

WARRANT FOR STATE ELECTION
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To either of the Constables of the Town of Sudbury

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 the election to vote

at **GENERAL JOHN NIXON SCHOOL, 472 CONCORD ROAD, SUDBURY, MA**

on **TUESDAY, THE THIRD DAY OF NOVEMBER, 1992**

from 7 a.m. to 8 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	For the Commonwealth
REPRESENTATIVE IN CONGRESS	5th Congressional District
COUNCILLOR	3rd Councillor District
SENATOR IN GENERAL COURT	Middlesex & Worcester
	Senatorial District
REPRESENTATIVE IN GENERAL COURT	13th Middlesex
	Representative District
COUNTY SHERIFF	Middlesex County
COUNTY COMMISSIONER	Middlesex County

BALLOT QUESTIONS
(See Page Two for full questions and summaries)

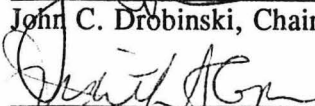
- #1 - Tax on Cigarettes and Smokeless Tobacco
- #2 - Public Reporting of Corporate Tax Information
- #3 - Requiring Reduced, Reusable or Recyclable Packaging
- #4 - Tax on Oils and Hazardous Materials
- #5 - Lincoln-Sudbury Regional High School Debt Exemption

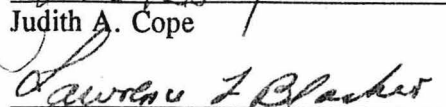
Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this thirteenth day of October, 1992.

SELECTMEN OF SUDBURY


John C. Drobinski, Chairman


Judith A. Cope


Lawrence L. Blacker

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, 1992?

YES	
NO	

SUMMARY

This proposed law would establish a Health Protection Fund to pay for health programs relating to tobacco use, including distribution of information about tobacco use, to be financed by a new excise tax on cigarettes and smokeless tobacco. The Health Protection Fund would be used, subject to appropriation by the state Legislature, to supplement existing funding for the following purposes: school health education programs including information about the hazards of tobacco use; smoking prevention and smoking cessation programs in the workplace and community; tobacco-related public service advertising; drug education programs; support of prenatal and maternal care at community health centers which provide programs on smoking cessation and information on the harmful effects of smoking; and monitoring by the state Department of Public Health of illness and death associated with tobacco.

The proposed law would establish a new excise tax of one and one-quarter cents per cigarette (twenty-five cents per pack of 20) and twenty-five percent of the wholesale price of smokeless tobacco. This excise would be in addition to the excise already imposed on cigarettes and smokeless tobacco. The new excise would be collected by the state Department of Revenue under the same procedures that apply to the existing tobacco excise.

The proposed law would direct the State Comptroller to report annually on the revenues and expenditures of the Health Protection Fund. The proposed law states that if any of its provisions were found invalid, the other provisions would remain in effect. The proposed law would go into effect on January 1, 1993.

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, 1992?

YES	
NO	

SUMMARY

This proposed law would require certain banks, insurance companies and publicly-traded corporations to file annual reports with the Massachusetts Secretary of State listing information from their state tax returns, including profit, income, corporate income tax due, deductions, exemptions and credits. These reports would be made public. This provision would apply only to those banks, insurance companies and publicly-traded corporations required by federal and other Massachusetts laws to disclose information concerning their federal tax payments.

The proposed law would also require the annual release by state officials of detailed analysis of certain tax expenditures enacted or changed after January 1, 1988. State law defines a tax expenditure as an exemption, exclusion, deduction, or credit that results in less corporate, sales, or income tax revenue for the state. This analysis would be required only for tax expenditures with an annual revenue impact of \$1,000,000 or more. The analysis would include information on the actual revenue loss, as well as the number and proportion of taxpayers or taxpaying entities benefiting from the tax expenditure, according to income, profit, receipts or sales.

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, 1992?

YES	
NO	

SUMMARY

This proposed law would require all packaging used in Massachusetts on or after July 1, 1996 to be reduced in size, reusable, or made of materials that have been or could be recycled. The proposed law would provide for exemptions for health, safety, and other reasons and would establish penalties for violations.

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QUESTION 3 (continued)

Packaging would have to be either reduced in size by at least 25% every five years; or designed to be reusable at least five times, with at least 50% of such packaging actually being reused; or recycled at a 50% rate; or composed of 25% or more of recycled materials (increasing to 35% on July 1, 1999 and 50% on July 1, 2002); or composed of materials being recycled at an annual rate of 25% (increasing to 35% in 1999 and 50% in 2002). The requirements would apply to any packaging or containers used to protect, store, handle, transport, display, or sell products.

These requirements would not be applicable to tamper-resistant or tamper-evident seals; packaging for medication or medical devices; packaging merely being shipped through the state; packaging required by federal or state health or safety laws or regulations; or flexible film packaging necessary to prevent food from spoiling.

The state Department of Environmental Protection could also grant exemptions for packaging that represents an innovative approach for which additional time is needed to meet the requirements of the law; or packaging made of material that cannot be reused or recycled, and cannot be made of recycled material, but is being composted at a significant rate; or products for which there is no complying packaging and for which compliance with the law would impose undue hardship (other than increased cost) on Massachusetts residents. A person applying for an exemption would pay a fee to be used, subject to legislative appropriation, to pay the cost of administering the proposed law.

The Department would be required to issue regulations to carry out the proposed law and would be required to investigate suspected violations. After issuing a warning, the Department could assess administrative penalties of up to \$100 for each offense and up to \$10,000 for any single shipment or single continuing act of non-compliance. The state Attorney General could also file court actions for civil penalties of up to \$500 for each offense and up to \$25,000 for any single shipment or continuing act of non-compliance, and could seek a court order requiring compliance. Each non-complying piece of packaging would be considered a separate offense or act of non-compliance.

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

QUESTION 4

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, 1992?

YES	
NO	

SUMMARY

This proposed law would impose an excise tax on oil, toxic chemicals, and other hazardous substances, and would direct that the money raised, along with the fees paid by hazardous waste transporters and specific revenues under other state laws, be deposited in the state Environmental Challenge Fund. Money in the Fund would be used, subject to legislative appropriation, to assess and clean up sites that have been or may be contaminated by oil or hazardous materials, and to carry out and enforce the excise.

As of July 1, 1993, the excise would apply to persons, businesses, and other entities possessing 50,000 pounds or more of oil and toxic chemicals covered by the proposed law. Toxic chemicals would be covered if classified as toxic by the federal Environmental Protection Administration (EPA) under federal law. As of July 1, 1994, substances listed as hazardous by the EPA under federal law would also become subject to the excise.

Until June 30, 1995, the excise would be two-tenths of one cent (\$0.002) per pound. In later years, the state Commissioner of Revenue would set the excise rate at a level, not to exceed two-tenths of one cent per pound, sufficient to yield \$35 million annually in 1995 dollars.

The excise would not apply to gasoline or other special engine fuels, jet fuel taxed under other state law, numbers 1 or 2 fuel oil, kerosene, animal or vegetable oil, or waste oil classified as hazardous waste under other state law. Nor would the excise apply to oils, toxic chemicals, or hazardous substances merely being shipped through Massachusetts; or contained in a consumer product intended for retail sale; or present in a mixture at a concentration of less than one percent; or present in hazardous waste being transported by a licensed hazardous waste transporter who had paid or will pay a transporter fee under state law; or for which the excise tax has already been paid under the proposed law and which have not been reprocessed or recycled since payment of the excise.

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QUESTION 4 (continued)

The excise also would not apply to oils, toxic chemicals, or hazardous substances that are possessed by individuals for personal, non-business purposes; or are contained in vehicles or vessels intended to be used for normal purposes; or are produced in Massachusetts as a by-product of pollution control equipment or the clean-up of hazardous materials and are handled in compliance with federal and state environmental laws. Finally, the excise would not apply to toxic chemicals or hazardous substances in a manufactured product the use of which requires a specific shape or design and which does not release toxic substances under normal use.

Under the proposed law, the excise would ordinarily be collected from the first person or business within Massachusetts to come into possession of materials subject to the tax. If that person or business had not paid the excise a later possessor could be required to pay the excise and could then recover a corresponding amount from the first possessor. The proposed law would provide credits for excises paid on materials that become ingredients in the manufacture of other materials subject to the tax, and it would provide credits for similar excises or taxes paid to other states.

Persons possessing more than 25,000 pounds of materials subject to the excise in any six-month period would be required to obtain a license from the Commissioner of Revenue. The Commissioner could issue regulations establishing record-keeping and reporting requirements for persons possessing such materials. The Commissioner would collect the excise through procedures similar to those for other state taxes and could issue regulations to implement the proposed law.

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

QUESTION 5
THIS QUESTION IS

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the Town's apportioned share of the bonds issued by the Lincoln-Sudbury Regional School District in order to finance costs of reconstructing, equipping, remodeling and making extraordinary repairs to the regional high school?

YES	
NO	