

Moderator Rules for Town Meeting

As with prior Town Moderator Reports, since the first appeared in 2003, below are the New London Town Moderator Rules for Town meeting, for your interest and convenience:

1. There is no statutory quorum requirement. You **MUST** come to the Town Meeting if you wish to be heard.
2. Following recognition by the Moderator¹, please state your name clearly into the microphone before making your statement.
3. Non-voters may not participate in debate, except those recognized by the Moderator, and then only to offer information or answer a question.
4. The Moderator shall give all the opportunity to speak once, beginning with the presenter of the motion, then recognize speakers for or against, giving a second chance only after all have spoken at least once.
5. The Moderator will not entertain a Motion to “Move the Question” or “Call for a Vote” until all those wishing to speak “for” or “against” the motion have had an opportunity to speak at least once. A genuine effort will be made to avoid shutting off debate prematurely. A 2/3 vote is necessary to call the question, and a call itself is not debatable.
6. All speakers should direct their remarks to the Moderator. In the case of questions, the Moderator shall call upon the appropriate person to respond.
7. All substantive motions and amendments must be in writing and delivered to the Moderator in advance of consideration of the Article.
8. All Articles may be amended, even those inserted in the Warrant by petition of the voters.
9. When forming motions or amendments, try to avoid situations where a negative vote is needed to express a positive intent. “Negative” amendments will not be taken up unless restated in a positive form.
10. Only one amendment at a time will be allowed.
11. Votes may be manifest by: voice vote, show of hands (holding colored card for visibility) or by secret “yes--no” paper ballot, of a specified color, or marked with a specified letter, for voter clarity.
12. Following the Moderator’s declaration of the results of a voice vote or show of hands vote, if the results are questioned by seven (7) registered voters before any other business is taken up, a vote by secret “yes—no” ballot shall be taken².
13. If the Moderator is in doubt as to the result of a voice vote, he may so state and request a show of hands (holding colored card for visibility). The Moderator may request the assistance of election officials to determine the outcome of the show of hands vote. If the vote is a tie, the Moderator shall not cast the deciding vote, but shall declare the Motion or Article to have failed.
14. A request for secret paper ballot may be made in writing by five registered voters³, and delivered to the Moderator before the voice vote on the specific Motion is called for. The request must be specific to the Motion being considered. “Blanket” requests for a secret ballot

¹ RSA 40:7

² RSA 40:4-b.

³ RSA 40:4-a.I.(a)

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on every Motion or Article will not be taken up. The Moderator may confirm the five voters requesting the secret ballot are present, and may request the Supervisor of the Checklist to confirm the five requesting the secret ballot are registered voters. The Moderator may, *sua sponte*, call for a secret “yes--no” paper ballot at any time.

15. A Motion for Recount on any vote made by secret “yes—no” paper ballot may be made by five voters present, but will not be entertained unless the difference between the “yes” and “no” votes is less than ten percent (10%) of the total votes cast⁴.
16. Secret “yes--no” paper ballots must be clearly marked to indicate the voter’s choice, and the entire ballot placed in the ballot box. DO NOT tear the ballots in half. Torn ballots or ballot halves will not be counted.
17. Each Article remains open for further action until the Moderator moves to the next Article. After that, the meeting must vote to reconsider a previous Article.
18. Upon the making of a Motion for Reconsideration on an Article, after the vote on that Article has been taken, the Moderator will poll the house on the question of adopting Optional Restrictive Reconsideration as set forth in the statutes.⁵
19. If Restrictive Reconsideration is adopted, any Motion for Reconsideration of any Article, if approved by the voters, may only be taken up at an adjourned session of the Town Meeting held at least seven (7) days after the motion to reconsider was approved.⁶ Once adopted, Restrictive Reconsideration shall continue until final adjournment.⁷ Motions to “reconsider the reconsideration” will not be entertained.
20. Restrictive Reconsideration shall apply to Reconsideration of any bond issue.⁸
21. The subject matter of all business to be acted upon must be distinctly stated in the Warrant.⁹ No substantive actions may be taken under the “any other business” article. Votes of appreciation or recognition may be taken, and the Moderator will only call for “ayes.”
22. Any ruling by the Moderator may be challenged by a registered voter. The Moderator will then poll the house. A simple majority controls. In other words, these are my rules, but it is your meeting. Action taken by the Moderator may not be reversed except by a vote of the meeting at which the ruling is made¹⁰.

While these procedural rules are intended to make the accomplishment of town business simple and efficient, there is also another reason, as pointed out in the 1962 treatise Town Meeting Time by Johnson, Trustman, & Wadsworth:

“The second need for procedural rules is more important: it is the protection of the rights of individuals and minorities against the illegal encroachment—intentional or otherwise—by the majority.”

The Town Meeting is a forum for raising questions and engaging in meaningful debate. Proper respect and decorum will be expected of all.

⁴ RSA 40:4-a.I.(b)

⁵ RSA 40:10. I.

⁶ RSA 40:10. II.

⁷ RSA 40:10. III.

⁸ RSA 33:8-a. IV.

⁹ RSA 39:2

¹⁰ *Town of Exeter v. Kenick*, 104 N.H. 168 (1962)