

2008

THE COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

BERKSHIRE SS.

To one of the Constables of the Town of Dalton:

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Elections to vote at:

PRECINCT I & PRECINCT II

DALTON COMMUNITY HOUSE

TUESDAY, THE FOURTH DAY OF NOVEMBER, 2008

From 7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the State Election for the candidates of political parties for the following offices:

- ELECTORS OF PRESIDENT AND VICE PRESIDENT.....STATEWIDE
- SENATOR IN CONGRESS..... FOR THE COMMONWEALTH
- REPRESENTATIVE IN CONGRESS.....For the First Congressional District
- COUNCILLOR.....For the Eighth Councillor District
- SENATOR IN GENERAL COURT.....For the Berkshire Senatorial District
- REPRESENTATIVE IN GENERAL COURT.....For the Second Representative District
- REGISTRAR OF PROBATE.....For Berkshire County
- REGIONAL SCHOOL COMMITTEE.....For CENTRAL BERKSHIRE REG. SCHOOL DISTRICT

QUESTIONS

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would reduce the state personal income tax rate to 2.65% for all categories of taxable income for the tax year beginning on or after January 1, 2009, and would eliminate the tax for all tax years beginning on or after January 1, 2010.

The personal income tax applies to income received or gain realized by individuals and married couples, by estates of deceased persons, by certain trustees and other fiduciaries, by persons who are partners in and receive income from partnerships, by corporate trusts, and by persons who receive income as shareholders of "S corporations" as defined under federal tax law. The proposed law would not affect the tax due on income or gain realized in a tax year beginning before January 1, 2009.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would reduce the state personal income tax rate to 2.65% for the tax year beginning on January 1, 2009, and would eliminate the tax for all tax years beginning on or after January 1, 2010.

A NO VOTE would make no change in state income tax laws.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties, to be enforced by issuing citations, and would exclude information regarding this civil offense from the state's criminal record information system. Offenders age 18 or older would be subject to forfeiture of the marijuana plus a civil penalty of \$100. Offenders under the age of 18 would be subject to the same forfeiture and, if they complete a drug awareness program within one year of the offense, the same \$100 penalty.

Offenders under 18 and their parents or legal guardian would be notified of the offense and the option for the offender to complete a drug awareness program developed by the state Department of Youth Services. Such programs would include ten hours of community service and at least four hours of instruction or group discussion concerning the use and abuse of marijuana and other drugs and emphasizing early detection and prevention of substance abuse.

The penalty for offenders under 18 who fail to complete such a program within one year could be increased to as much as \$1,000, unless the offender showed an inability to pay, an inability to participate in such a program, or the unavailability of such a program. Such an offender's parents could also be held liable for the increased penalty. Failure by an offender under 17 to complete such a program could also be a basis for a delinquency proceeding.

The proposed law would define possession of one ounce or less of marijuana as including possession of one ounce or less of tetrahydrocannabinol ("THC"), or having metabolized products of marijuana or THC in one's body.

Under the proposed law, possessing an ounce or less of marijuana could not be grounds for state or local government entities imposing any other penalty, sanction, or disqualification, such as denying student financial aid, public housing, public financial assistance including unemployment benefits, the right to operate a motor vehicle, or the opportunity to serve as a foster or adoptive parent. The proposed law would allow local ordinances or bylaws that prohibit the public use of marijuana, and would not affect existing laws, practices, or policies concerning operating a motor vehicle or taking other actions while under the influence of marijuana, unlawful possession of prescription forms of marijuana, or selling, manufacturing, or trafficking in marijuana.

The money received from the new civil penalties would go to the city or town where the offense occurred.

A **YES VOTE** would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties.

A **NO VOTE** would make no change in state criminal laws concerning possession of marijuana.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would prohibit any dog racing or racing meeting in Massachusetts where any form of betting or wagering on the speed or ability of dogs occurs.

The State Racing Commission would be prohibited from accepting or approving any application or request for racing dates for dog racing.

Any person violating the proposed law could be required to pay a civil penalty of not less than \$20,000 to the Commission. The penalty would be used for the Commission's administrative purposes, subject to appropriation by the state Legislature. All existing parts of the chapter of the state's General Laws concerning dog and horse racing meetings would be interpreted as if they did not refer to dogs.

These changes would take effect January 1, 2010. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A **YES VOTE** would prohibit dog races on which betting or wagering occurs, effective January 1, 2010.

A **NO VOTE** would make no change in the laws governing dog racing.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this TWENTIETH day of October, 2008.

A true copy. ATTEST:

Barbara L. Suriner, TOWN CLERK

SIGNED: _____
John F. Boyle, Chairman

William E. Chabot

Louisa M. Horth

Stuart T. Sargent, Jr.

Thomas S. Szczepaniak
SELECT BOARD

CONSTABLE

DATE: _____

POSTED: Duff & Del's Variety, O'Laughlin's Pharmacy, Greenridge Plaza, Dalton General Store, U.S. Post Office, Town Hall Bulletin Board, Mountain View Variety.