

## **Town Moderator's Policy on Handouts at Town Meeting**

The Town of Hamilton's Town Moderator hereby adopts the following policy ("Handout Policy") pursuant to Section 15 of Chapter 39 of the Massachusetts General Laws, which states that: "The moderator shall preside and regulate the proceedings, decide all questions of order, and make public declaration of all votes, and may administer in open meeting the oath of office to any town officer chosen thereat." *G.L. c. 39 § 15.*

This Handout Policy applies equally to the Town of Hamilton's Annual Town Meeting(s) and any necessary Special Town Meeting(s) and is meant to promote informed public participation and the free exercise of every registered voter's First Amendment right to free speech. The Town Moderator will designate and clearly mark an area outside of (or in) the Town Meeting hall for the distribution of any handouts or other printed materials that meet the criteria of this Handout Policy at all future Town Meetings.

The handout(s) must:

1. Directly relate to the subject matter of an article or articles on the Warrant and must only contain facts, with a notation of the source of such facts, unless specifically stating "This is the opinion of \_\_\_\_\_";
2. Conspicuously identify the article(s) involved by number and title;
3. Identify by name and address at least one registered Hamilton voter responsible for the handout's content and if a handout is being provided by a group, organization or association then two registered Hamilton voters shall be identified as being responsible for the material's content.
4. Be dated;
5. Be typed and printed on 8.5" x 11" white paper with any materials over one page in length to be printed on both sides of the sheet;
6. Be distributed in no less than the number of copies recommended by the Moderator to ensure that there are an adequate number for all Town Meeting members;
7. Be made available to the Town Moderator at least twenty-four (24) hours before the start of a Town Meeting to ensure that it complies with this policy;
8. If approved by the Town Moderator, be placed at the designated area outside of the Town Meeting hall at least 45 minutes before the start of Town Meeting;
9. Be removed from the designated area outside of the Town Meeting hall at the daily or nightly conclusion of every such meeting; and
10. Be removed and recycled at the closure of the Town Meeting for which it was distributed.

All handouts that are not approved for distribution or are not distributed for any other reason will be picked up, removed and recycled, if not by the distributor then, after notice by the Moderator, by election staff.

The Town Moderator will base her review of any proposed handouts on the criteria in this Handout Policy only. The Town Moderator will not base her review of

any proposed handout on the content or viewpoint expressed in it, except to determine whether it directly relates to the subject matter of an article(s) in the Warrant. The Town Moderator shall review all handouts presented by a Hamilton registered voter in a prompt manner in order to ensure compliance with this policy and to further the goal of promoting public participation and the free exercise of every registered voter's First Amendment right to free speech.

**Other Handouts:**

Handouts not meeting the criteria of this policy may be personally handed out, outside the building in which Town Meeting is to occur, with the request that distribution occur in such a way so as not to impede entry to the building.

In the discretion of the Moderator, informational or factual handouts not related to the expected motions, but which promote informed public participation in Town Meeting, may be included on the handout table. Such informational or factual handouts must have been made available to the Town Moderator at least twenty-four (24) hours before the start of a Town Meeting to be considered for approval.

Jennifer T. Scuteri  
Hamilton Town Moderator  
Submitted 10/5/2015