

CHAPTER 239
SB 328 – FINAL VERSION

06/06/12 2384CofC

2012 SESSION

12-3026
03/04

SENATE BILL **328**

AN ACT relative to the procedure for filling a vacancy on a cooperative school board.

SPONSORS: Sen. Bragdon, Dist 11

COMMITTEE: Education

ANALYSIS

This bill modifies the procedure for filling a vacancy on a cooperative school board.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to the procedure for filling a vacancy on a cooperative school board.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 239:1 School Districts; Vacancies. Amend RSA 671:33 to read as follows:

2 671:33 Vacancies.

3 **I.** Vacancies among members of cooperative or area school planning committees shall be
4 filled by the moderator for the unexpired term.

5 **II.(a)** The school board shall fill vacancies occurring on the school board, **except as**
6 **provided in subparagraph (b)**, and in all other district offices for which no other method of filling
7 a vacancy is provided. Appointees of the school board shall serve until the next district election
8 when the voters of the district shall elect a replacement for the unexpired term. In the case of a
9 vacancy of the entire membership of the school board, or if the remaining members are unable, by
10 majority vote, to agree upon an appointment, the selectmen of the town or towns involved shall
11 appoint members by majority vote in convention.

12 **(b)** *In a cooperative school district, the remaining school board members*
13 *representing the same town or towns as the departed member shall fill a vacancy on the*
14 *school board, provided that there are at least 2 such members. If there are less than 2*
15 *remaining members on the cooperative school board representing the same town or towns*
16 *as the departed member, or if the remaining members are unable, by majority vote, to agree*
17 *upon an appointment, the selectmen of the town or towns involved shall fill the vacancy by*
18 *majority vote in convention. If the selectmen are unable to fill the vacancy then the*
19 *cooperative school district moderator shall make the appointment. A member appointed to*
20 *fill a vacancy under this subparagraph shall serve until the next district election when the*
21 *voters of the district shall elect a replacement for the unexpired term.*

22 **III.** Vacancies in the office of moderator shall be filled by vote at a school meeting or
23 election, provided that, until a replacement is chosen, the school district clerk shall serve as
24 moderator.

25 **IV.** Vacancies occurring on the budget committee of a cooperative school district shall be
26 filled by appointment made within 5 days by the budget committee, or by the chairperson of the
27 cooperative school board if the vacancy is that of a member appointed from the school board.

28 239:2 Effective Date. This act shall take effect 60 days after its passage.

29 Approved: June 18, 2012

Effective Date: August 17, 2012