

Town of Atkinson Deliberative Session – 2024 Moderator's Rules

Prepared by James Garrity - Moderator

1. All registered voters of the Town of Atkinson must check-in with the Supervisors of the Checklist prior to participating in the deliberative session. (Registered voters of the Town of Atkinson that participate in the deliberative session form the “legislative body” for the town.)
2. Voters requiring assistance to vote during deliberative session must meet with the Moderator prior to the start of the meeting to take an oath per RSA 659:20.
3. Only registered voters of the Town of Atkinson are allowed to speak in the deliberative session, except that non-resident Town employees, officials and consultants or experts who are at the Meeting to provide information about an article will be allowed to speak with the Moderator’s approval.
4. Only those articles that can be legally acted upon by the deliberative session will be discussed. If appropriate, the Moderator will entertain a motion to discuss other articles for a specified time and for educational purposes only. (e.g. Zoning articles, election of town officials, and articles specifically restricted from amendment in the RSA.)
5. Before discussion by the body can begin, a motion, and a second, must be made. Deliberation will end when the Moderator declares deliberation is complete.
6. To address the body, ask a question, or make a motion, all participants must come to the microphone (waiting their turn in line). Motions called out from the floor will not be recognized by the Moderator. (If you have a disability that would prevent you from coming to the microphone, please let the Moderator know in advance and someone will bring a portable microphone to you when it is your turn to speak.)
7. When the Moderator recognizes you, please come to the microphone, and state your name and the street you live on before addressing the body.
8. All questions or comments must be directed to the Moderator, rather than to individual officials, committee members or audience members. All speakers must be courteous and must speak to the issues, not the individuals raising them. The Moderator will not allow personal attacks or inappropriate language.
9. The Moderator will make every effort to give all who wish to do so, the opportunity to speak on each article or amendment. If appropriate, the presenter of the article will speak first, and then the Moderator will recognize speakers, in order, lined up at the microphone. (The presenter of a petitioned article should identify themselves to the Moderator prior to the meeting so that they may have the opportunity to be granted permission speak first.) The Moderator may also give consideration to allowing a representative of the opposition to speak second; again only if they identify themselves to the Moderator prior to the meeting and are granted permission.
10. When it is your turn to speak at the microphone, and once you are recognized by the Moderator, you may address the body. Your statements must be limited to the motion on the floor. If you plan to make a motion (or amendment), you **MUST** make the motion prior to addressing the body. Once you have addressed the body, you may **NOT** make a motion (you will have to wait in line again to make your motion).
11. A participant may have a second chance to speak on an article but only after all other participants have spoken at least once.
12. Participants should try to speak for roughly 2 minutes each time they are recognized by the Moderator. More than 3-5 minutes speaking time will be allowed by pre-agreement with the Moderator, and usually only in the case of the presenter of the article. *Please do not abuse this privilege.*

13. The body may cut off discussion on an article with a motion (and second) to “call the question”. A 2/3 affirmative vote is necessary to call the question and a call itself is not debatable. If the motion to “call the question” passes, a vote will be held on the motion being discussed just prior to the motion to “call the question”. The Moderator reserves the right to disallow a motion to call the question if sufficient debate has not taken place. *Please do not abuse this privilege.*
14. All substantive motions and amendments must be in writing (printed neatly) and given to the Moderator. (In all motions or amendments, try to avoid situations where a negative vote is needed to express a positive intent.)
15. Only one amendment on the floor at a time will be allowed. (No amendments to amendments.)
16. Amendments cannot alter the **subject matter** of the original article. Articles that specify an appropriation may be amended up or down (including “zeroed out”). (See RSA 40:13 IV & RSA 39:2, as well as case law: *Pittsburg v. Danforth*, 56 N.H. 272 (1875), *Sawyer v. Railroad*, 62 N.H. 135 (1882))
17. At the discretion of the Moderator, voting will be voice vote, show of hands (holding colored card for visibility) or, if legally requested, secret (“yes/no”) paper ballot.
18. A petition for secret ballot must be submitted in writing prior to the vote, by at least five (5) petitioners. The five petitioners must be present when the petition is submitted. (See RSA 40:4-a)
19. If the body does not amend an article, by RSA 40:13 VI, it will automatically move to the Official Ballot as printed on the warrant. The Moderator will declare that the article moves to the Ballot as printed.
20. A voter may challenge any ruling by the Moderator (motion with second). The Moderator will then poll the participants. (To do this, say “Mr. Moderator I move to challenge your decision” You will be recognized and asked to come to the microphone to state your name, address, and make your motion again so all can hear it.) The Moderator may be overruled by a simple majority vote. (See RSA 40:4 I)
21. Each article remains open for further action until the Moderator moves to the next article. A motion (and second) to reconsider a previous article can be made and if it passes, the article is re-opened.
22. A motion to limit reconsideration can be made only on articles already acted on by the body. (A motion to limit reconsideration on all previous articles, or a group of articles identified by number, can be made.)
23. Anyone violating the rules or orders of the Moderator will be considered out of order. Continued violation will be considered “Disorder” under RSA 40:8.
24. No substantive actions may be taken under an "any other business" article. Votes of appreciation or recognition may be taken, and the Moderator will only call for ayes. (See RSA 39:2)
25. All requests for presentations (via video projector) or handouts (to be placed on the back table) must be made to the Moderator prior to the beginning of Deliberative Session. The Moderator will have final approval on what presentations or handouts will be allowed, based on whether they are germane to the subject being discussed, and based on whether they are deemed appropriate for the meeting.

Food for thought.

“It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly; who errs and comes short again and again; because there is not effort without error and shortcomings; but who does actually strive to do the deed; who knows the great enthusiasm, the great devotion, who spends himself in a worthy cause, who at the best knows in the end the triumph of high achievement and who at the worst, if he fails, at least he fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat.”

-Theodore Roosevelt

Mean what you say. Say what you mean. Don't say it mean.