

**Revisions in the Third Edition of  
*Town Meeting Time*,  
the Parliamentary Authority for  
New England Town Meetings**

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**Introduction**

*Town Meeting Time* (“*TMT*”) is a parliamentary authority geared towards use primarily by New England town meetings. The Massachusetts Moderators Association periodically updates *TMT* and now publishes the current 2001 third edition (“*TMT*”). Little, Brown & Co. of Boston published the 1962 first edition of *TMT* (“*TMT1st*”) and Robert E. Krieger Publishing of Malabar, Florida, published the 1984 second edition (“*TMT2d*”).

This article is geared primarily towards regular users of *TMT2d* who want a quick reference to changes introduced by the current third edition. The editors of the second edition revised the text of the first edition only slightly, added or expanded notes in a few places to reflect statutory and case law developments, and introduced only one substantive change: Perhaps because *TMT* treated *take from the table* as analogous to reconsideration of the motion to lay on the table, the second edition allowed all potentially applicable subsidiary motions (*postpone indefinitely*, *commit*, *postpone definitely*, *lay on the table*) to apply to *take from the table*, a provision continued in the current edition.<sup>300</sup> The first edition agreed with *RONR* that no subsidiary motions applied to *take from the table*.<sup>301</sup> In addition, in *TMT*, two sections – on conflict of interest in general and on conflict of interest for attorneys – were substantially re-written to reflect the 1963 statutory conflict of interest scheme, which resolved many outstanding concerns for representative town meeting members.<sup>302</sup>

Aside from the one substantive revision, the re-writing of the conflict of interest sections, the addition of a few more recent references in the footnotes, a note referencing the introduction's discussion of the school finance issue, and replacement of a hypothetical treatment with a reported case to illustrate sufficient differences to permit a new motion on a similar topic, the text was not altered in any significant way in the second edition.<sup>303</sup> Because there was only one significant procedural rule change between the first and second editions, users of *TMT* met under essentially unchanged rules for almost forty years before the third edition came out in 2001.

A secondary audience for this article is individuals interested in the evolution of parliamentary thought over time. Changes in *TMT* may reflect the general direction of parliamentary procedure (such as changes in terminology to reflect gender inclusiveness) or, conversely, *TMT* striking out on its own direction towards a more distinct system. Some of the changes in *TMT* may suggest to parliamentarians some new approaches to use in advising organizations considering special rules for their own unique circumstances.

This article is organized in several sections, each examining a different type of change. The first section treats the general changes in focus reflected throughout the book. The second section addresses the relatively few substantive changes in the third edition in the order in which they are raised in the book. The final section treats revisions to the text that are sufficiently significant to indicate a change in focus, but do not actually change procedural requirements. This final section similarly proceeds section by section in the order of the book. Unlike the second edition, the third edition contains substantial re-drafting of text from the previous edition, although the substantive changes are relatively few.

This article follows two others by the author which explore the differences between *TMT* and *Robert's Rules of Order Newly Revised* (10th ed. 2000) ("*RONR*"): "Differences in Basic Approach between *Town Meeting Time*, the Parliamentary Authority for New England Town Meetings, and *Robert's Rules of*

*Order Newly Revised*,” compared the general approach and basic rules of *TMT* and *RONR*, covering the rules relating to conduct of meetings, debate, handling motions generally, and consideration of main motions. “Distinctions in Handling Procedural Motions in *Town Meeting Time* and *Robert’s Rules of Order Newly Revised*,” considered specific differences between the two authorities in the processing of procedural motions. To reduce possible confusion, endnotes in this article are continuously numbered following the endnotes of the first two articles.

### **Differences in Focus**

The most notable change throughout the third edition is the revision of terminology to reflect gender neutrality. For example, heads of committees are generally referred to as “chairs” rather than “chairmen.” Generic references to moderators and other meeting participants reflect gender inclusiveness. The title of Section 13 changes a reference from “page boys” to “pages.”<sup>304</sup> The new Section 6 deletes the mention “moderatrix” as a title for a female moderator and adds the suggestion moderators be addressed as “madam moderator” or “mister moderator.”<sup>305</sup>

In addition, the third edition in several places seeks to resolve ambiguities in the prior edition. The third edition often suggests or gives greater emphasis to a “better view” or “better rule” when the prior edition may be silent or present several alternatives.<sup>306</sup> The “better view” or “better rule” creates a default rule that a moderator, faced with the situation addressed by the rule for the first time, is more likely to follow.

Another change evident throughout the third edition is that the references to specific town procedural rules have been updated to reflect the current rules. Throughout *TMT*, footnotes indicate where specific towns have adopted rules illustrative of a *TMT* rule or demonstrative of variances from *TMT* rules included in town bylaws or special rules. Inevitably the rules change over time and the effort to keep *TMT* up to date in this regard is substantial. The new edition updates the data on towns with representative town meetings and lists the towns that have become cities since 1972.<sup>307</sup>

The third edition also contains some corrections to constitutional and statutory citations and updated references to statutes and case law.

Another change in the third edition is a slight reorganization. The editors of the second edition went to the extent of trying maintain the same pagination as the first edition. The editors of the third edition did not go as far because of the significant rewriting. The third-edition editors did make an effort to keep section numbers the same as those in the second edition. However, changes in focus have required the addition of new sections, so the editors have combined other sections in order to retain similar section numbers for the bulk of the book. Commensurate with this emphasis, the editors have changed internal cross-references from page-references to section-references, perhaps to allow easier updating in the future. In addition, the new edition has increased the number of useful cross-references.

Some of the re-organization in the third edition includes the following: (1) The addendum after the introduction of the first edition, which contained references to statutory and case law changes regarding the propriety of adopting procedural rules for future town meetings that came too late to be included in the text of the first edition, has been integrated into Section 3 of the text. (2) A new introduction to the third edition addresses the reasons behind the new edition, the effect of new practices, and some of the more significant rules changes. The new introduction indicates that *TMT* is used principally in Massachusetts and, therefore, no effort has been made to update systematically references to case law and statutory references for other New England states. (3) Former Section 17, Minutes of the Last Meeting, has been eliminated and the content included in Section 7, the Town Clerk.<sup>308</sup> Former Sections 18 (Reports of Committees), 19 (The Order of Consideration of the Articles), and 20 (The Reading of the Articles) have consequently been renumbered Sections 17, 18, and 19. (4) A new Section 20 is added, Handling the Budget, much of which was previously included in the Section on The Reading of the Articles.<sup>309</sup> (5) The third edition combines previous Sections 24

(Seconding) and 25 (Stating the Motion) into a new Section 24 (Seconding and Stating the Motion).<sup>310</sup> (6) The third edition adds a new Section 25, Handling Motions of Doubtful Legality.<sup>311</sup> (7) The third edition eliminates the final Section 68 (Adjournment and Dissolution: The Distinction Emphasized) with the content incorporated in Section 61, To Dissolve or Adjourn Sine Die.<sup>312</sup>

### **Substantive Rules Changes**

Section 2, Representative Town Meetings, and Section 67, Voting in General, refer to a statutory revision as the basis of the new rule that in a Massachusetts representative town meeting a secret ballot may be ordered on any motion, but only on a 2/3 vote.<sup>313</sup> The second edition only mentioned the earlier version of the statute, which required a 2/3 vote at a representative town meeting for a secret ballot “in the exercise of the corporate powers of said town.”<sup>314</sup>

Section 4, the Warrant, includes a new rule, based on a statutory amendment, that allows town meetings to be held outside the boundaries of the town if provided by special statute, charter, or bylaw.<sup>315</sup> Previously, town meetings had to take place within the relevant town.

Section 9, The Town Counsel, now definitively advises that the moderator is not bound by the advice of town counsel in regard to a procedural matter.<sup>316</sup> The second edition acknowledged a difference of opinion in this regard, with some support for the proposition that the moderator was bound by town counsel’s advice.<sup>317</sup>

The new Section 18, Order of Consideration of the Articles, adds a description of the lottery system used in some towns to avoid “stacking the meeting” for a vote on a specific article. Under the lottery system described, the clerk determines the next article to be considered by drawing slips randomly from a jar or barrel. The motion to *lay on the table* and to *postpone to a time certain* are not allowed and no other article may be advanced until the randomly selected article under consideration is disposed of. The moderator retains the right to handle articles in a special order if required by statute.<sup>318</sup>

The new Section 25, Motions of Doubtful Legality, indicates that the moderator should not rule a motion out of order simply because the motion may call for something unlawful or beyond the town meeting's authority. The motion should ordinarily be put and treated as advisory. The moderator may, however, rule a motion out of order if it would violate a procedural statutory prerequisite, a "mandatory condition precedent."<sup>347</sup> Section 47, Point of Order, and Section 48, Appeals, have not been revised accordingly and still indicate that a moderator should rule illegal action out of order and should not permit an appeal that would result in illegal action.<sup>348</sup>

Section 44, Previous Question, adds a new rule at variance with traditional parliamentary procedure: a speaker may not speak in debate and end by calling for the previous question.<sup>319</sup> Also, the second edition allowed the moderator to construe a cry of "question" from the floor as a proper motion for the previous question.<sup>320</sup> The third edition, however, in accordance with *RONR*, admonishes against accepting the cry of "question" by an unrecognized meeting member as a proper motion.<sup>321</sup>

Section 48, Appeal, departs from the second edition by taking a firm position that the better rule is that there is no right to appeal from the moderator's rulings when the relevant enabling statute states that the moderator is to decide points of order and does not mention appeals.<sup>322</sup> The earlier editions took a neutral stance on whether such town meeting statute provisions permit appeals or not.<sup>323</sup>

Section 49, Division of the Question, now states that the better rule is to allow the moderator to divide a question without waiting for a motion "if the division will serve some constructive or valuable purpose."<sup>324</sup> While recognizing an alternative view, the second edition states that a vote should always be taken on dividing the question.<sup>325</sup>

### **Section by Section Review**

Section 2, Representative Town Meetings, deletes the references statutes and voter-to-meeting-member ratios for non-Massachusetts towns.<sup>326</sup> The third edition eliminates the reference in the second

edition to the possible validity of signatures collected before the town meeting for a referendum to overturn a representative town meeting vote.<sup>327</sup>

Section 3, Necessity for Rules of Procedure, adds two paragraphs discussing *RONR*, asserting that it is inapplicable to the specific circumstances of the town meeting.<sup>328</sup>

Section 5, Quorum, adds the warrant as a fourth “indispensable element” of a town meeting.<sup>329</sup> The previous edition listed only the moderator, the clerk, and the voters as the indispensable elements.<sup>330</sup> The revised Section 5 deletes references to property qualifications for voting in Rhode Island (but not Connecticut) and remarks about the novelty of women speaking and voting at town meeting.<sup>331</sup> The new edition adds a discussion of the possibility of eliminating quorums for town meetings to ensure that meetings start on time.<sup>332</sup> The third edition also removes the explicit mention that a minority cannot recess to a different location.<sup>333</sup>

Section 7, The Town Clerk, adds a paragraph largely taken from former Section 17 (Minutes of the Last Meeting) reinforcing that members cannot amend the record (similar to minutes, but taken by the town clerk and not subject to approval or revision by the meeting), but can make inquiries about the record (but only if relevant to the pending action) and review the record at town hall.<sup>334</sup>

Section 16 adds a new Subsection 6 discussing suggested introductory remarks (basically a short primer on meeting procedure) by the moderator at the beginning of the meeting.<sup>335</sup>

The deletions and new emphasis in the new Section 17, Reports of Committees, discourage the traditional broad and general warrant article “to hear and act on reports of officers, boards, and committees.”<sup>336</sup> The third edition suggests that the motion “to receive the reports of officers, boards, and committees,” while unnecessary and without effect, is preferable to the traditional broad general language.<sup>337</sup> The third edition adds that the better view is that specific notice of each proposed committee recommendation for action should be separately included in the warrant and that action on an appropriation without its prior

mention in a specific article would be out of order as beyond the scope of the article.<sup>338</sup>

New Section 19, Reading of the Articles, adds that, in many towns, by consent or tradition, the public reading of the budget is waived when the printed warrant is available to every voter.<sup>339</sup>

The New Section 20, Handling the Budget, adds another alternative method of considering budget items: instead of the moderator reading the whole budget and asking for the recommendation of the finance committee on each item, the chair of the finance committee reads the entire budget and then each budget item is separately debated and voted on.<sup>340</sup> The updaters added four new paragraphs to this section dealing with the impact of Proposition 2½, the constitutional provision limiting tax increases.<sup>341</sup> The text mentions a court case that overruled a moderator who attempted to rule out of order a proposition to increase expenditures sufficiently to require tax increases in excess of the amount allowed under Proposition 2½ without an override vote. It remains an open question whether a town might choose to prohibit consideration of such a proposition by an adopted bylaw or procedural rule.<sup>342</sup> The text raises several alternatives for handling such proposals to increase expenditures: (a) subsequent special meeting to authorize expense reductions to comply with Proposition 2½ limits or (b) adoption of certain budget items contingent on a subsequent public ballot vote to override Proposition 2½ limits. *TMT*'s preferred position is to allow a vote on additional expenditures beyond Proposition 2½ limits and then schedule a special override public ballot vote.<sup>343</sup>

Section 21, Two Meetings in One Night, adds a paragraph indicating that certain towns include a special meeting embedded in the annual meeting to clean up prior year fiscal issues, but indicates that this is not necessary.<sup>344</sup>

Section 22, Broadcasting and Recording, was largely re-written with modern references and updated in the third edition. The section now eliminates the questions raised in earlier editions about the appropriateness of allowing recording of town meeting proceedings. Most helpfully, the section now includes a model set



of broadcasting rules.<sup>345</sup>

The new Section 24, Seconding and Stating the Motion, makes explicit the rule that it is out of order to entertain a motion requiring a second that fails to attain a second.<sup>346</sup>

In Section 27, the Main Motion in General, the procedural main motions listed now include *take from the table* and *advance an article*, in addition to *reconsider (rescind)*, which is the only procedural main motion listed here in the second edition.<sup>349</sup> In the second edition's table, however, both *take from the table* and *advance an article* are included as main motions.

In Section 28, Detailed Affirmative Main Motions, the sums used in the illustrative examples have been increased to more realistic amounts in light of inflation.<sup>350</sup>

Section 30, Negative Main Motions, adds a note indicating that some towns do not allow a post-meeting referendum on negative main motions.<sup>351</sup> The section also adds a statement that the preferred practice is for the moderator or financial committee chair to move that no action be taken on an article if, when it is called, no one rises to make a positive main motion.<sup>352</sup>

Section 38, Subsidiary Motions in General, reverses the order in which subsidiary motions are listed. They are now listed from the highest ranking to the lowest ranking motion.<sup>353</sup> Section 56, Privileged Motions in General, similarly changed its listing to run from highest to lowest ranking motion.<sup>354</sup>

Section 42, to Postpone to a Time Certain, adds that, in towns operating under the lottery system for the order of article consideration, the motion to postpone to a time certain is out of order.<sup>355</sup>

Section 44, Previous Question, now advises that, while a moderator should not ask for a motion to call the question, the moderator may point out repetition in debate or call for debate from a different viewpoint.<sup>356</sup>

Section 53, Motions for Leave to Withdraw or Modify a Motion, adds language dealing with the "friendly amendment," although it does not use the term: if the mover accepts a suggested modification, even during debate, and no one objects, it is treated as

an amendment by general consent.<sup>357</sup>

Section 59, Point of No Quorum, indicates that it departs from prior editions by holding that the better view prevents the retroactive invalidation of quorumless action before a *point of no quorum*.<sup>358</sup> Prior editions, however, also held that this was the preferred view.<sup>359</sup> The third edition emphasizes its position on this issue by deleting (1) the earlier edition's reference to an alternative view that quorumless action taken shortly before a *point of no quorum* is invalid and (2) the suggestion that the meeting ratify possibly quorumless action at a subsequent meeting.<sup>360</sup> Section 5, the Quorum, similarly deletes the reference in the second edition suggesting that roll call votes include those abstaining or voting present to demonstrate a quorum.<sup>361</sup>

Section 61, To Dissolve or Adjourn Sine Die, eliminates the discussion of the powers of a quorumless meeting after a motion *to dissolve* the meeting, such a motion *to dissolve* would be invalid because the meeting has not addressed all the articles.<sup>362</sup>

Section 62, Decorum in Debate, deletes mention that members no longer wear hats in meetings.<sup>363</sup> In light of the more litigious nature of modern society, the third edition adds a warning that the moderator should carefully follow the steps of the relevant statute before confining a member for disorder in a meeting.<sup>364</sup>

Section 63, Slander, deletes the warning to members included in prior editions that the limited privilege against slander in town meetings does not invite statements made without knowledge when the facts can easily be verified.<sup>365</sup>

Section 64, Conflict of Interest in General, in light of the passage of time since the adoption of the conflict of interest statute, deletes mention of the need for interpretation of some of the vaguer terms in the statute.<sup>366</sup> The section now mentions that some towns have a bylaw requiring town meeting members to disclose potential conflicts.<sup>367</sup>

The third edition section that has been most extensively revised and expanded is Section 65, Conflict of Interest for the Moderator. A number of references have been updated. For example, the third edition adds language on the importance of the moderator's

appearance of impartiality.<sup>368</sup> The second edition stated that town counsel, the town treasurer, or the collector of taxes may also often serve as moderator.<sup>369</sup> The third edition, on the other hand, mentions only serving jointly as moderator and town counsel.<sup>370</sup> The second edition discusses a principle underlying the limitation on town service by the moderator: that the moderator should not serve in other town offices with policy-making power, but may hold purely ministerial offices.<sup>371</sup> In regard to holding joint town roles, the third edition simply refers to the language of the conflict of interest statute, Mass. G.L. c. 238A, §20. The revised section contains a lengthy explanation of the conflict of interest statute.<sup>372</sup> It describes the individuals whose relationships with the moderator incur a conflict when they have business before the town meeting: the moderator's immediate family, business partner, legal client, fellow board members, or significant business involvements and their principals.<sup>373</sup> The third edition eliminates three paragraphs from the second edition discussing case law that mentioned that the moderator is estopped to deny the legality of a meeting over which he or she presides, cautioned against presiding over a meeting where the moderator is a candidate for selectman, and suggested that good form dictated that someone other than the moderator appoint a committee considering purchase of a corporation in which the moderator was a principle.<sup>374</sup>

The current edition explains in detail when it is permissible for the moderator to preside even when the moderator's financial interest may be affected. Basically the moderator may preside over an article that affects his or her interest along with many others in the town, for example the budget.<sup>375</sup> The moderator, however, should not preside over debate concerning a conflicted budget line item affecting his or her interest or an article introduced by the moderator, even on a procedural issue sponsored by the moderator in his formal capacity.<sup>376</sup> In the case of the moderator, mere disclosure of a potential conflict is not enough.<sup>377</sup> The town meeting may adopt a procedure for deciding on a substitute moderator when the actual moderator steps down temporarily.<sup>378</sup> New language now mentions that a moderator who has stepped down temporarily

should not coach his or her substitute, to avoid the appearance of impropriety.<sup>379</sup> The section adds a discussion of the effect on the moderator of the statutory prohibitions on actions creating an appearance of undue influence and on receipt of gifts or other items of substantial value.<sup>380</sup> The text suggests that the moderator seek the advice of town counsel on the existence of a potential conflict and gives full contact information for the State Ethics Commission.<sup>381</sup> Finally, the section also now suggests that the town designate the moderator a “special municipal employee,” which entails fewer conflicts prohibitions.<sup>382</sup>

Section 66, Conflict of Interest for Attorneys, no longer mentions non-Massachusetts statutes concerning conflicts of interest for attorneys who are also town meeting members.<sup>383</sup>

Section 67, Voting, has been substantially updated. The revised section adds a suggested precaution against non-members voting: issuing town meeting members colored tickets and voting by counting raised tickets.<sup>384</sup> A description of a useful procedure for balloting by exchanging colored slips of paper, with a different color for each ballot item, is added.<sup>385</sup> The section also adds definitions and examples of what constitutes a majority vote and a 2/3 vote.<sup>386</sup> In light of the revised legislation limiting secret ballots in representative town meetings to those ordered on a two-thirds vote, the section deletes references to towns that allow ballot votes by bylaw and to discarded halves of ballots serving as a check on the total number of ballots cast.<sup>387</sup> The section now recommends that the balloting procedure, where used, be based on bylaw or well established tradition so that the moderator is not susceptible to accusations of manipulating the balloting process.<sup>388</sup> The new edition suggests dividing the list of eligible members by letters of the alphabet when there are too many for all members to check in at one desk; prior editions suggested division by gender.<sup>389</sup> The new edition eliminates reference to a Connecticut statute and a Longmeadow meeting vote that permitted a town meeting to recess to a town-wide ballot.<sup>390</sup> Inserted instead is a reference to two town bylaws allowing a meeting to adjourn to a town-wide ballot, which the secretary of State considered an independent ballot election, not

a continuation of the town meeting.<sup>391</sup>

Section 67 also discusses the new statutory procedure for supermajority voting. Previously, Massachusetts statute required a counted vote on all votes requiring a 2/3 vote by statute, unless the vote was unanimous, and *TMT* devoted much space to ways to try to persuade members to make a vote unanimous rather than spend significant time counting.<sup>392</sup> The applicable statute was amended (1) in 1970 to mandate counting of statutorily required 4/5 and 9/10 votes, and (2) in 1996 to allow voice votes on statutorily required 2/3 votes by bylaw or adopted procedure.<sup>393</sup> The current edition reflects the new statutory language.<sup>394</sup>

The Appendix, Quantum of Vote, is a reference section containing a listing of specific statutes requiring supermajority votes.<sup>395</sup> This section has been updated to include revisions to the relevant Massachusetts statutes as well as a single New Hampshire statutory change. In light of the third edition's announced emphasis on Massachusetts, the Appendix does not otherwise attempt to update non-Massachusetts New England town meeting statutes and therefore eliminates the note of gratitude to non-Massachusetts law firms that assisted in developing the Appendix to the first edition.<sup>396</sup>

### Conclusion

The authors of the third edition of *TMT* spent considerable time and effort in their labors. They looked at every section in the book and reworded a large number of them for emphasis and clarity. The changes in emphasis, in particular the emphasis on gender neutrality, make a marked change from previous editions. While substantive changes in the new edition are few, they are significant. Active town meeting members should obtain a copy of the new edition to apprise themselves of these changes in emphasis and substance. The new edition is a "must have" for town moderators, who may well want to take advantage of a number of practical suggestions included in the new edition. Parliamentarians may be interested to observe the evolution of parliamentary norms. The third edition of *TMT* celebrates the continuing vitality of that great symbol of American democracy and deliberative process, the New

## Bibliography

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- Henry M. Robert, *Robert’s Rules of Order Newly Revised*, Cambridge, Mass.: Perseus Publishing, 10th ed. 2000 (“*RONR*”)

**Note:** The third edition of *TMT* is currently available for \$25 including shipping and handling from Stow Town Moderator Edward Newman, 27 Whitney Road, Stow, MA 01775; telephone number (978) 897-7076. The direct address of the Massachusetts Moderators Association is P.O. Box 1795, Boston, MA 02105-1795.

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## ENDNOTES

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| 300 <i>TMT2d</i> p. 101; <i>TMT</i> p. 106.                                   | separate article for each                                |
| 301 <i>RONR</i> p. 290; <i>TMT1st</i> p. 101.                                 | committee recommended                                    |
| 302 <i>TMT1st</i> pp. 133-36, 138; <i>TMT2d</i> pp. 133-36, 138.              | appropriation); <i>TMT</i> pp. 56-57 (permitting vote on |
| 303 Compare <i>TMT1st</i> pp. 34-35, 81 with <i>TMT2d</i> pp. xii, 34-35, 81. | expenditures beyond                                      |
| 304 <i>TMT</i> p. 40; <i>TMT2d</i> p. 40.                                     | Proposition 2½ limits, with                              |
| 305 <i>TMT</i> p. 22; <i>TMT2d</i> p. 22.                                     | later scheduled override vote);                          |
| 306 See <i>TMT</i> p. 51 (requiring a   | <i>TMT</i> p. 74 (when no one                            |
|   | makes a motion under an                                  |
|   | article, selectmen or finance                            |
|   | committee chair makes a                                  |

- negative motion); *TMT* p. 111 (ability to appeal moderator's rulings when enabling statute unclear); *TMT* pp. 127-28 (validity of business transacted before a point of no quorum raised).
- 307 *TMT* pp. 6-7 & n.7. *See* *TMT2d* p. 6.
- 308 *TMT* pp. 27-28; *TMT2d* 51-52.
- 309 *TMT2d* pp. 55-56; *TMT* pp. 54-57.
- 310 *TMT2d* pp. 61-62; *TMT* pp. 63-64.
- 311 *TMT* pp. 64-65.
- 312 *TMT2d* p. 147; *TMT* pp. 131-33.
- 313 *TMT* pp. 7, 150 n.8. *See* Mass. G.L. c. 39, § 15; 1966 Mass. Stat. c. 73.
- 314 Mass. G.L. c. 39, §15; 1963 Mass. Stat. c. 320; *TMT2d* p. 142 n.8.
- 315 *TMT* p. 16 & n.30. *See* Mass. G.L. c. 39, § 9; 1996 Mass. Stat. c. 448.
- 316 *TMT* pp. 27-28.
- 317 *TMT2d* p. 30.
- 318 *TMT* pp. 53-54, 100.
- 319 *TMT* p. 104.
- 320 *TMT2d* p. 99.
- 321 *TMT* p. 103. *See* *RONR* p. 199.
- 322 *TMT* p. 111. *See* Mass. G.L. c. 39, § 15.
- 323 *TMT2d* p. 106.
- 324 *TMT* p. 113.
- 325 *TMT2d* p. 108.
- 326 *TMT* pp. 7-8; *TMT2d* pp. 7-9.
- 327 *TMT* p. 8 n. 11; *TMT2d* p. 9 n. 13.
- 328 *TMT* pp. 10-11.
- 329 *TMT* p. 17.
- 330 *TMT2d* p. 17.
- 331 *TMT* p. 18; *TMT2d* pp. 18-19.
- 332 *TMT* p. 18.
- 333 *TMT* p. 19 & n.21.
- 334 *TMT* pp. 27-28; *TMT2d* pp. 51-52.
- 335 *TMT* pp. 50-51.
- 336 *TMT* p. 51.
- 337 Compare *TMT* p. 52 with *TMT2d* p. 52 & n.5. *See* *RONR* pp. 490-91 (discussing difference between receiving report (for filing only) and accepting report, which endorses the entire report).
- 338 *TMT* p. 51.
- 339 *TMT* p. 54.
- 340 *TMT* p. 54.
- 341 *TMT* pp. 55-57.
- 342 *TMT* p. 56.
- 343 *TMT* pp. 56-57.
- 344 *TMT* p. 58.
- 345 *TMT* p. 60.
- 346 *TMT* p. 64.
- 347 *TMT* pp. 64-65. *See* *RONR* p. 244.
- 348 *TMT* pp. 109, 111.
- 349 *TMT* p. 66. *See* *TMT2d* p. 63.
- 350 *TMT* p. 69.
- 351 *TMT* p. 76.
- 352 *TMT* p. 74. *See also* *TMT* p. 153 (adding same advice in Section 67, Voting).
- 353 *TMT* p. 88.
- 354 *TMT* p. 56.

- 355 *TMT* p. 100.
- 356 *TMT* p. 103.
- 357 *TMT* pp. 119-20. *See RONR* pp. 154, 286.
- 358 *TMT* pp. ix, 127-128. *See Delprete v. Board of Selectmen of Rockland*, 351 Mass. 344, 345, 220 N.E.2d 912, 913 (1966), cited in third edition for this purpose, *TMT* p. 128 n. 10.
- 359 *TMT2d* pp. 122-23.
- 360 *TMT2d* p. 123.
- 361 *TMT* pp. 19-20; *TMT2d* p. 20.
- 362 *TMT2d* p. 126; *TMT* p. 131. The issue is, however, addressed elsewhere at *TMT* pp. 20, 127.
- 363 *TMT2d* p. 130 (presumably in earlier times, members wore hats at town meetings). *See TMT* p. 136.
- 364 *TMT* p. 137.
- 365 *TMT2d* pp. 131-32. *See TMT* pp. 137-38.
- 366 *TMT* pp. 140-41; *TMT2d* pp. 134-35. *See* Mass. G.L. c. 268A; 1962 Mass. Stat. c. 779.
- 367 *TMT* pp. 141-42.
- 368 *TMT* p. 142.
- 369 *TMT2d* p. 136.
- 370 *TMT* p. 142.
- 371 *TMT2d* p. 136.
- 372 *TMT* pp. 143-44.
- 373 *TMT* p. 143-44.
- 374 *TMT2d* pp. 136-37.
- 375 *TMT* pp. 143-44.
- 376 *TMT* p. 143.
- 377 *TMT* p. 144.
- 378 *TMT* p. 144.
- 379 *TMT* p. 144.
- 380 *TMT* pp. 143-44.
- 381 *TMT* pp. 143-44.
- 382 *TMT* p. 145.
- 383 *TMT* p. 145; *TMT2d* p. 138.
- 384 *TMT* p. 147.
- 385 *TMT* p. 151.
- 386 *TMT* p. 149.
- 387 *TMT2d* pp. 142 n.8, 143 & n. 15. *See* Mass. G.L. c. 39, § 15; 1966 Mass. Stat. c. 73; *TMT* p. 151.
- 388 *TMT* p. 152.
- 389 *TMT* p. 151; *TMT2d* p. 144.
- 390 *TMT2d* p. 154. *See TMT* p. 153.
- 391 *TMT* p. 153.
- 392 *TMT2d* pp. 144-45; *TMT1st* pp. 144-45; Mass. G.L. c. 39, §15.
- 393 Mass. G. L. c. 39, §15; 1996 Mass. Stat. c. 448; 1970 Mass. Stat. c. 78.
- 394 *TMT* pp. 153.
- 395 *TMT* pp. 155-59.
- 396 *TMT2d* p. 153.

[Ed NOTE: a paragraph was relocated within the article without renumbering the footnotes]