

**TOWN OF LITCHFIELD,  
NEW HAMPSHIRE**



**MUNICIPAL BUDGET COMMITTEE  
BYLAWS**

## Municipal Budget Committee Bylaws

Description	Version	Date
Bylaws Adoption	2	9/2916

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**Section I Purpose**

- A. The purpose of the Bylaws of the Budget Committee is to define the terms of office, vacancies, functions and duties of the Committee consistent with the Municipal Budget Act, RSA 32 and other applicable state statutes. The Bylaws serve as operating procedures for the Committee.

**Section II Organization**

- A. The membership of the Committee shall be comprised of such number of members and other representation as determined by Town Meeting adoption of RSA 32.

The Town of Litchfield adopted the provisions of the Municipal Budget Law by petition at the 1969 Annual Town Meeting (article 10) and at the same meeting, the Town voted to elect 6 budget committee members (article 11).

In 2013, the town voted (article 14) to increase the elected membership from 6 to 7 members.

Members shall serve staggered terms of three years.

- B. Officers – Nominations of, and elections for, all Officers shall be by majority voice vote of those present. Secret ballot is not allowed.

1. A Chair and Vice Chair shall be elected at the first regularly scheduled meeting following Annual Town Meeting, but not later than April 30<sup>th</sup>.
2. In the case of a vacancy in the position of Chair following Annual Town Meeting, the Vice Chair shall immediately succeed to the position of Acting Chair. During the first regularly scheduled meeting, the Acting Chair will proceed with leading a discussion with the Committee and the Committee will vote for a Chair to succeed to the position.
3. In the case of a vacancy in the position of Vice Chair and Chair, a Deputy shall be nominated by the Committee. During the first regularly scheduled meeting, the Deputy will proceed with leading a discussion with the Committee and the Committee will vote for a Chair and Vice Chair to succeed to the positions.

**Section III Duties of Officers****A. Chair**

1. The Chair shall preside at all meetings of the Committee and perform all duties required by law. The Chair shall execute all documents requiring signature on behalf of the Committee, except as otherwise provided by law or by the Committee.
2. The Chair has the responsibility to assemble the agenda and related materials, ensure adequate public notice of meeting dates, schedule meeting times and locations, schedule any special meetings required, and notify all members of the committee meeting schedule.
3. The Chair with the approval of a majority of the Committee present, and/or at the request of the Board of Selectman or School Board, may delegate certain members of the Committee to investigate budgetary matters or serve on citizens committees or sub-committees.

**B. Vice Chair**

1. In the absence of the Chair, the Vice Chair shall preside over and assume all duties and responsibilities of the Chair in addressing business of any regularly scheduled or special meetings.
2. At the request of the Chair, provide assistance to the Chair in the assembly of materials for regularly scheduled or special meetings.

**C. Secretary**

1. The Secretary is the custodian of the official approved meeting minutes and shall sign the minutes as revised and approved.
2. The Secretary shall transcribe and type minutes of the meeting Pursuant to RSA 91-A and forward to the Chair who will disseminate to the Members.
3. The secretary is a position hired by the Town. Approved minutes are forwarded to the Town Administrator where they are maintained as the official record.

**Section IV Vacancies**

- A. A vacancy of an elected position occurring during the year shall be filled by appointment by majority vote of the Budget Committee members as provided by RSA 32:15.
- B. The Chair of the Committee shall notify the next highest vote receiver for the Budget Committee that sought election to the Committee and who received at least 1% of the vote at that year's Annual Town Meeting of the vacancy and invite them to seek appointment until a member is appointed.
- C. In the scenario in which no candidate is appointed from those that sought election to the Committee, the Committee shall advertise in local media and seek to appoint a person to the Committee.
- D. Any appointed person serving on the Committee shall serve until the next Annual Town Meeting when a successor shall be elected to fill the remaining unexpired term or start a new term as the case may be.

**Section V Responsibilities and Duties of the Budget Committee**

- A. Become familiar with NH Municipal Budget Law NH RSA 32 (<http://gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-III-32.htm>)
- B. To prepare the budget as prescribed in NH RSA 32:5
  - a. The Budget Committee shall carefully review all requests for budgets and all revenue estimates and shall give consideration to all lawful requests for the ensuing fiscal year.
  - b. To confer with the governing bodies and with other officers, department heads and other officials, relative to estimated costs, revenues anticipated, and services performed to the extent deemed necessary by the budget committee
  - c. It shall be the policy of the Budget Committee to require two (2) separate meetings to vote on any budget request. One meeting to have the request presented and discussed and then a subsequent meeting when voting will take place. This policy may be waived by majority vote of the committee.

- d. To forward copies of the final budgets, signed by a quorum, to the clerk or clerks, as required by RSA 32:5, VI, at least 20 days before the date set for the annual or special meeting, to be posted with the warrant and to be submitted to the commissioner of revenue administration.
  - e. The Budget committee does not have any authority to determine default budgets unless delegated to the budget committee by vote of the legislative body as outlined under NH RSA 40:14-b.
  - f. To review expenditure reports periodically pursuant to RSA 32:22
- C. Meeting Attendance:
- a. All members shall make every effort to attend each meeting. . An elected member shall cease to hold office immediately upon missing four (4) consecutive scheduled or announced meeting of which that member received reasonable notice, without being excused by the Chair as provided in RSA 32:15.
  - b. Notice of absence shall be made both to the Chair or Vice Chair by 5:00 PM the day of the meeting or it will be considered an unexcused absence.
  - c. Committee members should attend Annual and Special Town and School District meetings and Budget Hearings.
- D. Committee Members may serve on citizens' or other sub-committees when appointed by majority vote of the Committee.
- E. It is provided that the members of the committee have authority only when acting as a board legally in session. Members shall act collectively as a body unless authorization is given a member to act as representative and with specific instruction of that body to do so.

## **Section VI      *Conduct of Meetings***

### **A. Regular Meeting Format**

The Budget Committee generally meets on the fourth Thursday of the month at 7pm. A schedule of meeting dates and budget deliberation dates thru Annual Town and School District Meeting shall be developed and approved by majority vote of the Members present by the May meeting.

The business of the Regular Meeting may include, but not limited to the following:

- a. Opening of the meeting by the Chair
- b. Pledge of allegiance
- c. Roll Call
- d. Approval of the minutes of the previous meetings
- e. Correspondence
- f. Expenditure and Receipt reports
- g. Old Business
- h. Member Input
- i. New Business, Future Agenda and dates
- j. Receiving resident comments
- k. Adjournment

B. Special Meetings

A Special Meeting shall be held at the call of the Chair or at the request of any two members. All members shall be informed of all matters to be discussed at Special Meetings. Matters other than those specified, can be acted upon only if all members attending agree.

C. Public Hearings

The recommended budgets shall be set by a majority vote of the Committee and shall be subject to public hearing rules set forth in RSA 32 and as amended from time to time.

At all Public Hearings the Chair shall assure that the majority view is first stated.  
After the majority view is stated, any member may express the views of the minority.

D. Annual and Special Town and School District Meetings

1. The Chair shall announce each budget request and the Committee's recommendation, explain the basis for such recommendation, and the results of the vote taken for such recommendation. In the case of a tied vote, the article shall have the wording, "Neither Recommended nor Not Recommended by the Budget Committee" applied to the Article.
2. The Chair shall assure that the majority view is first stated. After the majority view is stated, any member may express the views of the minority
3. The Budget Committee may convene for a special meeting if any amendments to articles are voted on at the Deliberative Session. The committee may re-vote their recommendations of any amended articles prior to posting the Budget Committee's budget on the official town ballot under NH RSA 32:5 VII-c. If no amendments have been made, the Budget Committee cannot re-vote recommendations of Warrant Articles.

E. Quorum

A majority shall constitute a quorum for the transaction of business including appointed members from the Town and School District. In the absence of the Chair and Vice-Chair, a majority of those present shall elect a deputy for that meeting.

F. Voting Procedure

The Chair will state and put to vote all questions which are regularly called, or necessarily arise in the course of the proceedings and to announce the result of the vote.

1. Votes shall be taken after discussion has reached a conclusion or a motion is made and voted on to "Call the Question".
2. Voting shall be by a voice vote. At the request of any member, the Committee shall be polled and the votes of individuals recorded.
3. The vote of any member present shall not be disallowed.

4. Proxy votes will not be allowed. Telephone votes are allowed as long as the member's call meets the requirements set forth in [NH RSA 91-A:2,III](#).
5. The Chair is not relieved of the responsibility to vote on every question before the committee and shall vote or abstain on each motion.
6. Votes shall be recorded in the minutes of the meeting as number for, number against, number abstaining. Roll Call Votes shall be recorded in the minutes of the meeting as (Yes) followed by Members' names; (No) followed by Members' names, and (Abstain) followed by Members names.

#### G. Role of the Chair

To enforce, on all occasions, the observance of order and decorum among the Members, deciding all questions of Order (subject to appeal by any two Members) unless the Chair prefers to submit the question for decision of the Committee.

1. Open the meeting at the prescribed time by a Call to Order
2. Recognize Members and/or meeting attendees, entitling said Members and/or attendees to the floor. Once recognized by the Chair, a Member may speak and, with few exceptions, no Member or meeting attendee should interrupt.
3. Debate will be allowed so long as the matter discussed is germane to the question being debated.
4. Motions will be recognized by the Chair and called for a Second. A Second to a Motion must be received before the Chair may entertain discussion and Vote. Should no Second be received, the Motion will be considered to have failed for Lack of Second and so recorded.
5. Any Member of the Committee at any time in the Budget deliberation process can request additional information. All requests for additional information will go through the Chair.

### **Section VII      *Adoption and Amendment***

- A. These bylaws shall be known as the Municipal Budget Committee Bylaws of the Town of Litchfield
- B. These bylaws shall become effective after the adoption by majority vote of the Budget Committee at a regularly scheduled meeting
- C. These bylaws may be reviewed and amended at least on an annual basis, after the Annual Meeting on or before May 30<sup>th</sup> each year.
- D. An amendment to these by-laws must be moved at one Budget Committee Meeting and shall not be voted upon until the next regularly scheduled meeting. Text describing the changes shall be included in the agenda for the following scheduled meeting.
- E. If any section, subsection, paragraph, sentence, clause or phrase of these Bylaws shall be declared invalid by any reason whatsoever, such decision shall not affect the remaining portions thereof, which shall remain in full force and effect.

### **Section VIII      *Exceptions***

Any deviation from the by-laws must be voted on by the Budget Committee.