

**TOWN OF SALEM,
NEW HAMPSHIRE**



**MUNICIPAL BUDGET COMMITTEE
BYLAWS**

**Municipal Budget Committee By
Laws**

Adopted: June 11, 1997

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Section I Purpose:

- A. The purpose of the By-Laws of the Budget Committee is to define the composition, terms of office, vacancies, functions and duties of the Committee.

Section II Organization:

- A. Membership - The Committee shall comprise of such number of members and other representation as determined by Town Meeting adoption of RSA 32, and who shall serve staggered terms of three years.

- B. Officers:

Nominations of, and elections for, all Officers shall be by a majority vote of those present.

1. A Chairman, Vice Chairman and Secretary shall be elected at the first regularly scheduled meeting following Annual Town Meeting, but not later than April 30.
2. In the case of a vacancy in the position of Chairman after such election, the Vice Chairman shall immediately succeed to the position of Chairman. The Secretary shall thereupon succeed to the position of Vice Chairman. A new Secretary shall be elected at the first regularly scheduled meeting after the Secretary's position becomes vacant.
3. In the case of a vacancy in the position of Vice Chairman after such election, the Secretary shall immediately succeed to the position of Vice Chairman. A new Secretary shall be elected at the first regularly scheduled meeting after the Secretary's position becomes vacant.

Section III Vacancies

- A. Vacancies shall be filled within thirty (30) days by a majority vote of the remaining members of the Committee present and pursuant to RSA 32.

Section IV Duties of Officers

- A. Chairman:

1. The Chairman shall preside at all meetings of the Committee and perform such duties as required by Statute.

2. The Chairman shall schedule all meetings, assemble the agenda and related materials for all regular and special meetings of the committee, schedule meeting rooms and notify all members of said schedule.
3. The Chairman shall execute all documents requiring signature on behalf of the Committee, except as otherwise provided by Statute.
4. The Chairman may, with the approval of a majority of the Committee present, and/or at the request of the Selectmen or School Board, delegate certain Members of the Committee to investigate budgetary matters or to serve on citizens' committees or sub-committees.

B. Vice Chairman

1. In the absence of the Chairman, the Vice Chairman shall preside over and assume all duties and responsibilities of the Chairman in addressing the business of any regularly scheduled or special meeting.
2. Assist the Chairman in scheduling and coordinating materials for all regularly scheduled and special meetings of the Committee.

C. Secretary

1. The Secretary is the custodian of the official minutes of meetings and shall sign same as revised and approved.
2. The Secretary is the custodian of all correspondence and other documents as may be forwarded to the Committee for review and/or action.
3. In the absence of the Chairman and the Vice Chairman, the Secretary shall preside over and assume all duties and responsibilities of the Chairman in addressing the business of any regularly scheduled or special meeting.

Section V Responsibilities and Duties of the Committee

- 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 and to review expenditure reports periodically pursuant to RSA 32 as may be amended from time to time.
- B. The Budget Committee shall review any audit reports submitted on behalf of any auditor for the Town or School District as such report(s) become available. Audit

reports shall be forwarded to the Chairman by the Selectmen and School Board upon their receipt.

- C. Attend Annual and Special Town and School District meetings.
- D. Committee Members may serve on citizens' or other sub-committees at the request of the Selectmen or School Board and as appointed by the Chairman.
- E. 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.
- F. It shall be the policy of the Municipal Budget Committee to require two (2) calendar days to review any warrants of the Town and School District that require Municipal Budget Committee signature. This policy may be waived at the discretion of the Municipal Budget Committee Chairman.

Section VI Forfeiture or Removal from Office

- A. Pursuant to RSA 32, any Member shall cease to hold office immediately upon missing four consecutive scheduled or announced meetings, of which that Member received reasonable notice, without being excused by the Chairman.
- B. Consideration shall be given appointed and elected members for absences under the circumstance of prolonged illness.

Section VII Conduct of Meetings

- A. General Provisions:
 - 1. All meetings are open to the public unless a majority of Members present vote otherwise, pursuant to RSA 91-A.
 - 2. Organizational Meeting - The date for an Organizational Meeting to elect officers, which shall be the Committee's first regularly scheduled meeting, shall be voted by the Committee at its last session before Annual Town Meeting. Said meeting shall be held no later than April 30.
 - 3. Regular Meetings - A schedule of regular meetings through March 31 of the following year shall be agreed upon by the last meeting in May. Said schedule shall be set by majority vote of the Members present and shall be effective through the conclusion of the next Annual Town Meeting. Said schedule may be amended by a majority vote of the Members present.

4. Special Meetings - Special Meetings may be called by the Chairman or by three (3) Members of the Committee. The Member(s) calling the meeting shall notify all other Members forty eight (48) hours in advance of the Special Meeting. Said notice shall state the purpose of the Special Meeting.
 5. 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. Public Hearings shall be on separate dates for the Town budget and the School District Budget.
 6. Annual and Special Town and School District Meetings - The Chairman 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. The Chairman may, if requested, read an explanation of the minority position if so requested.
 7. Sub-Committees - Meetings shall be called as required by the Chairman of the Sub-Committee. Written reports from Sub-Committees shall be entered into the minutes of the Budget Committee's meeting at which they are presented.
 8. Preliminary Budget Review-While reviewing a department's Preliminary Budget, any Member of the Committee at any time in the proceedings can make a motion to stop all review of that department's budget if they feel that the department head is not prepared, moving said department to the end of the Preliminary Budget review process.
- B. Quorum - A quorum shall consist of five members of the Budget Committee.
- C. Order of Business or Agenda is recommended as follows:
- a. Call to order and Pledge of Allegiance
 - b. Roll Call
 - c. Receipt of Correspondence
 - d. Approval of Minutes
 - e. Old Business
 - f. Review of Budgets and Expenditures
 - g. Information and Proposals
 1. From Sub-Committee(s)
 2. From Members
 3. From Members of the School Board, Selectmen, Department Heads and Citizens

h. Adjournment

D. Role of the Chairman

1. Open the meeting at the prescribed time by a Call to Order.
2. Announce the business before the Committee in the order in which it is to be acted upon and/or entertain motions to change such order.
3. Recognize Members and/or meeting attendees, entitling said Members and/or attendees to the floor.
4. 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.
5. Protect the Committee from annoyance.
6. Assist in expediting all business in every way compatible with the rights of the Members by allowing brief remarks when undebatable Motions are pending or by calling a brief recess to permit restoration of order or for clarification of an obscure point if the Chairman deems it advisable.
7. To restrain the Members when engaged in public debate through use of the Rules of Order.
8. 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 Chairman prefers to submit the question for decision of the Committee.
9. To inform the Committee on a Point of Order or practice pertinent to pending business
10. to ensure that Board communication abide by all aspects of the NH Right-toKnow Laws;
11. To authenticate by the Chairman's signature, when necessary, all acts, orders and proceedings of the Committee
12. The Chairman shall be the last Member to cast a vote on every issue.

E. Role of the Recording Secretary/Clerk

1. The Recording Secretary/Clerk shall be the recording official of the Committee and shall attend all meetings as scheduled.
2. Transcribe and type minutes of the meeting and forward copies to each Member pursuant to RSA 91-A.
3. An official copy of the records shall be forwarded to the Selectmen's Office upon final approval of the minutes of a meeting.
4. Research such items as requested by the Chairman or any Member of the Committee.
5. Electronically distribute approved minutes and other related materials, if available, for permanent record and forward same to the Town Clerk monthly.

F. Rules of Order

1. Obtaining the Floor
 - a. Address the Chairman by his title and wait for recognition. When recognized, a Member may speak and, with few exceptions, no Member or meeting attendee may interrupt.
 - b. Unlimited debate will be allowed so long as the matter discussed is germane to the question being debated.
2. Motions - All proposals seeking action by the Committee shall be presented by a formal Motion.
 - a. Motions will be recognized by the Chairman and called for a Second and Vote.
 - b. A Second to a Motion must be received before the Chairman may entertain discussion and Vote. Should no Second be received, the Motion will be considered to have *Died for Lack of Second* and so recorded.
 - c. Motions to Table require a second, and will receive no discussion.

- d. Amendments to a Motion may be made by any Member at any time after a Second to a Motion has been received. A second and a Vote upon the Amendment must be taken before proceeding with the original Motion. No more than one (1) Amendment to a Motion may be entertained by the Committee at any time.
 - e. Motion to Continue shall be entertained on any item a Member shall deem not completely addressed and discussed at a meeting. A Motion to Continue requires a Second.
 - f. Motion to Refer - May be requested when a Member deems it advisable to give further study to a proposal or other matter. A Motion to Refer requires a Second.
3. Votes - Shall be taken after discussion has reached a conclusion and shall be by raised hand.
 - a. Votes shall be recorded in the minutes of the meeting as number for, number against, number abstaining, and a notation of any Members who may be absent from the Vote.
 - b. 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 and a notation of any Members who may be absent from the Roll Call Vote.
 4. Point of Information - May be called should a Member seek clarification on any issue before the Committee which may seem to have become obscure or involved.
 5. Point of Order - May be called when a Member deems a possible violation of procedure or decorum has occurred. The Chairman shall rule immediately on any Point of Order called or request a vote of the Committee.
 6. Order of the Day - May be called when a Member determines that the discussion has strayed from the subject matter at hand or regularly scheduled business of the Committee.
 7. Appeal from the Chair - May be called by any Member who disagrees with a decision rendered by the Chairman. If the Appeal receives a Second, the Chairman shall restate the question or issue and request a Vote of the Committee to overrule or sustain.

8. Out of Order - May be called only by the Chairman when any Member or meeting attendee is deemed to be unruly and not conducting themselves according to the Rules of Order. The Chairman may request the offending person removed from the meeting.
9. Remote Participation in Meetings – The provisions of RSA 91-A:2, III shall apply to the remote participation of a Budget Member at a public meeting of the Board by telephone or video conference, only upon the consent and majority vote of the remaining members of the Committee.
10. Requests for Information
 - A. Members Requests - Any member's request is to be considered a request of the Committee.
 - B. Information Requests - Should it become apparent to the Chairman or a member in the interim between meetings that additional information relative to a specific budget item may be needed for Committee use at the next regularly scheduled meeting, a written request for this information may be submitted to the School Board or Selectmen's representative. Such information should be made available to the Committee at its regularly scheduled meeting.

SECTION VIII Adoption and Amendment

- A. These by-laws shall be known as the *Municipal Budget Committee By-Laws* of the Town of Salem.
- B. These by-laws shall become effective after adoption by majority vote of the Budget Committee at a regular or special meeting.
- C. These by-laws may be amended from time to time by the Budget Committee at a regular or special meeting.

SECTION IX Severance

- A. If any section, subsection, paragraph, sentence, clause or phrase of these by-laws shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions thereof, which shall remain in full force and effect and to this end, the provisions of these by-laws are hereby declared to be severable.

Adopted June 25, 1997
Adopted May 24, 2000
Amended/Adopted May 8, 2002
Adopted April 9, 2003
Amended/Adopted April 14, 2004
Adopted/April 13, 2005
Amended/Adopted April 12, 2006
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Adopted April 23, 2008
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Amended/Adopted May 26, 2010
Adopted/April 20, 2011
No Amendments/Action – 2012
Adopted April 10, 2013
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Adopted May 13, 2015
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