

# SENATE . . . . . No. 2090

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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An Act authorizing the town of Hubbardston to send certain information to the voters of said town..

*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 section 21C of chapter 59 of the General  
2   Laws, section 22A of chapter 55 of the General Laws or any other general or special law to the  
3   contrary, the board of selectmen of the Town of Hubbardston shall, at least ten days before any  
4   election at which a binding or nonbinding question shall be submitted solely to the voters of said  
5   town, cause a notice to be printed containing (1) the full text of such question, (2) a fair and  
6   concise summary of such question, including a one sentence statement describing the effect of a  
7   yes or no vote, prepared by the board of selectmen or town counsel of said town, and (3)  
8   arguments for and against such question as provided in section 2. The board of selectmen of said  
9   town shall make said notice available in any of the ways set forth below, at the discretion of the  
10   board of selectmen, or as may be determined by bylaw, by: posting the notice on the town's  
11   official website or at each polling place in the town; publishing the notice in a newspaper of  
12   general circulation in the town; or, subject to available funds and any other conditions that may  
13   be imposed by bylaw, mailing the notice, or a statement indicating where and how the notice

may be obtained, to each residence of one or more voters whose name appears on the latest active voting list for said town.

SECTION 2. The board of selectmen of the Town of Hubbardston shall cause to be printed and made available, in the manner provided in section 1, an argument for and against each question submitted solely to the voters of said town pursuant to any General Law, including but not limited to, section 21C of chapter 59 of the General laws. No argument shall contain more than 250 words.

Said board of selectmen, or, at its request, said town counsel shall seek such written arguments from the principal proponents and opponents of each such question. Said board of selectmen shall designate a date by which written arguments must be received, in a written notice to the principal proponents and opponents. Said notice must be issued at least 14 days before the date by which the written arguments must be received.

For the purposes of this act, the principal proponents and opponents of any such question shall be those persons determined by said board of selectmen to be best able to present the arguments for and against such question. The principal proponents or opponents of such a question may include a town officer or committee, and the principal proponents may include the first ten signers or a majority of the first ten signers of any petition initiating the placement of such question on the ballot. In determining the principal proponents and opponents of such a question, said board of selectmen shall contact each ballot question committee, if any, as defined in section 1 of chapter 55 of the General Laws, organized specifically to influence the outcome of the vote on such question. If no argument is received by said board of selectmen within the time allowed by this act, said town counsel shall prepare such argument.

36 All arguments filed with or prepared by the board of selectmen pursuant to this act, and  
37 the summary prepared pursuant to section 1, shall be open to public inspection at the office of the  
38 town clerk of said town.

39 SECTION 3. The official ballot shall include the summary and statements describing the  
40 effect of a yes or no vote as provided in clause (2) of section 1.

41 SECTION 4. This act shall also apply where the question presented involves a regional  
42 district of which the Town of Hubbardston is a member or involves a joint undertaking by said  
43 Town of Hubbardston and any one or more cities or towns.

44 SECTION 5. This act shall take effect upon its passage.