

1. Background
2. Project Scope
3. ROW Acquisition
4. Next Steps

Project Scope

- Mainly Hemlock St. and Dickson Ave., with some improvements on Mountain Ave. and Wheeler Lane.
- Project Components:
 - New/repaired sidewalks.
 - New or upgraded curb ramps.
 - New curb extensions.
 - New Rectangular Rapid Flashing Beacons.



Graphic rendering of proposed sidewalk on Dickson Ave.

AGENDA

1. Background
2. Project Scope
3. **ROW Acquisition**
4. Next Steps

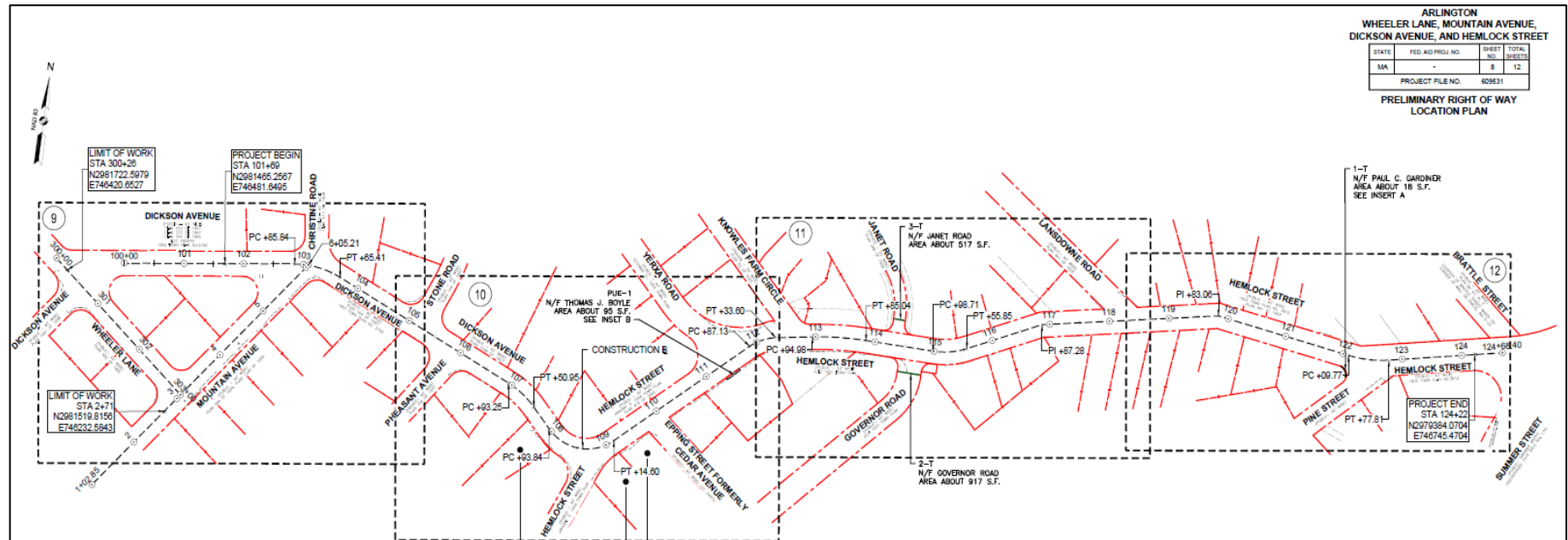
ROW Acquisition

- MassDOT's Right-of-Way Bureau requires a Town Meeting vote to take or otherwise acquire, by eminent domain, purchase, donation, or any other means, land in and around the project.
- Warrant Article 53 requests that Town Meeting authorize the Select Board to vote to approve this process because:
 1. ROW acquisition needs to take place before planned construction starting Summer 2025. Town Meeting schedule would cause delays.
 2. MassDOT Right-of-Way Bureau permits a Town's Select Board to do this.



1. Background
2. Project Scope
3. **ROW Acquisition**
4. Next Steps

Project Totals – ROW Acquisition			
Affected Properties	Fee Takings	Permanent Easements	Temporary Easements
41	3	1	42
Number of properties with fee takings and/or easements. Note – An affected property might have more than one type of impact.	Complete transfer of ownership rights to another entity.	Ownership remains with landowner; another entity may use the land permanently.	Ownership remains with landowner; another entity may use the land temporarily.



AGENDA

1. Background
2. Project Scope
3. ROW Acquisition
4. **Next Steps**

Next Steps

- Present to Town Meeting and request Select Board authorization to approve the ROW process.
- MassDOT finalizes construction and ROW plans (currently at 75% design).
- Town hires appraiser to assess values of affected properties.
- Present to Select Board on ROW acquisition plan and request vote of approval.
- Start construction in Summer 2025.





Tonight's Requested Action

Vote favorable action on Warrant Article 53 with the following draft motion language for Town Meeting:

Voted: that the Town authorizes the Select Board to acquire land parcels and or rights in land parcels to obtain and secure a public right of way, in and around the Stratton Elementary School area, for the purpose of placing sidewalks in connection with the Commonwealth's Safe Routes to School program. Further, the Select Board may acquire these parcels, or modification of these parcels, through all legal means, including, but not limited to, donation, purchase or eminent domain.



Town of Arlington, Massachusetts

Articles for Review:

Summary:

Article 15 Bylaw Amendment/Prohibition of Fair-Trade Restrictions - Fur Products

Article 16 Bylaw Amendment/Pet Sale Restrictions/Retail Pet Sales

Article 17 Bylaw Amendment/Right to Pet Companionship

Article 18 Bylaw Amendment/Historic Building Demolition Delay

Article 19 Vote/ Extend Time for Artificial Turf Study Committee and Report

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Draft_votes_and_comments_3.26.24_SB_meeting.pdf	Reference



**Town of Arlington
Legal Department**

Michael C. Cunningham
Town Counsel

50 Pleasant Street
Arlington, MA 02476
Phone: 781.316.3150
Fax: 781.316.3159
E-mail:
mcunningham@town.arlington.ma.us
Website: www.arlingtonma.gov

To: Arlington Select Board

Cc: James Feeney, Town Manager

From: Michael C. Cunningham, Town Counsel
Jaclyn Munson, Deputy Town Counsel

Date: March 30, 2024

Re: Draft Votes and Comments Warrant Articles: 15, 16, 17, 18, and 19.

The Legal Department writes to provide the Select Board draft votes and comments for Warrant Articles 15, 16, 17, 18 and 19, considered before this Board at its hearing on March 26, 2024.

**ARTICLE 15 BYLAW AMENDMENT / PROHIBITION OF FAIR-TRADE
RESTRICTIONS - FUR PRODUCTS**

VOTED: that the Town does and hereby amends Title I of the Town's Bylaws to add a new provision to restrict the trade in and sale of new fur products by making it unlawful to sell, offer for sale, trade or otherwise distribute for monetary or nonmonetary consideration of a fur product; or take any action related thereto, so that the new provision of Title I reads as follows:

TITLE I
ARTICLE 24
FUR PRODUCTS

Section 1. Purpose and Intent

The Town of Arlington (“Town”) finds that animals that are slaughtered for their fur endure tremendous suffering. Animals raised on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers typically use the cheapest killing methods available, including suffocation, electrocution, gas, and poison. Considering the wide array of alternatives for fashion and apparel, the Town finds that the demand for fur products does not justify the unnecessary killing and cruel treatment of animals.

Further, fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases, including SARS coronaviruses, that threaten public health, including in the Town of Arlington. In addition, the fur production process is energy intensive and has a significant environmental impact, including air and water pollution, and animals that are slaughtered for their fur endure tremendous suffering. Eliminating the sale of fur products in the Town of Arlington will decrease the demand for these cruel and environmentally harmful products and promote community health and wellbeing as well as animal welfare. The Town believes that eliminating the sale of fur products in the Town of Arlington will promote community awareness of animal welfare and, in turn, will foster a more humane environment in Arlington.

Section 2. Definitions

For purposes of this Article, the following words and phrases have the definitions set forth next to them:

- A. “Fur”: Any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state.
- B. “Fur product”: Any article of clothing or covering for any part of the body, or any fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, toys or trinkets, and home accessories and décor, that is made in whole or part of fur. “Fur product” does not include any of the following:
 - i. A dog or cat fur product, as defined in Section 1308 of Title 19 of the United States Code;
 - ii. An animal skin or part thereof that is to be converted into leather, or which in processing will have the hair, fleece, or fur fiber completely removed;
 - iii. Cowhide with the hair attached thereto;
 - iv. Lambskin or sheepskin with the fleece attached thereto; or
 - v. The pelt or skin of any animal that is preserved through taxidermy or for the purpose of taxidermy.

- vi. “Non-profit organization”: Any corporation that is organized under 26 U.S.C. Section 501(c)(3) that is created for charitable, religious, philanthropic, educational, or similar purposes.
- C. “Retail transaction”: Any transfer of title of a fur product for consideration, made in the ordinary course of the seller’s business, to the purchaser for use other than resale or further processing or manufacturing.
- D. “Taxidermy”: The practice of preparing and preserving the skin of an animal that is deceased and stuffing and mounting it in lifelike form.
- E. “Ultimate consumer”: A person who buys for their own use, or for the use of another, but not for resale or trade.
- F. “Used fur product”: Fur in any form that has been worn or used by an ultimate consumer.

Section 3. Prohibitions

It is unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a fur product in the Town of Arlington.

Section 4. Exceptions

The prohibitions set forth in Section 3 of this Bylaw do not apply to the sale, offer for sale, displaying for sale, trade, or distribution of:

- A. A used fur product by a private party (excluding a retail transaction), non-profit organization or second-hand store, including a pawn shop;
- B. A fur product required for use in the practice of a religion;
- C. A fur product used for traditional tribal, cultural, or spiritual purposes by a member of a federally recognized or state recognized Native American tribe; or
- D. A fur product where the activity is expressly authorized by federal or state law.

Section 5. Penalty

In addition to any other remedy provided by law, this Article may be enforced by police officers and animal control officers through any means available in law or equity, including but not limited to noncriminal disposition in accordance with G.L. c. 40, § 21D. Any person violating this Bylaw shall be liable to the Town in the amount of \$300. Each fur product and every day upon which any such violation shall occur shall constitute a separate offense.

Section 6. Effective Date

This Bylaw shall take effect on October 1, 2024.

(5-0)

COMMENT: The Board heard from the amendment proponent as well as the public. Mr. Hurd inquired as to the exclusion of second-hand fur sales from the bylaw amendment, to which the proponent responded that passage of the bylaw warranted its omission because second-hand fur has already been through economic circulation. The Board agreed with the proponent's desire to amend the penalty fee from \$100 to \$300 in Section 5. Mr. DeCoursey inquired about the status of state law restricting the sale of new fur products, observing that this amendment signals to the Legislature that a similar state law may be well timed. Further, the Board agreed with the proponent that favorable action on the amendment would not result in any adverse economic impact in the Town, because no retail stores currently sell new fur. The Board also agreed with the proponent's suggested additions regarding the proposed bylaw's purpose as set forth in Section 1 and those changes are reflected in the draft language included above. Ms. Mahon moved for favorable action with the amendments to sections 1 and 5 included, and the Board voted unanimously in support of this bylaw amendment.

ARTICLE 16 BYLAW AMENDMENT / PET SALE RESTRICTIONS/RETAIL PET SALES

VOTED: that the Town does and hereby amends Title I of the Town's Bylaws to add a new provision to ban the sale of mammals, birds, reptiles, amphibians and fish in pet shops within the Town, by making it unlawful; or take any action related thereto, so that the new provision of Title I reads as follows:

**TITLE I
ARTICLE 25
RETAIL PET SALES**

Section 1. Definitions

For purposes of this Article, the following words and phrases have the definitions set forth next to them:

- A. "Animal Rescue Organization": Means a not-for-profit organization that is registered with the Massachusetts Department of Agricultural Resources, if required, and whose mission and practice is, in whole or in significant part, the rescue and placement of mammals, birds, reptiles or amphibians into permanent homes. The term "animal rescue organization" does not include any person or entity that breeds animals or obtains animals in exchange for payment or compensation from a person that breeds or brokers animals.
- B. "Offer for Sale": Means to advertise or otherwise proffer an animal for acceptance by another person or entity.
- C. "Pet Shop": Means a retail establishment where animals are sold or offered for sale as pets which is required to be licensed pursuant to MGL c. 129, § 39A, and 330 CMR 12.00. A person who only sells or otherwise transfers the offspring of animals the person has bred on their residential premises shall not be considered a "pet shop" for purposes of this section.
- D. "Public Animal Control Agency or Shelter": Means a facility operated by a governmental entity for the purpose of impounding seized, stray, homeless, abandoned, unwanted, or surrendered animals, or a facility operated for the same purposes under a written contract with a governmental entity.

- E. "Sell": Means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer for consideration.

Section 2. Prohibition of the Sale of Mammals, Birds, Reptiles and Amphibians

- A. It shall be unlawful for a pet shop to sell or offer for sale a mammal, bird, reptile or amphibian.
- B. A pet shop may provide space for the display of mammals, birds, reptiles or amphibians available for adoption by a public animal control agency or shelter or an animal rescue organization so long as the pet shop receives no part of any fees associated with the display or adoption of the animals and has no ownership interest in any of the animals displayed or made available for adoption.

Section 3. Prohibition on the Sale of Pet Fish

- A. It shall be unlawful for a pet shop to sell or offer for sale any fish that is intended to be kept as a pet in a tank, bowl or other water-filled enclosure in which living fish or other aquatic animals are kept.
- B. A pet shop may provide space for the display of fish available for adoption by a public animal control agency or shelter or an animal rescue organization so long as the pet shop receives no part of any fees associated with the display or adoption of the fish and has no ownership interest in any of the fish displayed or made available for adoption.
- C. This Section shall not be construed to prohibit the sale of fish meant for human consumption that is otherwise commercially available.

Section 4. Enforcement and severability

- A. This Bylaw shall be enforced by the Town Manager or the Town Manager's designee pursuant to MGL c. 40, § 21D, according to the following schedule:

First offense: \$50;

Second offense: \$100;

Third and each subsequent offense: \$300.

Each unlawful sale or offer for sale shall constitute a separate violation.

- B. This Bylaw may also be enforced through any other means available in law or equity. Nothing in this Bylaw may be construed to alter or amend any other legal obligations applicable to the sale of fur, or any other entities, under any other law or regulation.
- C. The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision thereof.

(5-0)

COMMENT: The Board heard from the amendment proponents as well as the public. Mr. Helmuth noted that Cambridge City Councilor Marc McGovern's letter to the Board noted that a similar ban was enacted in their City and resulted in a smooth transition away from retail pet sales, even though only one store (PetSmart) was selling pets at the time. The proponents noted that no retail pet stores in the Town are selling pets, and, similar to Article 15, the timeliness of favorable action on Article 16 is warranted.

Mr. Hurd provided commentary that underscored the necessity and practicality of the amendment, but inquired as to why it did not include a ban on selling pet fish. A discussion ensued regarding whether it was appropriate to add fish as a category in the amendment. After consideration, the Board agreed to add a new section banning the sale of pet fish, but noted after public comment that this exclusion would need an exemption for fish used for food consumption. Ms. Mahon moved for favorable action and the Board voted unanimously in support of this bylaw amendment.

ARTICLE 17

BYLAW AMENDMENT/ RIGHT TO PET COMPANIONSHIP

Mr. Hurd moved that no action be taken on Article 17.

(5-0)

COMMENT: The Board heard extensive comments from the amendment proponent, as well as the public. The proponent noted that this amendment would be the first of its kind in the Commonwealth and was intended to address pet restrictions impeding the availability of housing. The proponent further noted that the amendment was intended to address large, commercial residential buildings, such as apartment complexes and condominiums, because the proponent believed that the prohibitions on pets are typically not an issue in smaller residential properties, such as two- or three-family homes. Further, the proponent stated that the amendment was intended to address the disparity in permitted pet ownership, but that 75% of tenants renting residential apartments currently have pets.

Mr. Helmuth asked the proponent to articulate what the bylaw would seek to prohibit, to which the proponent acknowledged that condominiums could be permitted under the bylaw to issue reasonable restrictions on pets. Mr. Helmuth inquired about how the bylaw would be enforced and asked the proponent to consider what language could be added to address the practice of enforcement.

The Board also heard lengthy comments regarding the legality of the amendment.

The proponent advanced arguments that California is considering a similar bill (AB2216), and that federal housing law permits pets in housing. Mr. Diggins inquired about the pending California legislation, and the proponent noted that presently in California, pets are only permitted in state-funded housing. Mr. Diggins further inquired about the scope of the proposed bylaw and observed whether the proponent's statement that 75% of renters have pets indicated that the rental market was solving the problem the proponent intended to address.

Mr. DeCoursey observed that reasonable accommodations permit assistance animals in housing under the federal Fair Housing Act and that would apply to the instant matter. The proponent again advanced arguments about California's legislation and its applicability to the bylaw amendment, but Mr. DeCoursey noted that the bill is currently pending in the legislature and has not been enacted. Mr. DeCoursey further noted that while the bill may be instructive, Massachusetts has its own laws, including a state statute that permits condominiums in Massachusetts to prohibit pets. Further, the proponent again advanced an argument that pets are permitted in state-funded housing in California, to which the Board then noted that federal housing and antidiscrimination laws preempt any state or local laws in conflict.

Ms. Mahon observed that at the core of the discussion was whether the Select Board and Town Meeting are the appropriate public bodies to address the issue advanced by the proponent as a result of the discussion regarding the inability to create new rights at the local level. Ms. Mahon also expressed that the proponent acknowledged that the bylaw amendment was untested and needed to be addressed by the appropriate authority.

A discussion ensued regarding whether the Select Board had the authority to act on the bylaw, to which the Board agreed that the creation of new rights could not be addressed at the local level, mooted the need for the bylaw to be reviewed and opined on by the Attorney General.

The Board heard public comments on the bylaw, which received strong support on a policy level. However, the Board noted that the legal issues presented by the bylaw amendment needed to be further examined.

The Board heard further comments regarding the bylaw's conflict with private contracts and the bylaw's inability to add pet ownership as a protected class protected under federal law. The Board also heard comments on the applicability of federal housing laws to private housing, and that pets are expressly omitted from the definition of assistance animals under the Fair Housing Act. The Board further heard comments that federal and state housing and discrimination laws create private rights of action that tenants can pursue if they are experiencing discrimination in housing. Further, the Board heard comments that even if the law was unsettled on the prohibition of pets in housing, no affirmative right can be created in the absence of a law expressly creating such a right. In addition, the Board heard comments on the constitutional principles of freedom of contract, which include rental and condominium agreements.

Mr. Hurd noted that there is a market for tenants with pets to rent housing, as Mr. Diggins suggested, and that the legal implications could not result in favorable action on the bylaw amendment. Mr. Hurd further noted that no other municipality has enacted a similar law in Massachusetts and the untested nature of the bylaw amendment's language precluded him from acting favorably on it. Mr. Hurd then moved for no action, to which Ms. Mahon seconded.

Ms. Mahon noted that more work should be done on the bylaw amendment and the Board was not the best forum to address its current form. Mr. Diggins agreed that the bylaw amendment needed to be further examined, but acknowledged the need for legislation to address the policy issues raised in the amendment. Mr. Diggins urged the Board to articulate its opinion on the amendment to provide guidance to Town Meeting.

Mr. DeCoursey emphasized the need for robust commentary in the Board's draft votes and comments to guide Town Meeting on this matter. Mr. DeCoursey noted the potential legal conflicts with the amendment and state statutes permitting pet fees in certain rentals, condominium regulations, and that certain state and federal laws would preempt the actions contemplated in the amendment.

Mr. Helmuth noted the value of the process and robust discussion is to identify dimensions for Town Meeting to receive informed advice and guidance on the amendment. Mr. Helmuth further noted the Board appreciates the issue but needs to balance the rights of owners, tenants and landlords.

**ARTICLE 18 BYLAW AMENDMENT / HISTORIC BUILDING DEMOLITION
DELAY**

**Mr. Hurd moved that no action be taken
on Article 18.**

(5-0)

COMMENT: The Board declined to take action on this article. The Board felt the proponent's amendment to increase the demolition delay period from twelve to twenty-four months was too long in light of the numerosity of properties on the historic registry that are already in need of certain repairs. Mr. Diggins inquired into what resources the proponent needed to ensure the current twelve month demolition delay was sufficient. The proponent acknowledged that historic home resources are scarce. A discussion ensued and public comment was heard regarding whether the increase to a twelve month demolition delay would be considered a penalty.

Mr. DeCoursey asked if the proposal had any exceptions, to which the proponent noted that the demolition delay process currently addresses situations in which the full delay is inappropriate. The Board noted that twelve months was a longer delay compared to other municipalities, some of which have twelve, eighteen or possibly twenty-one month demolition delays.

Mr. Hurd moved for no action, which Mr. DeCoursey seconded. Mr. Helmuth noted the Board was committed to finding better ways to support the historic commission with current municipal resources.

**ARTICLE 19 VOTE/EXTEND TIME FOR ARTIFICIAL TURF STUDY
COMMITTEE AND REPORT**

**Mr. Hurd moved that no action be taken
on Article 19.**

(5-0)

COMMENT: The Board heard from the proponents regarding the need to extend the time and report of the study committee. Mr. Helmuth noted that a draft report was accessible to the public, and the Board heard from the Committee's Chair, who noted the substantial progress made in

recent months. The Committee Chair acknowledged that while the draft report was not filed precisely 30 days before the 2024 Annual Town Meeting as scheduled, that the Committee has been committed to the quality of the report and is confident the Committee will fulfill its obligations in a timely manner.

Mr. Hurd moved for no action, to which Mr. DeCoursey seconded. Mr. DeCoursey and Ms. Mahon commended the Committee Chair for the body's hard work and the quality of the draft report. Ms. Mahon observed that this Article presented a good starting point to discuss the artificial turf matter due to constituent feedback on the topic.

Mr. Diggins and Mr. Helmuth commented that they looked forward to reviewing the report. The Board noted that it could meet and revisit this vote if the Committee needs more time, and could then take a vote on the same.



Town of Arlington, Massachusetts

NEW BUSINESS

Summary:

Except in cases of emergency, the Board will neither deliberate nor act upon topics presented in New Business.