

SENATE, No. 2789

[SIMILAR MATTER FILED DURING PAST SESSION
SEE NO. OF]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND EIGHT

AN ACT AUTHORIZING THE TOWN OF CONCORD TO SEND CERTAIN INFORMATION TO REGISTERED VOTERS IN THE TOWN OF CONCORD

*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.** Notwithstanding the provisions of any general or special law to the
2 contrary, the board of selectmen of the town of Concord may, at least seven days before
3 any election at which a binding or non-binding question shall be submitted solely to the
4 voters of said town, cause to be printed and sent to each residence of one or more voters
5 whose name appears on the latest active voting list for said town and make available at
6 each polling place (a) the full text of such question; (b) a fair and concise summary of
7 such question, including a one-sentence statement describing the effect of a yes or no
8 vote, prepared by the Town Counsel; and (c) arguments for and against such question as
9 provided in section 2.

10 **SECTION 2.** No argument shall contain more than two hundred and fifty words. Said
11 board of selectmen shall seek written arguments from the principal proponents and
12 opponents of each such question. Said board of selectmen shall designate a date by which
13 written arguments must be received, in a written notice to the principal proponents and
14 opponents. Said notice must be issued at least fourteen days before the date by which the
15 written arguments must be received.

16 **SECTION 3.** For the purposes of this act, the principal proponents and opponents of any
17 such question shall be those persons determined by said board of selectmen to be best
18 able to present the arguments for and against such question. The principal proponents or
19 opponents of such a question may include a town or district officer or committee, such as
20 a finance committee or school committee, and the principal proponents may include the
21 first ten signers or a majority of the first ten signers of any petition initiating the
22 placement of such question on the ballot. In determining the principal proponents and
23 opponents of such a question, said board of selectmen shall contact each ballot question
24 committee, if any, as defined in section 1 of chapter fifty-five of the General Laws,
25 organized specifically to influence the outcome of the vote on such question. If no
26 argument is received by said board of selectmen within the time allowed by this act, the
27 Town Counsel shall prepare such argument.

28 **SECTION 4.** All arguments filed with said board of selectmen pursuant to this act, and
29 the summary prepared pursuant to section 1 shall be open to public inspection at the
30 office of the town clerk, and if the vote affects a district, the arguments and summary
31 shall be open to public inspection at the office of the clerk of each city or town within the
32 jurisdiction of the district.

33 **SECTION 5.** This act shall apply where the question presented involves the regional
34 district of which the Town of Concord is a member or involves a joint undertaking by
35 said Town of Concord and any one or more cities or towns.

36 **SECTION 6.** This act shall take effect upon its passage.