

SB 2 MODERATORS WORKSHOP 2020

HYPOTHETICALS

1. A petitioned warrant article seeks to restrict the select board's ability to transfer money to the recreation or police department above and beyond the amounts laid out in the DRA budget form. The proponent of the article speaks at length about the select board's spending being inconsistent with the will of the voters. Many voters line up and speak out for and against the warrant article. There are people vocal on both sides, but more voters seem to support the article. Someone moves to strike the article from the warrant as illegal. **Discuss any issues and how you handle them.**

2. **Consider the following scenarios:**
 - A. At the beginning of the deliberative session, a group of voters make a request in writing to make every vote a secret ballot vote. **How do you handle the situation?**

 - B. A group of voters makes a motion for a secret ballot vote on every single proposed amendment to an article. Each time the request is made, the body erupts in anger, but the secret ballot vote takes place because all the necessary signatures are presented. After the fourth secret ballot vote, an angry voter moves to disallow secret ballot voting. Several voters jump up and second the motion. **How do you handle the situation?**

3. A controversial amendment to zero out the appropriation in a separate warrant article to purchase 10 new Scott Air Paks for the Fire Department is voted on by secret ballot. The anxious voters watch as the ballot clerks finally deliver the vote count to the moderator, who declares the results: Yes—190; No—230. Some voters break out in applause and "boos." Many start chanting "fixed!" "fixed" and "recount!" "recount!" **What do you do?**

4. **Consider the following scenarios, and describe how you would respond:**
 - A. At the beginning of the deliberative session, a voter moves to restrict reconsideration on all warrant articles.

 - B. At the beginning of the session, someone moves to require a 2/3 supermajority to pass any vote to restrict reconsideration.

C. At the beginning of the session, someone moves to overrule all the moderator's rules and put in place *Robert's Rules of Order*.

5. The deliberative session opens with introductions and the pledge of allegiance. The moderator then asks for a show of hands of nonvoters. About 30 people raise their hands. They include town employees, the attorneys for the town and unions, several people representing charitable groups which have warrant articles donating money to those groups, and a small group of other people. A voter moves to disallow non-voters from speaking. Before that motion is acted upon, the small group of other people who are representatives of a statewide taxpayer association unfurl a political sign "Don't Tread On Me," and hold it up at the back of the hall. A second voter moves to ban signs from the meeting room. The assembly starts to get raucous. **How do you handle the situation?**

Assume the moderator finally calms everyone down to the point of taking a vote on allowing or not allowing non-voters to speak. The result is a tie. There is clear dissent about whether certain people should speak. No one wants to hear the attorneys speak, but most voters seem to want to hear from the town employees. All voters except for the moderator have voted on the original motion. **What do you do?**

6. The following article is taken up at the deliberative session:

"To see if the School District will vote to raise and appropriate the sum of \$50,000 to be added to the Athletic Facilities and Equipment Capital Reserve Fund, established by the school district meeting in 2006."

Consider the following scenarios and determine how the moderator should handle them:

- A. An amendment is offered and seconded to discontinue the capital reserve fund.
- B. An amendment is offered to change the purpose of the capital reserve fund to the "Music Department Capital Reserve Fund."
- C. A motion is made and seconded to delete all words except "to see."
- D. A motion is made and seconded to appoint agents to expend to the fund.
- E. Imagine instead that this capital reserve fund is an expendable trust fund—the school board was appointed agents to expend when the fund was established. A motion is now made to remove the agents to expend so that the voters would be able to decide when the money is spent.

7. In 2015, the voters adopted a petitioned warrant article to require the school board to include a “tax impact” statement on all monetary warrant articles, per RSA 32:5, V-b. In 2019, due to some changes in staff and school board membership, no one remembered to include the tax impact statement on the warrant articles.

As soon as the March 2019 school district annual meeting is called to order, a citizen calls for a point of order and moves to declare the warrant invalid and calls for the cancellation of the annual meeting because the warrant is illegal. The crowd erupts—the majority is clearly in agreement with the motion. A school board member calls for a point of order.

As the moderator, how would you handle this situation?

Now consider the following situations and how they should be handled:

- A. Assume you quiet the crowd. You take up the first article—the budget article. A voter then approaches the microphone, says that he has calculated the tax impact, and moves to amend the budget article to include his tax cap.
 - B. Article 3 states as follows: “To see if the school district will vote to raise and appropriate the sum of \$120,000 to renovate the existing athletic department building and build a snackbar near the playing fields at the school. [The school board approves, 3-0. The budget committee disapproves, 6-5.]” A school board member moves to amend by adding: “This will be a nonlapsing appropriation per RSA 32:7, VII and will not lapse until the project is complete or June 30, 2022, whichever is later.”
 - C. The gym teacher moves to change “renovate the existing athletic department and snackbar” in Article III to “renovate the athletic department offices and restrooms.”
8. Four hours before the start of the deliberative session the moderator gets a call from the principal of the high school where the meeting is to take place. The principal informs the moderator that a natural gas leak has forced the school to be closed so the gas company and fire department can ventilate the building and repair the leak. **How does the moderator go about deciding whether the session should be postponed?**

The moderator decides the deliberative session must be postponed. **What steps must the moderator take to postpone the meeting? How does the moderator inform the voters the meeting is being postponed? When must the deliberative session be rescheduled?**

9. Every time a new warrant article or amendment is taken up, the same set of three voters get in line to speak. Each time, they give roughly the same lecture about governmental spending, the illegality of taxes, and some other fringe beliefs. Each time, they move to strike the article or amendment as illegal. The third time the crew gets up to speak, many of the other voters start booing and yelling, while others shout, “Let them speak. It’s their right!” **How do you handle this situation?**

10. When the operating budget article is taken up for discussion, a voter demands that the default budget described in the article be discussed and debated by the meeting. After a detailed explanation is provided by a member of the select board and the finance administrator about how the default budget was calculated, the same voter moves to amend the default budget by reducing the amount of the default to exclude a one-time expenditure for the fit up of a handicap bathroom at town hall that should have been excluded as provided in RSA 40:13, VI (b). **How do you respond?**

11. Inside the polling station where the official ballot voting day is taking place a voter arrives to be checked in and receive her ballot wearing a shirt with the slogan “Vote Yes on Article 10 – Support the Construction of the new Public Safety Building.” There is an Article 10 on the ballot that would approve a \$8 million dollar bond to build the proposed Public Safety Building. **How do you respond?**

12. Voting on the official ballot voting day is taking place at the town community building that has a parking lot that surrounds the community building. A voter driving a pickup truck with a large sign in the back that says “Vote for Natch Greyes for Select Board” parks in the community building parking lot and heads into the polling station to vote. Those persons holding signs in the designated electioneering area complain to the moderator that they were told they must hold their signs at all time and they insist the pickup truck driver should be told he cannot vote until the sign in the back of his pickup truck is removed. **How do you respond?**