

HENNIKER TOWN MEETING RULES OF PROCEDURE

The town meeting is the town's legislative body. The first session of the meeting, held on the second Tuesday in March, is for the purpose of electing officers and taking other actions that are required to be voted on by official ballot. The second session, held on a date determined by the selectmen, is for the transaction of all other legislative business. The moderator's role is to preside over the meeting and to assist those present in conducting the business of the town.

State law establishes certain rules governing the business session of town meetings. To ensure an orderly process during the meeting, the moderator will use the following additional rules and procedures.

Robert's Rules of Order will **not** be used.

Rulings made by the moderator can be overruled by a simple majority vote. The members of the meeting also may vote to establish any rule they wish and modify that rule by a simple majority vote, except that rules established by state law cannot be changed. Any voter may request a vote to overrule the moderator by a point of order.

Presentation of Articles

1. The moderator will take articles in the order they appear on the warrant unless the meeting votes to take an article out of order.
2. Each article will be presented as follows:
 - A. The moderator will announce the article number, and the text of the article will be displayed on the screen or otherwise made available at the meeting. The moderator will not read the full text of the article.
 - B. The moderator will recognize a member of the board of selectmen or another town official, or the petitioner for a petitioned article, to move adoption of the article.
 - C. If the motion is seconded, the moderator will recognize a member of the board, town official, or petitioner to explain the article.
 - D. The meeting will debate and then vote on the article.

Debate

3. Subject to rule 4 below, only registered voters of Henniker may speak at the meeting.
Registered voters must have a voter card, which is given out by the supervisors of the checklist. An exception is made for non-resident town officials and administrative personnel who may be called on to answer questions or provide information.
4. A voter may request that a non-voter be allowed to address the meeting. If there is no objection, the moderator will allow the non-voter to speak. If there

is an objection, the decision will be put to a vote of the meeting.

5. The moderator must first recognize anyone who wishes to address the meeting for any purpose. The speaker must state his/her name for the record.
6. The moderator will recognize speakers in the order they come to the microphone. Exception: Anyone raising a point of order may interrupt the speaker and will be recognized for the point of order. A point of order is made to call to the moderator's attention some matter that is interfering with the conduct of the meeting.
7. A person will not be recognized to speak a second time on a question if there is anyone waiting to speak who has not yet spoken.
8. Discussion and debate must be limited to the issues, not personalities. Personal attacks, cheers, jeers, and applause are inappropriate.
9. All comments and questions are to be directed through the moderator. Back-and-forth debate among speakers is not permitted. If there are any questions concerning procedure, members should ask the moderator by raising a point of order.
10. A motion to end debate, or "call the question," is not debatable, and requires a 2/3 majority to pass. A voter will not be permitted to speak on a question and then move to end debate. If a motion to end debate passes, voters in line at the microphone, and anyone seated at the head table who has previously told the moderator that he or she wishes to speak, will be allowed to speak. In addition, the moderator may refuse to accept a motion to end debate if, in his opinion, the voters have not had an adequate opportunity to discuss the issue.

Amendments

11. An amendment to an article may be offered once the article has been moved and seconded.
12. Only one amendment will be allowed at a time—there can be no amendments to amendments.
13. When an amendment has been moved and seconded, debate will proceed on the amendment, not on the main motion. Once discussion on the amendment has ended, a vote will be taken on the amendment. Discussion will then return to the main motion (as amended, if the amendment passed). The article is then open to further amendment.
14. For the sake of clarity and accuracy, the moderator may require that an amendment be presented in writing. Ample time will be permitted to reduce the amendment to writing.

Voting

15. Votes will be taken using the voter cards that are issued to each registered voter who has checked in with the supervisors of the checklist. Do not lose your voting card. You will not be issued another one. Every registered

voter should have only one voter card. If you need to leave the meeting and return later, take the card with you and bring it back when you return.

16. When debate on a motion is finished, the moderator will ask those in favor of the motion to raise their voter cards, and then he will ask those opposed to raise theirs. The vote will be declared based on moderator's visual assessment of the count.

17. If the moderator is in doubt about the result of a vote, he will ask for an actual count of the voter cards in favor and opposed. Any voter who questions the result may also ask for a count.

18. The only voice vote taken will be on a motion to adjourn.

Reconsideration

19. Under RSA 40:10 the meeting can move to restrict reconsideration of any vote previously taken. If the motion passes, any reconsideration of the article must occur at an adjourned session held at least seven days later in compliance with RSA 40:10. Restriction of reconsideration can be applied to any number of articles that have been voted on prior to the motion to restrict.

Secret Ballot Voting (RSA 40:4-a, 4-b)

20. A secret ballot may be requested in writing by five voters before a vote is taken on any question or motion. Upon receiving such a request, the moderator will conduct the vote by secret yes-no ballot.

21. After the result of any vote is declared by the moderator and before any other business is begun, seven or more voters may question the result and request a secret ballot vote either orally or in writing. Upon receiving such a request, the moderator will conduct the vote by secret yes-no ballot.

A Few Relevant State Laws

39:2. Warrant. -- The subject matter of all business to be acted upon at the town meeting shall be distinctly stated in the warrant, and nothing done at any meeting, except the election of any town officer required by law to be made at such meeting, shall be valid unless the subject thereof is so stated. Provided that in a case where the article in the warrant calls for the appropriation of a specific sum of money, the sum of money appropriated thereunder may be decreased or increased by the vote of the town, provided further that in a town under the municipal budget act no increase shall be valid which would violate the provisions of RSA 32:18, except as provided in RSA 32:18-a.

40:7. Debate. – No person shall speak in any meeting without leave of the moderator, nor when any person speaking is in order; and all persons shall be silent at the desire of the moderator, on pain of forfeiting \$1 for each offense, for the use of the town.

40:8. Disorder. – If any person shall behave in a disorderly manner, and, after notice from the moderator, persist in such behavior, or shall in any way disturb the meeting, or willfully violate any rule of proceeding, the moderator may command any constable or police officer, or any legal

voter of the town, to remove such disorderly person from the meeting and detain such person until the business is finished.

40:9. Duty of Police. – Every constable or police officer shall obey the orders and commands of the moderator for the preservation of order and may command such assistance as is necessary; and if any constable or police officer neglects to perform any of the duties imposed by this or RSA 39 such constable or police officer shall forfeit \$40 for the use of the town.