

**HOUSE . . . . . No. 4142**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Meghan Kilcoyne*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the election of school committee members in the Berlin-Boylston Regional School District.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Meghan Kilcoyne</i>	<i>12th Worcester</i>	<i>2/16/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>2/23/2021</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>3/10/2021</i>

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By Ms. Kilcoyne of Clinton, a petition (accompanied by bill, House, No. 4142) of Meghan Kilcoyne, John J. Cronin and Harriette L. Chandler relative to the election of school committee members in the Berlin-Boylston Regional School District. Election Laws.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act relative to the election of school committee members in the Berlin-Boylston Regional School District.

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

1           SECTION 1. (a) The Berlin-Boylston regional school district committee election  
2 described in subsection (C) of section I of the Berlin-Boylston regional school district agreement  
3 shall be held at the annual town elections in spring 2021 to be held at the town of Boylston’s and  
4 Berlin’s usual election locations using the process described in this section. All subsequent  
5 Berlin-Boylston regional school district committee elections shall be held in accordance with  
6 subsection (C) of section I of the Berlin-Boylston regional school district agreement.

7           (b) Notwithstanding sections 14B and 14E of chapter 71 of the General Laws, the Berlin-  
8 Boylston regional school district agreement or any other general or special law to the contrary,  
9 the voters of the district shall elect 6 school committee members on the ballot at the town of  
10 Berlin and Boylston annual town elections to be held in spring 2021. The terms of 1 member  
11 from the town of Boylston and 2 members from the town of Berlin shall expire at the 2022  
12 biennial state election and the terms of 2 members from the town of Boylston and 1 member

13 from the town of Berlin shall expire at the 2024 biennial state election, in each instance after the  
14 election and qualification of their respective successors. Thereafter, all members shall be elected  
15 for 4-year terms in accordance with the Berlin-Boylston regional school district agreement.

16 (c) The town clerks of Berlin and Boylston shall establish and post an election schedule  
17 at the regional school district high school and at the office of each town clerk with notification to  
18 the regional school district. Nomination papers shall be issued by the town clerks to registered  
19 voters in their respective towns who request nomination papers for the 2021 election of regional  
20 school committee members at any time after February 1, 2021 and not later than 64 days prior to  
21 the date of the annual town elections. Notwithstanding sections 10 or 122 of chapter 53 of the  
22 General Laws, nomination papers shall be submitted for certification to the registrars of voters  
23 and town clerk in which the signatories reside not later than 5:00 p.m. on the forty-ninth day  
24 prior to the election. The signature of a registered voter from a town other than the town of  
25 Berlin or Boylston, even if within the Berlin-Boylston regional school district, shall be rejected.  
26 A total combined minimum of 25 signatures of registered voters in the town of Berlin and  
27 Boylston shall be certified by the town clerks to place a candidate's name on the annual town  
28 election ballots. All 6 positions shall appear on the annual town election ballot in each town with  
29 such instructions as will aid the voter.

30 (d) Immediately following 5:00 p.m. on the last day for filing nomination papers for other  
31 offices with the town clerks, in accordance with section 10 of chapter 53 of the General Laws,  
32 the clerks of each town shall certify to the regional school district and each other the names of  
33 persons from each town to be printed on the annual town election ballot; provided, however, that  
34 the ballots shall not be printed until the period for withdrawals or challenges has passed pursuant  
35 to sections 11 and 13 of chapter 53 of the General Laws. Objections to nomination papers shall

36 be filed with the town clerks. If the date of the annual town elections requires postponement due  
37 to a public health or safety emergency, the elections shall be postponed to a date agreed upon by  
38 the boards of selectmen in both the town of Berlin and Boylston no earlier than 20 days after the  
39 new date is announced; provided, that all nomination papers, ballots and other materials prepared  
40 for the date set forth in this section or submitted to the town clerks consistent with this section,  
41 shall be utilized at the rescheduled election.

42 (e) Notwithstanding section 10 of chapter 39 of the General Laws, any other general or  
43 special law or bylaw of the town of Berlin or Boylston to the contrary, the polls for the town of  
44 Berlin and Boylston annual elections shall be open for no less than 4 hours, in accordance with  
45 section 64 of chapter 54 of the General Laws. The certified election results from each town shall  
46 be forwarded to the regional school district as soon as possible, but not later than the day  
47 following the election at 10:00 a.m. The regional

48 school district shall declare the names of those elected. Upon the expiration of 10 days  
49 from the date of the election, the members may be sworn into their offices by the town clerk or  
50 moderator of the town in which they reside, who shall report the same in writing to the regional  
51 school district. Upon the election and swearing of their successors, the terms of the members of  
52 the Berlin-Boylston regional school district transition committee shall terminate and the  
53 transition committee shall be abolished.

54 (f) In the event a recount is desired, a petition signed by no fewer than 10 registered  
55 voters in each precinct in which a recount is desired shall be filed with the town clerk no later  
56 than 10 days following the date of the election. The signatures of any voter from another precinct  
57 or town shall be rejected. Under such circumstances, the town clerk shall forward the petition to

58 the regional school district and the new members shall not be sworn into their offices. Following  
59 consultation with the regional school district, each town shall schedule a recount to be held no  
60 later than 14 days after the certification of the recount petition. The recount shall be presided  
61 over by the board of registrars of the town of Berlin or Boylston, as applicable.

62 (g) The incumbent members of the Berlin-Boylston regional school district transition  
63 committee shall maintain their offices until their successors elected pursuant to this section are  
64 sworn into office.

65 (h) In the event of any vacancy prior to the election described in this section, the  
66 vacancies shall be filled in accordance with subsection (D) of section I of the Berlin-Boylston  
67 regional school district agreement.

68 (i) Except as otherwise provided in this section and in the regional school district laws, all  
69 applicable provisions of state election law shall apply to the election of members of the regional  
70 school district school committee.

71 SECTION 2. This act shall take effect upon its passage.