

Amendment to HB 312

1 Amend the bill by replacing section 1 with the following:

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3 1 Petitioned Warrant Articles; Special Meetings. Amend RSA 39:3 to read as follows:
4 39:3 Articles.

5 **I.** Upon the written application of 25 or more registered voters or 2 percent of the registered
6 voters in town, whichever is less, although in no event shall fewer than 10 registered voters be
7 sufficient, presented to the selectmen or one of them not later than the fifth Tuesday before the day
8 prescribed for an annual meeting, the selectmen shall insert in their warrant for such meeting the
9 petitioned article with only such minor textual changes as may be required. Such corrections shall
10 not in any way change the intended effect of the article as presented in the original language of the
11 petition.

12 **II.** For the purposes of this section, the number of registered voters in a town shall be the
13 number of voters registered prior to the last state general election. The right to have an article
14 inserted in the warrant conferred by this section shall not be invalidated by the provisions of RSA
15 32.

16 **III.** In towns with fewer than 10,000 inhabitants upon the written application of 50 or more
17 voters or 1/4 of the voters in town, whichever is fewer, and in towns with 10,000 or more inhabitants
18 upon the written application of 5 percent of the registered voters in the town, so presented
19 ***following an annual meeting and*** not less than 60 days before the next annual meeting, the
20 selectmen shall warn a special meeting to act upon ~~[any]~~ ***the*** question specified in such application,
21 ***unless:***

22 ***(a) The question seeks an appropriation or to rescind an appropriation, in***
23 ***which case the selectmen shall vote within 14 days of receipt of the application to petition***
24 ***the superior court in accordance with RSA 31:5 to determine whether an emergency exists***
25 ***to justify a special meeting of the town;***

26 ***(b) A special town meeting has already been held in the town at any time since***
27 ***the date of the last annual meeting;***

28 ***(c) The question may only be resolved at an annual meeting, in accordance with***
29 ***another provision of state statute; or***

30 ***(d) The selectmen vote within 14 days of receipt of the application to petition the***
31 ***superior court for instructions as to whether the matter has already been resolved by vote***
32 ***of the town, is moot, or is preempted by other provisions of state or federal law.***

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1 **IV.** The checklist for an annual or special town meeting shall be corrected by the supervisors
2 of the checklist as provided in RSA 654:25-31. Those persons qualified to vote whose names are on
3 the corrected checklist shall be entitled to vote at the meeting. The same checklist used at a
4 recessed town meeting shall be used at any reconvened session of the same town meeting. In no
5 event shall a special town meeting be held on the biennial election day.

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AMENDED ANALYSIS

This bill revises the circumstances under which registered voters may petition for warrant articles at a special meeting.