

# Moderators Rules

*By Dan Coolidge, Town Moderator, and Betsy Paine, School Moderator (based on the earlier work of moderators Bill Bardsley and Ed Becker, each of whom faithfully served the town for many years)*

The Andover School District Meeting is Monday, March 2, 2015 at 7 PM in the Andover Elementary/Middle School (AE/MS) gym. The Andover Town Meeting is Tuesday, March 10, at 7 PM in the AE/MS gym.

The School District and the Town elections are held together on Tuesday, March 10, in the AE/MS gym. The polls open at 11 AM and close at 7 PM. The polling is conducted just like state and federal elections. The two big differences from the state and federal elections are the later starting time (11 AM instead of 8 AM), and the official ballots are non-partisan – no political parties are designated for any of the candidates.

If you are registered to vote, you check in with the ballot clerks. If you are not registered, you can register with the Supervisors of the Checklist and then vote immediately thereafter.

**Remember that you need a photo ID with you!** If you don't have one with you, you will still be able to vote so long as you sign a Challenged Voter Affidavit. Valid IDs include:

- Driver's license or non-driver's ID
- Armed Forces ID
- US passport
- Valid high school or college ID

## Meetings

During voting on Town Meeting day, several town organizations and groups set up tables and displays to share information, recruit new volunteers, raise funds, and sometimes even just to socialize. About 6:30 PM, townspeople volunteer to help take down the tables and set up the folding chairs in preparation for the meeting. You don't have to wait to be asked: just join in and help.

To be certain only registered voters can vote at Town Meeting, voters will have to check in when they arrive for Town Meeting. The ballot clerks will give registered voters a numbered identification slip. When a show of hands vote is called for at Town Meeting, the Town Moderator will ask voters to hold up their identification slips to have their votes counted. Be careful not to lose your identification slip – we cannot give out replacements!

Voting at School District Meeting will be handled as it has in the past.

Promptly at 7 PM, the business part of the meeting is called to order. At Town Meeting, if anyone present has not voted for Town officials, they are given one last chance to vote before the polls are closed.

Upon closing the polls, the ballot box is taken to the classroom behind the stage and the ballots are counted. This counting is open to observation by the public. Quietly walk up to the room and observe. If you want to help count ballots, please contact the Town Clerk well before Election Day.

Next, the moderator introduces officials present and then goes over the rules for the meeting. The voters at either meeting can vote to overrule rules or decisions made by the moderator, other than those rules or decisions required by law.

Voters making or seconding a motion must state their names clearly so the clerk can record them accurately. To keep voting less confusing, we request all warrant articles be moved in the affirmative so that a "Yes" vote will adopt the article and a "No" vote will defeat the article. Sometimes if multiple articles deal with similar issues, the moderator will request that related articles be open for discussion together, and then, when discussion is completed, each article will be voted on separately.

In order to speak to the meeting, you must be recognized by the moderator. To be recognized or to vote, you must be seated. Disorderly people may be fined \$1 for each violation and may be removed from the meeting by the police on the order of the moderator if their disruptive conduct persists.

"RSA 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." The power the moderator may wield is awesome!

Please wait and speak into the portable microphone so that everyone will be able to hear you. While speaking, please address your comments, discussion, and debate only to the moderator at the front of the room and not to individuals in the meeting.

Everyone should have the right to freely participate on every warrant article. Therefore, the moderator will not recognize a motion to cut off or limit debate or to call the question for a vote until everyone who has sought to be recognized has had an opportunity to speak at least once.

However, if the debate has already gone on a long time, please limit the number of "Me, too!" comments so we can move the meeting along.

At the same time, the moderator will try not to recognize anyone who has already spoken once on an article until everyone else who wants to speak on that article has done so. Please keep in mind that when you speak, you need to cover all of your points, because you may not get a second chance to speak to the same article.

Amendments to articles are made, seconded, discussed, and voted on during discussion if they are germane to the original article. The moderator makes the call as to whether they are germane, subject to override by the meeting. The amendment is voted on, and if passed, and after discussion, the amended main motion is voted on.

The budget article has traditionally been dealt with by making a motion to adopt the budget as recommended by the Budget Committee. Then, each section of the printed budget is discussed, and amendments may be made and voted on. At the end of discussion of all the sections, the meeting votes on the entire budget as amended.

After the budget is adopted, traditionally someone makes a motion to limit reconsideration, called restriction. If restriction is passed, a later successful motion for reconsideration may only be acted on at an adjourned session held at least seven days later. This prevents late-night shenanigans that reverse a vote after many voters have left the meeting.

State law requires that the total amount appropriated not exceed the total amount recommended by the Budget Committee by more than 10%. This does not apply to individual line items, but rather to the total appropriations passed, including petitioned warrant articles.

### **Voting at the Meeting**

There are five types of voting:

(1) Voice vote, where you are asked to respond “Aye” or “No.” The Moderator declares the result, or declares that it was too close for him or her to determine and goes on to another method of voting.

(2) Count of hands, where the Selectmen or School Board members are asked to count the raised hands (raised identification slips at Town Meeting) of the “Yes” votes and then the raised hands (raised identification slips at Town Meeting) of the “No” votes.

(3) Division of the room, where the “Yes” votes stand on one side and the “No” votes stand on the other side.

(4) A yes/no secret ballot, if five or more voters have requested such procedure in writing after the discussion and before the vote has been taken by some other method.

(5) And finally, a yes/no ballot for a bond issue, where the polls have to stay open for one hour as required by state law.

Moderators try to discourage yes/no ballot votes on standard warrant articles, as they take a lot of time to process and make meetings last longer. However, it is the voters’ right to request a secret ballot, and if you have your own reasons for requesting such a ballot and five signatures, the moderator has no discretion but to hold the yes/no ballot. The voters requesting the yes/no ballot must be present at the meeting.

If you plan to request a secret ballot on something, we ask that you speak to us before the meeting to review your concerns and the procedure to follow. Maybe we can resolve your issue without having to resort to a secret ballot.

“Point of Order!” These words alert the moderator that someone thinks the moderator either misstated something, made a mistake, or did not make clear the

procedural action that the meeting is taking and a voter is confused. Please, if you don't understand something, don't be afraid to ask, or even to interrupt. Chances are if you're confused, so are others, especially the moderator.

### **Motions from the Floor**

Anyone may propose a motion from the floor, after being recognized by the moderator and at the appropriate time! The motion should be germane to the motion on the floor or to the warrant article under consideration.

At the end of the meeting, but before adjournment, the order is "to transact any other business that may legally come before" the meeting. This means any proper motion may be made.

However, any motion passed must also comply with NHRS 39:2 which says, "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 ... shall be valid unless the subject thereof is so stated."

It's OK to pass a motion that has no legal effect, such as honoring someone or the like, but a vote on a motion (such as one that would expend money or change an ordinance) would have no legal effect, even if passed, if the subject matter was not stated in a warrant article. The moderator may advise the meeting if he thinks a motion will not be legally binding.

In Andover, a motion to adjourn is only recognized after all the articles in the warrant have been considered, and it completes and concludes this year's annual meeting.

If you have any questions about School District Meeting, call the School District Moderator, Betsy Paine, at 568-7129. For questions about Town Meeting, call the Town Moderator, Dan Coolidge, at 542-2187.