

SB 301 – AS INTRODUCED

2014 SESSION

14-2723
06/01

SENATE BILL **301**

AN ACT relative to petitions to adopt or rescind the official ballot form of voting.

SPONSORS: Sen. Gilmour, Dist 12; Sen. Lasky, Dist 13; Rep. Levesque, Hills 26;
Rep. J. Belanger, Hills 27

COMMITTEE: Public and Municipal Affairs

ANALYSIS

This bill permits a town to prohibit for 2 years a petitioned warrant article for the purpose of adopting or rescinding an official ballot referendum form of government after such warrant has failed to receive a 3/5 majority vote in 2 successive town meetings.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to petitions to adopt or rescind the official ballot form of voting.

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

1 1 Town Meeting; Articles. Amend RSA 39:3 to read as follows:

2 39:3 Articles.

3 ***I.*** Upon the written application of 25 or more registered voters or 2 percent of the registered
4 voters in town, whichever is less, although in no event shall fewer than 10 registered voters be
5 sufficient, presented to the selectmen or one of them not later than the fifth Tuesday before the day
6 prescribed for an annual meeting, the selectmen shall insert in their warrant for such meeting the
7 petitioned article with only such minor textual changes as may be required. For the purposes of this
8 section, the number of registered voters in a town shall be the number of voters registered prior to
9 the last state general election. The right to have an article inserted in the warrant conferred by this
10 section shall not be invalidated by the provisions of RSA 32. In towns with fewer than 10,000
11 inhabitants upon the written application of 50 or more voters or 1/4 of the voters in town, whichever
12 is fewer, and in towns with 10,000 or more inhabitants upon the written application of 5 percent of
13 the registered voters in the town, so presented not less than 60 days before the next annual meeting,
14 the selectmen shall warn a special meeting to act upon any question specified in such application.
15 The checklist for an annual or special town meeting shall be corrected by the supervisors of the
16 checklist as provided in RSA 654:25-31. Those persons qualified to vote whose names are on the
17 corrected checklist shall be entitled to vote at the meeting. The same checklist used at a recessed
18 town meeting shall be used at any reconvened session of the same town meeting. In no event shall a
19 special town meeting be held on the biennial election day.

20 ***II.*** ***A town may vote to prohibit for 2 years a petitioned warrant article for the***
21 ***purpose of adopting an official ballot referendum form of government if such warrant***
22 ***article was voted on at the prior 2 successive annual meetings and failed to receive a 3/5***
23 ***majority vote.***

24 2 Official Ballot Referendum; Rescission. Amend RSA 40:14, VII to read as follows:

25 ***VII.(a)*** Any local political subdivision which has adopted RSA 40:13 may consider rescinding
26 its action in the manner described in paragraphs III-VI. The wording of the question shall be: "Shall
27 we rescind the provisions of RSA 40:13 (known as SB 2), as adopted by the (local political
28 subdivision) on (date of adoption), so that the official ballot will no longer be used for voting on all
29 questions, but only for the election of officers and certain other questions for which the official ballot
30 is required by state law?" A 3/5 majority of those voting on the question shall be required to rescind

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1 the provisions of this subdivision, except in the case of repeal by charter enactment under RSA 49-D.
2 Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority.

3 ***(b) Any local political subdivision which has adopted the provisions of***
4 ***RSA 40:13 may vote to prohibit for 2 years a petitioned warrant article for the purpose of***
5 ***rescinding the official ballot referendum form of government if such warrant article was***
6 ***on the prior 2 successive official ballots and failed to receive a 3/5 majority vote.***

7 3 Effective Date. This act shall take effect 60 days after its passage.