

## **SENATE BILL 2 (Official Ballot Referenda)**

### **What is the official ballot referenda?**

It is a form of School District meeting that has two sessions:

- The first session (deliberative session) is for explanation, discussion, debate and amendments to the proposed operating budget and warrant articles.
- The second session (voting session) allows voters to cast an official ballot to pass/fail proposed articles.

### **Why is it referred to as SB2?**

The original bill proposing the official ballot referenda was Senate Bill 2 in 1995. Legislation in 2000, made “SB2” the official name for this official ballot referenda form of government.

### **How Did the District adopt the official ballot referenda?**

The School Board held a public hearing at least 15 days prior to the question being voted on (RSA 40:14, IV). The question was worded as per RSA 40:14, V, “Shall we adopt the provisions of RSA 40:13 (known as SB2) to allow official ballot voting on all issues before the Contoocook Valley School District on the second Tuesday of March,” and placed on the warrant for the annual meeting. Passage required a 3/5 majority vote of those voting.

### **When did it take effect?**

One year after the vote. This article was approved at the March 23, 1996 District meeting, and went into effect for March 1997.

### **How did the meeting change? Can opinions still be voiced?**

There are a few significant changes that occurred:

- The first session (deliberative session) is similar to the traditional School District meeting but is now held in February. During this meeting, all articles can be explained, discussed, debated and amended. The articles as amended (or not) will be placed on the official ballot and voted on at the second session in March. It is important to note, however, that the original purpose of a particular article may not be changed.
- The creation of a second session specifically for voting – this is the ballot vote in your individual towns that takes place in March.
- There are specific timelines for placing articles on the warrant (see attached timeline for 2009 meeting).
- The procedure for adopting the budget. The warrant article for the budget now proposes an operating budget and a default budget, if the proposed operating budget fails.
- Special and individual warrant articles are separate from the operating budget as prescribed by RSA 40:13, IX. A hearing on the entire budget and default budget must be held prior to posting the warrant and budget in accordance with RSA 40:13, II-a (c).

### **What is a default budget? Is there a special default budget form? Can it be amended?**

A default budget is the budget that is adopted when the proposed operating budget fails. The default budget is the same as last year with certain adjustments. The calculation must be disclosed on a special default operating budget form showing last year’s operating budget with adjustments made per RSA 40:13, IX (b). The default budget can be adjusted by the School Board (or budget committee under RSA 40:14-b) after the budget hearing, provided an amended default budget form is prepared and posted with the warrant and proposed budget form.

### **What if the proposed operating budget fails?**

The default budget is adopted unless the governing body decides to hold one special meeting to address a revised operating budget. See RSA 40:13, XI.

**Who calculates the default budget for SB2 school districts?**

The School Board calculates the default budget, taking into consideration contractual obligations and any one time expenditures.

**Why is it important to distinguish between a "special" or "individual" warrant article?** The required wording for the operating budget in RSA 40:13, XI specifically states that the operating budget does not include any other appropriations, including those voted for in special warrant articles and other appropriations voted separately. The wording of these articles determines whether they can be considered part of the default budget next year.

**Can petitioned articles be changed at the first session?**

Under current law, petitioned articles can be amended by the first session; however, no new subject matter may be introduced.

**What is the due date for petitioned warrant articles (RSA 39:3 and 197:6) and collective bargaining cost items (RSA 273-A: 1,III) for inclusion in the budget?** For a March meeting, RSA 40:13, II-a, (b) requires a submission date of the second Tuesday in January.

**How to go back to the old format.**

The Official Ballot Referenda may be rescinded in the same manner as adopted only the wording of the question shall be as prescribed in RSA 40:14, VII. It requires a 3/5 majority vote of those voting to be rescinded.

**Operating Budget Wording for "SB2"**

The required wording of the operating budget per RSA 40:13, XI is as follows:

**"Shall the (local political subdivision) raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$ \_\_\_\_\_? Should this article be defeated, the default budget shall be \$ \_\_\_\_\_, which is the same as last year, with certain adjustments required by previous action of the (local political subdivision) or by law or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only."**

It excludes special warrant articles and other appropriations voted separately.