

SB2

Official Ballot Referenda

What is the official ballot referenda?

- It is a form of town meeting that has two sessions.
- The first session (deliberative session) is for explanation, discussion, debate and amendments to the proposed operating budget and warrant articles.
- The second session (voting session) allows voters to cast their votes for local elections, zoning articles and all warrant articles.

How does a town adopt the official ballot referenda?

- The local governing body must hold a public hearing at least 15 days prior to the question being voted on, (RSA 40:14, IV). The question as worded in RSA 40:14, V,
- “Shall we adopt the provisions of RSA 40:13 (known as SB2) to allow official ballot voting on all issues before the Town on the second Tuesday of March is placed on the warrant for the annual meeting.
- Passage requires a 3/5 majority vote of those voting.

How will the meeting change?

- The deliberative session (first session) is similar to the traditional town meeting but is held earlier.
- The creation of a voting session (second session) will be by ballot vote on the 2nd Tuesday of March.
- The procedure to adopt the operating budget.

What happens at the deliberative session?

- Warrant articles can be discussed and amended.
- Warrant articles cannot be amended to eliminate the subject matter, but an amendment can change the dollar amount of the appropriation to zero.
- All warrant articles, including those amended by the first session, must be placed on the official ballot for the voting session.

Can the selectboard or budget committee change their warrant article recommendations?

Yes! The selectboard and budget committee may change their budget recommendations based on amendments made at the deliberative session.

How will the budget be adopted?

- Another change is the procedure for adopting the budget. The article proposes an operating budget and a default budget (should the proposed operating budget fail).
- Special and individual warrant articles are separate from the operating budget as prescribed by RSA 40:13, IX. A hearing on the entire budget and default budget must be held prior to posting the warrant and budget in accordance with RSA 40:13, II-a through II-d.

What is a default budget?

- The default budget is the same as last year with certain adjustments.
- The adjustments are amounts the town is legally obligated to pay or were one time expenses.
- A default budget is the budget that is adopted when the proposed operating budget fails if a special meeting is not called to reconsider the operating budget.

Who prepares the default budget for SB2 municipalities?

- The establishment of the default budget, including one time expenditures, rests with the governing body and cannot be altered by the town meeting.
- The default budget preparation can be delegated to the budget committee by vote of the town meeting pursuant to RSA 40:14-b.

What about reconsideration of special or individual warrant articles?

RSA 40:13, XV does not allow reconsideration on votes cast at the second session.

Can petitioned articles be changed at the first session?

Under current law, petitioned articles can be amended by the first session, however, no new subject matter may be introduced.

When is the voting session?

The voting session is held on the second Tuesday in March.

March 14, 2023

How to go back to the old town meeting format?

- The Official Ballot Referenda may be rescinded in the same manner as adopted except the wording of the question shall be as prescribed in RSA 40:14, VII.
- It requires a 3/5 majority vote of those voting to be rescinded.