

TOWN OF MILLBURY
MINUTES
BOARD OF REGISTRARS

RECEIVED
TOWN CLERK
2021 OCT 20 PM 1:44
MILLBURY, MASS.

Date: October 19, 2021

Time: 6:00 PM

Present: Frank V. Irr, Mary Brawn, Paul Hernandez,
Jayne Marie Davolio- Ex Officio Member Town Clerk

Meeting called to order and roundtable introductions began, as Paul Hernandez is a new registrar. Paul has taken the place of Jerilyn Stead.

Discussion took place on re-organization. Frank Irr and Mary Brawn both put forth themselves for chairperson. All parties agreed to vote on Frank Irr for Chairperson, Mary Brawn for Vice Chairperson and Paul Hernandez will be the clerk of the board, all were in favor none opposed.

Jayne will send out reminders in January for the 2022 calendar year. Discussion took place on the October 26, 2021 Special Town Meeting. Frank and Paul can work; Mary will get back to Jayne.

Notice was given that the town may have a special election, as a recall petition is circulating. The deadline to receive the recall papers is October 25, 2021 @ 4:00 PM.

Light discussion over the duties for last day to register to vote, town meetings and recount elections.

Motion to adjourn by Mary Brawn, 2nd by Paul Hernandez all in favor.

Closed meeting at 6:28 PM

Submitted:

Jayne Marie Davolio
Town Clerk



Town of Millbury
Board of Registrars
10-19-2021 @ 6:00 PM
Location: Town Clerks Office
Mary Brawn, Frank Irr, Paul Hernandez

1. Re-Organize
2. Discuss Handbook & Duties
3. Schedules

2021 OCT 19 PM 6:26
MILLBURY, MASS

ANY BUSINESS NOT ANTICIPATED TO BE DISCUSSED



BOARDS OF REGISTRARS & ELECTION COMMISSIONS

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I. INTRODUCTION

Every city and town must have a board of registrars or election commission whose responsibilities include registering voters, making local listings of residents, certifying nomination papers and petitions, processing absent voter applications, and administering election recounts. This booklet describes how such boards and commissions are appointed, how they are structured, and how they function.

II. APPOINTMENT AND STRUCTURE

In most towns, the board of registrars is comprised of four members: three members appointed by the board of selectmen, and the town clerk acting as an ex officio member. Boards of registrars in cities and towns with city-type charters may or may not include the city clerk. Some cities and towns may have election commissions instead of boards of registrars. G.L. c. 51, § 15; G.L. c. 51, § 16A; G.L. c. 51 § 17.

Boards of Registrars Including City/Town Clerks

The board of registrars in cities and towns, except those which accept either section 16A or 17 of chapter 51, or which are under a special act (for example: Boston and Cambridge), is a four member board of which one member is the city or town clerk. In cities, the other three members are appointed by the mayor, with the approval of the city council or board of aldermen. In towns, the other three members are appointed by the selectmen from lists submitted by town committees of the two leading political parties.

Before making appointments to the board of registrars, the selectmen or appointing authority must solicit lists of qualified individuals from the two leading political parties. If no local party committees are organized, the state parties should be contacted. If no list is submitted within 45 days after the party chairman is notified by the selectmen or appointing authority by certified mail, appointments may be made without reference to the list.

Registrars have overlapping terms. One member of the board of registrars shall be appointed each February or March for a three year term beginning on April 1st of that same year. The clerk automatically becomes a member of the board when sworn in as city or town clerk.

The board must always contain, as nearly as possible, representatives of the two leading political parties as defined in section 1 of chapter 50 of the General Laws (Democrats and Republicans) and can contain no more than two members of each of those parties. G.L. c. 51, § 18.

The party enrollment of the clerk affects the membership of the board, but the city or town clerk need not be enrolled in a political party. If the election or appointment of a clerk would cause more than two members to be from the same party, the appointed member of the registrars with the shortest term left to serve and enrolled in the same

party as the clerk would be removed by the mayor or selectmen (after written complaint, notice and hearing) and a new member would be appointed from a different party than that of the clerk. G.L. c. 51, § 19.

Boards of Registrars Excluding the City Clerk

In cities which have accepted section 17 of chapter 51, the board of registrars consists of four members appointed by the mayor with the approval of the city council to equally represent the two leading political parties. When a city changes from a board that includes the clerk as a member, the city clerk shall cease to be a member of the board as soon as the first two registrars are appointed.

When a city chooses to have a board which does not include the clerk, the first two registrars shall be appointed in February or March, one for a three year term and the other for a four year term to begin on April 1st. These two registrars fill the vacancies created by the removal of the city clerk from the board, as well as the annual expiration of one of the registrar's appointed term. The remaining two registrars from the previous board shall continue in office until their original terms expire. As registrars' terms expire, each new appointment shall be for a four year term to begin on April 1st. G.L. c. 51, § 17.

Election Commissions

In any city (except Cambridge) or town that accepts the provisions of section 16A of chapter 51, there shall be a board of election commissioners who shall have all the powers, duties and responsibilities of the registrars of voters.

If a city or town accepts the provisions of section 16A, the three members of the board of registrars already in existence when the election commission is established shall become the election commissioners. The town clerk shall cease to be a member immediately and a new member must be appointed for a four year term to begin April 1st.

The commission itself shall consist of four members equally representing the two leading political parties. Appointments shall be made by the mayor with the approval of the board of alderman, by the city manager, or by the selectmen.

In towns, such appointments are made from a list containing the names of three voters from that town submitted by the town committee of the political party from which the position is to be filled. If no list is submitted within 45 days after the selectmen or appointing authority have notified the party chairman by mail, the appointments may be made by the selectmen or appointing authority without reference to any list.

Party Enrollment

A registrar's or commissioner's party enrollment status is determined by reviewing his or her enrollment status two years prior to appointment. Any party enrollment status required for appointment must have been maintained continuously for two years. G.L. c. 4, § 12.

Qualifications

The General Laws specify qualifications for registrars and list other offices they may or may not hold. Additionally, there are other positions registrars should avoid due to possible conflict of interest.

Registrars and assistant registrars must meet the following qualifications:

- A registrar must be a registered voter of the city or town where appointed, unless regularly employed by the registrars. G.L. c. 51, § 25.
- A registrar must hold no other office in the city or town in which he or she is a registrar, either by election or by direct appointment by the mayor, selectmen, or city/town manager. Nor may a registrar hold any office by election or appointment under the government of the United States or of the Commonwealth, except in towns with less than 2,000 residents. G.L. c. 51, § 25.
- A registrar must subscribe an oath to faithfully perform the duties of a registrar. G.L. c. 51, § 23.

If a registrar accepts any appointed or elected office, he or she may no longer serve as a registrar, and the registrar's seat is deemed to have been vacated upon the acceptance of the office. A registrar may run for and hold office as a member of a home rule charter commission or town meeting member. This law does not prohibit a registrar or assistant registrar from being a candidate for a public office, but if a registrar or assistant registrar becomes a candidate for public office, there may be other implications, such as those with the state ethics laws. A registrar or assistant registrar may be a justice of the peace, notary public, or officer of the state militia. G.L. c. 51, § 25.

Registrars should not serve as election workers. If a registrar has served as an election worker, that registrar should recuse himself or herself from any recount in that election. It should be kept in mind that in such a case, the appointing authority should temporarily fill any vacancy in the board, so as to maintain the representation of the political parties for the recount. It is sound practice to avoid conflicts of interest such as those which might occur if a person were both an election officer and a registrar.

Pursuant to section 5 of chapter 55 of the General Laws, registrars cannot serve as chairman, treasurer, or other principal officer of any political committee.

Vacancies

Board vacancies which occur between the regularly appointed terms may be filled either by appointment or temporary appointment. An appointment may be made in the same manner as the original appointment, but only for the remainder of the vacated original term.

In cities, vacancies are filled by the mayor with the approval of the city council or board of aldermen. In towns, vacancies are filled by the selectmen from a list of three voters from that town submitted by the town committee of the political party from which the position is to be filled. G.L. c. 51, § 15.

A temporary appointment to fill a position for a limited time may be made by the mayor or selectmen upon written request of a majority of the board. This type of appointment may be made in cases where the vacancy occurs because of a registrar's absence from the city or town, retirement, death, or inability to perform his or her duties. G.L. c. 51, § 20.

Assistant Registrars

Registrars may appoint assistant registrars for one year terms, which begin on April 1st, to assist the registrars. The assistant registrars must equally represent the two leading political parties. Unenrolled voters may be appointed assistant registrars as long as there is an equal number of Democrats and Republicans. G.L. c. 51, § 22.

Registrars may also appoint temporary assistant registrars from time to time to assist in street listing and in the registration of voters. Temporary assistant registrars must equally represent the two leading political parties. If they are regularly employed by the registrars, they need not be registered voters of the city or town.

Assistant registrars may perform the duties of registrars under the direction of the registrars. Assistant registrars are subject to the same obligations and penalties as registrars. G.L. c. 51, § 24.

Registrars may appoint absent registration officers to assist them in registering physically disabled voters. Absent registration officers must equally represent the two leading political parties. G.L. c. 51, § 22A.

All acts of a single registrar, assistant registrar, or absent registration officer are subject to acceptance of the full board of registrars. G.L. c. 51, § 33.

III. REGISTRATION

Registrars are responsible for the entire registration process, for maintaining registration records, and for sending certain records to the secretary of the commonwealth.

Registration Functions

At voter registration sessions, registrars are required to receive affidavits of voter registration from registrants who reside in their city or town and from those who reside in any other city or town in the commonwealth. For applications for other municipalities, the registrars must submit such completed affidavits to the registrars in the registrant's city or town. G.L. c. 51, § 42F.

Upon receipt of a completed affidavit of voter registration, the registrars shall add the name of the voter to the annual register. The affirmation by the registrant of the facts contained on the affidavit of registration, signed under the penalties of perjury, is sufficient for registration purposes and the registrars should not request additional evidence of a voter's domicile during the initial registration process. If the registrars are not satisfied with the facts set forth in the affidavit, they may require further evidence of

domicile at a post-registration hearing after issuing a formal complaint and summons. G.L. c. 51, §§ 44, 46, 47, 47B, 48, 49.

Functions Required of Registrars

Registrars must post copies of sections 7, 8, and 9 of chapter 56 of the General Laws (“Aiding or abetting false oath, etc.,” “Illegal registration,” “Misconduct at registration”) at every registration site. G.L. c. 51, § 12.

The registrars must accept all completed voter registration affidavits received from registration agencies, from individuals and organizations conducting voter registration, through the mail, and by hand delivery. All registration forms are supplied by the secretary of the commonwealth. There are forms for voter registration agency use (two-part forms) and mail-in forms. G.L. c. 51, §§ 36, 42, 42F.

When registering individuals at the board of registrars’ office or office of the city or town clerk, registrars must use the two-part agency forms and give the registrant a copy of the voter registration affidavit, including the hinge at the top of the form. G.L. c. 51, § 36.

Registrars must register all eligible individuals who will be 18 on or before the date of the next election. Registrars must pre-register all eligible individuals who are 16 or 17 years old. G.L. c. 51, §§ 1, 44, 47A.

If after reviewing an affidavit of voter registration, it appears to the registrars that the applicant is not qualified to be a registered voter or the affidavit is incomplete, the registrars must notify the applicant that they have not been registered to vote and give them an opportunity to remedy the defects in the affidavit. G.L. c. 51, § 47.

The registrars must send duplicate copies of affidavits of registration to the registrars in the city or town where the voter was last registered if in Massachusetts or to the secretary of state where the voter was last registered if the previous residence was in another state. This is done by entering the voter’s previous address into VRIS. G.L. c. 51, §§ 38, 46A.

If a voter is seeking to register in a different community, the registrars must allow the voter to register using the agency form and the registrars thereafter must transmit the original affidavit to the voter’s home community within 5 calendar days. The registrars must be sure to write their 3 letter city or town code in the red box in the lower right hand corner. G.L. c. 51, §§ 36, 42F.

The registrars must preserve original affidavits of registration for two years after the form is superseded or the voter is deleted. Registrars must also preserve for all other written applications, complaints, certificates, voter lists, and affidavits received by them and all other documents relative to listing and voter registration for two years. G.L. c. 51, § 41.

Registrars must ensure that candidates for public office or persons acting on their behalf do not solicit votes or distribute campaign literature in any office where voter registration is being conducted. G.L. c. 51, § 52A.

Registrars must change a voter's party enrollment upon a request signed under the pains and penalties of perjury and thereafter, notify the voter that the change has been made. G.L. c. 53, § 38.

If at any time after the registration of a voter, the registrars have probable cause to believe that the voter has made a false statement in his affidavit of registration, they may prepare a complaint setting forth the basis of their beliefs and summon the voter to appear before them for a hearing. G.L. c. 51, § 47B.

The registrars must summon a person to a hearing before them upon receipt by the board of a signed and sworn complaint alleging that person is illegally or incorrectly registered to vote. The complaint must be made in writing and received at least 14 days before an election in a city and four days before an election in a town. G.L. c. 51, § 48.

The registrars must examine under oath anyone summoned before the board to answer a complaint about his or her voter registration. If after examination, the registrars are satisfied that the person is not a qualified voter or the person fails to appear before them, they shall strike his name from the register. Any member of the board of registrars may administer oaths to witnesses who appear before the board. G.L. c. 51, § 49; G.L. c. 233, § 8.

The registrars must submit the number of voters enrolled in each party, political designation, and the number of those unenrolled, by precinct, to the secretary of the commonwealth within 10 days after the last day to register to vote for every state and presidential primary, general election and on or before February 1st of each even numbered year. This is done through entering all registrations into VRIS promptly upon receipt of the registration forms. G.L. c. 53, § 38A.

Registration Sessions

Registrars must hold sessions for voter registration as provided in town by-laws, city ordinances, and the General Laws. The registrars may also hold other voter registration sessions at locations they deem necessary, including mobile registration units, to allow voters to register. In addition, they may hold sessions in any school in the state. Registrars must post or publish sessions of voter registration. G.L. c. 51, §§ 26, 32, 42D.

The last day to register to vote before any election or annual town meeting is 20 days before that election or meeting. The last day to register for a special town meeting is 10 days before that meeting. Voters may still register after the deadline, but they will not be eligible to vote in that election if they were not already registered in the same city or town. G.L. c. 51, § 26.

On the last day for voter registration, the board of registrars must hold a continuous voter registration session from 9 a.m. to 8 p.m., except in towns of fewer than 1,500 voters where the hours must be at least 2 p.m. to 4 p.m. and 7 p.m. to 8 p.m. G.L. c. 51, § 28.

Special Registration Provisions

If the city or town accepts the provisions of section 42C of chapter 51 of the General Laws, the registrars must hold a voter education and registration session at each high school or vocational school in their city or town, as part of an educational assembly for all seniors, one day each year between April 1st and May 15th. This section applies only upon its acceptance by city council or town meeting. G.L. c. 51, § 42C.

Any legal resident of the commonwealth who was included in the definition of “specially qualified voter” (see section on absentee voting) throughout the 7 days immediately preceding the final time for registration, or who becomes a U.S. citizen after the final time for registration, may appear before a registrar or assistant registrar of the city or town where they reside and register as a voter up until 4:00 P.M. on the day before a primary, preliminary, or election. A voter registered under these circumstances must be issued a certificate of “Supplementary Registration” that they must present to election officers at the polls in order to vote. G.L. c. 51, § 50.

IV. LOCAL LISTS

Registrars must assist the city or town clerk in compiling information for the annual street list, the annual register, and the voter lists. This process begins in January or February of each year with the distribution of the local census forms. For more information on local lists and the registrars’ duties in compiling them, please see the booklet published by the Elections Division entitled “Local Lists.”

V. CERTIFICATION OF SIGNATURES

Registrars are responsible for certifying signatures on nomination papers and petitions, issuing party enrollment certificates and certificates of voter registration, investigating objections and challenges to local nomination papers, and certifying absent voter applications. Signatures on nomination papers, initiative petitions, referendum petitions, recount petitions, public policy petitions, and local ballot question petitions must be certified as names of registered voters in the city or town where they are filed. In many cities and towns, the town clerk or other office employees perform most certification functions. G.L. c. 53, §§ 7, 22A; G.L. c. 54, § 135; 950 C.M.R. §§ 55.02, 55.04.

Receipt of Petitions

The date and time of all petitions received in the office of the registrars should be noted in the appropriate space on each paper or petition.

A line in red ink must be marked through any unused signature lines at the time the petitions are being submitted to insure that signatures are not added after papers are certified.

The registrars must issue a written receipt when they receive any petitions. The receipt should include the date and time received, the number of pages submitted, and the name and contact information of the person submitting the papers or petitions. The registrars must provide a copy of the receipt to the filer and retain a copy for their records. The papers should be certified in the order in which they were submitted to the registrars' office. G.L. c. 53 §§ 7, 46; 950 C.M.R. § 55.02(1).

Candidate Information

Most nomination papers include gray areas in which the candidate's name and other information must be entered prior to circulation. The candidate's name, residential address (including street number, street name, and city or town), office, and district must be listed on the nomination papers before signatures can be gathered. In partisan elections, the candidate's party enrollment or political designation must be provided as well. On state nomination papers, registrars must draw a red line through any missing information in the gray areas, so that candidates cannot add the information afterward.

Registrars must review nomination papers for the district name when they are being submitted for certification. If the district designation is incorrect, the registrars must allow the candidate to correct it before the signatures are certified. The candidate and registrar must initial the change and explain the reason for the change in writing. Three copies must be made (one for the registrars, one for the candidate, and one attached to the nomination papers). No other information on the papers may be changed. If the district name is blank, the candidate cannot add any information to the blank space and the registrars must draw a red line through it. G.L. c. 53, §§ 7, 8, 45, 46.

Enrollment Certificates and Certificates of Voter Registration

In the candidate's city or town of residence, the registrars must complete an enrollment certificate (for a party candidate) or a certificate of voter registration (for a non-party candidate).

Party candidates must fulfill certain enrollment requirements. For primaries, candidates must be enrolled members of the party whose nomination they seek, except newly registered voters, throughout the 90 days preceding the filing deadline with the secretary of the commonwealth's office. The candidate cannot have been enrolled in any other party during the one-year period before the filing deadline for that election. If these requirements are met, the registrars can fill out the certificate for a voter in their community. The enrollment certificate must be signed or stamped by at least 3 of the registrars or election commissioners and must state the name, address, and party of the candidate, as registered. G.L. c. 53, § 48; 950 C.M.R. § 55.03(5).

Non-party candidates must have been "unenrolled" during the 90 days preceding the deadline for filing nomination papers with the secretary of the commonwealth. Non-party candidates must file a certificate of voter registration, signed by the registrars in the city or town where they are registered to vote. The certificate must be signed by at least 3 registrars or voters or election commissioners, include the candidate's name and address

as registered, and must be filed no later than the last day for filing nomination papers with the secretary's office. G.L. c. 53, § 9; 950 C.M.R. § 55.03(5).

Certification of Names

A voter signing nomination papers must sign in person as registered or "substantially as registered." The regulations provide that a name is "signed substantially as registered" if it can reasonably be determined to be that of a registered voter.

G.L. c. 53, § 7; 950 C.M.R. § 55.03 (1), (2), (3) and (4).¹

Signatures should be certified if:

- A middle initial is inserted or omitted;
- A common or known nickname is used;
- Two initials are used with a surname;
- One initial is used with a surname if no other registered voter with that initial lives at that address;
- "Jr." or "Sr." is inserted or omitted;
- Ditto marks are used to indicate a correct address;
- The name is printed.

Signatures should not be certified if:

- The first name is different from the first name on the voter list;
- The address is different, even if only by one house number, or if a post office box rather than a street address appears;
- The name is not that of a registered voter at that address;
- The name is illegible;
- The signer is enrolled in the wrong party (for primary nomination papers or recount petitions); (For primary nomination papers the voter must be enrolled in the proper party or unenrolled (independent) at the time of certification. For primary recount petitions, the voter must be enrolled in the proper party as of the last day to register before the primary)
- The signer is registered in a different voting district or community;
- The signer already signed a nomination paper for the same candidate or petition (including the earlier stage of a state initiative petition). (Only the first signature submitted for that candidate should be certified.

G.L. c. 53, § 7.

The registrars must place a check next to the names of qualified voters and use the proper symbols designated by the Secretary indicating the reason for disqualifying any signatures. The symbols are printed on the back of each sheet. G.L. c. 53, § 7.

¹ See 4, 568 *Registered Voters v. City Clerk*, 392 Mass 424, 425 n. 5, 465 N.E. 2d 1209, 1210 n. (1984); *McCarthy v. Secretary of the Commonwealth*, 371 Mass. 667, 682-85, 359 N.E. 2d 291, 301-03 (1977) and *Hilsinger v. State Ballot Law Commission*, Nos. 39934 & 39958 (Mass. Super., Suffolk Apr. 28, 1980).

The ward and/or precinct numbers need not be filled in by voters or circulators. The column is included for the registrars' convenience in certifying signatures. G.L. c. 53, §§ 7, 46; 950 C.M.R. § 55.02(4).

Registrars must certify a name even if it is alleged that it was forged or obtained by fraud. In cases alleging forgery or fraud, an objection may be filed and a hearing will be held before the State Ballot Law Commission for state nominations and petitions and before the local boards of registrars for local nominations and petitions. The registrars may also bring it to the attention of the secretary's office for referral to the appropriate law enforcement agency. 950 C.M.R. § 55.03(2)(b).

On each nomination paper and petition, there is a box for the registrars to complete their certification. At least three registrars must sign their names in the space provided to certify the petitions. A facsimile stamp may be used by the person designated by the registrars to certify the petition on their behalves. G.L. c. 53, §§ 7, 46; 950 C.M.R. § 55.02(7).

The registrars must indicate the number of names certified on each page in words as well as numerals, in the space indicated on the nomination papers. 950 C.M.R. § 55.02(5), (6).

Registrars may limit the number of signatures they certify to 2/5ths more than the number necessary for nomination. For a local primary or preliminary election the registrars need only certify 1/5th more than the number of signatures necessary for nomination. G.L. c. 53, § 7; 950 C.M.R. § 55.02(8).

Review of Non-Certified Signatures

If a candidate for an office on the state primary or state election ballot does not have enough certified signatures, or if the candidate has less than 10% in excess of the number of signatures required for nomination, he or she may apply in writing to the registrars for a review of the noncertified signatures.

In order to request a review, the candidate must leave the nomination papers in the custody of the appropriate city or town clerk.

A candidate requesting such review must do so in writing and must include a list of all signatures not previously certified which they want reviewed. A request for a review must be made no later than 48 hours after the last day for registrars to certify nomination papers.

Upon receipt of such request, the registrars must review the signatures appealed and correct any errors or mistakes in certification.

After the review, if the registrars find signatures that should have been certified and were not initially certified, the registrars must make the correction in the check box beside the signature and initial the correction. Next, the registrars must change the number certified to the correct number in the certification area on the rear of the paper and initial it. Then

the registrars must attach a letter to each paper that a change was made on indicating the change in number (for example: "The review has resulted in the number of certified signatures changing from 8 to 9."). This letter must be signed by a majority of the board of registrars or a facsimile stamp.

Review and corrections must be completed no later than 24 hours before the final hour for filing certified nomination papers with the secretary of the commonwealth. G.L. c. 55B, § 6.

There is no review process for non-certified signatures on municipal nomination papers or ballot question petitions.

Return of Certified Papers or Petitions

Registrars shall return certified nomination papers and petitions only to persons who present acceptable identification and who sign their names and addresses on the registrars' records. Acceptable identification includes:

- The receipts issued by the registrars at the time of submission;
- Written authorization signed by the candidate or organization sponsoring the petition;
- Telephone authorization by the candidate's or organization's headquarters; or
- Personal recognition by the registrars. 950 C.M.R. § 55.04.

VI. ABSENT VOTING DUTIES

The clerk must transmit applications for absentee ballots to the registrars for them to certify that the signatures on the absentee ballot applications appear to be genuine and affirm that the application is for a qualified voter. Once this has been done, the registrars must return the application to the city or town clerk. If someone applies for an absentee ballot in the presence of the registrars, assistant registrars, or clerk, and seeks to vote in their presence, the person accepting the application must examine the application, execute the certificate, and allow the registered voter to mark the ballot at the office during the same visit. If the registrars find that the applicant is not a qualified registered voter they must send the person a written notice of that finding. G.L. c. 54, § 91.

Registrars may investigate anyone applying for an absentee ballot as a "specially qualified voter." A specially qualified voter is a Massachusetts citizen who is not registered to vote and:

- Whose current residence is outside the United States and whose last residence in the United States was in Massachusetts; or
- Whose current or most recent residence is in Massachusetts and who is absent from his or her city or town of residence due to active duty military service; or
- Who is the dependent family member of a Massachusetts citizen who is specially qualified due to military service; or
- Whose current residence is in Massachusetts and who is absent from the commonwealth (for example: college students out of state); or

- Who is confined in a correctional facility or jail for reasons other than a felony conviction.

Permanently Disabled Voters

Registrars must send completed absentee ballot applications to certified permanently disabled voters at least 28 days before the primary, preliminary, or general election. Certified permanently disabled voters are persons who have filed a certificate issued by a physician certifying to the person's disability with the city or town clerk. G.L. c. 54, § 86.

Voters Admitted to Healthcare Facilities

If a voter was admitted to a healthcare facility after noon of the fifth day before the election, that voter may request a ballot be delivered to them up until the close of polls. If the registrars are unable to deliver a ballot to the voter, the voter may designate someone of his or her choice to bring them the ballot. The voter must still be in the healthcare facility on the day of the election and they must specify in writing who they want to deliver the ballot to them – the person delivering the ballot cannot be a candidate. G.L. c. 54, § 91B.

Supervised Absentee Voting

At least 28 days before any election, the registrars may designate in writing certain health care facilities for supervised absentee voting. When a location has been designated for supervised absentee voting, the registrars must arrange a time before each election for such voting. The registrars must bring all necessary materials to the facility for supervised absentee voting, including absentee ballot applications, ballots, absentee ballot envelopes, and any other accompanying paperwork. After the voter completes the absentee voting process at the designated health care facility, the registrars must return the voted ballots and any other materials back to the city or town clerk. G.L. c. 54, §§ 91B, 92.

VII. APPOINTMENT OF ELECTION OFFICERS

Election Officers in Cities

By April 15th of each year, the registrars must notify the chairmen of the city and ward political party committees in writing that they may submit lists of party members by June 1st for appointment of election officers.

On or before June 30th the registrars must submit to the mayor or other appointing authority the persons chosen from the lists provided who, in the opinion of the registrars, are qualified to act as poll workers. G.L. c. 54, § 11B.

If no list is submitted, the mayor shall appoint any qualified registered voters of the city.

Election Officers in Towns

The selectmen are required to notify the chairmen of the town party committees by April 15th that they may submit lists of party members by June 1st for appointment of election officers.

No later than June 30th, the registrars shall submit to the selectmen the names of the persons on the lists provided by the parties who appear to be qualified to act as election officers. Not earlier than July 15th, nor later than August 15th, the selectmen shall appoint election officers to each precinct, using the list provided by the registrars. If no lists were submitted by either party, the selectmen shall appoint any qualified registered voters of the town.

If the selectmen fail to make appointments by August 15th, the registrars shall appoint election officers from the lists of party members submitted by the party committees. If no list was submitted, the registrars may appoint any qualified registered voters.

G.L. c. 54, § 12.

VIII. OBJECTIONS AND CHALLENGES

Objections to certificates of nomination, nomination papers, or withdrawals for local offices or objections to petitions for local ballot questions shall be filed with the city or town clerk and transmitted to the board of registrars. The board must render a decision on any matter referred to them. G.L. c. 55B, § 7.

Persons dissatisfied with the registrars' decisions may have these decisions reviewed by filing a complaint with the Superior Court. G.L. c. 55B, § 6.

IX. RECOUNTS

The board of registrars is charged with the responsibility for presiding over recounts. The basic steps in the conduct of a recount are printed below:

1. Examine the petition and statement attached to the petition and certify the names of qualified voters on the recount petitions.
2. Arrange for the recount without unnecessary delay, but not before the deadline for filing recount petitions has passed. For any office or question on the state primary or state election ballot, except a state-wide office, the registrars must set the date for not more than 6 days after the last day for filing a recount petition for a primary and not more than 10 days after the last day for filing a recount petition for an election.
3. Give each candidate for the office to be recounted at least 3 days written notice of the time and place of the recount.
4. Appoint recount workers.

5. Administer all recounts and supervise the actual recount in person.
6. Make rulings on whether protested ballots should be counted.
7. Certify the result of the recount. Decisions of the board of registrars are subject to court review if a complaint is filed in Superior Court.