

Amendment to HB 200

1 Amend the bill by replacing section 1 with the following:

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3 1 Municipal Budget Law; Method to Override Local Tax Cap. RSA 32:5-b, III is repealed and
4 reenacted to read as follows:

5 III. The legislative body may override the cap by the usual procedures applicable to annual
6 meetings of the legislative body, provided that: when a proposed appropriation will cause the amount
7 of local taxes raised by the town or district to exceed the tax cap under this section or the total
8 amount already raised and appropriated has caused the amount of local taxes raised by the town or
9 district to exceed the tax cap under this section, voting on the appropriation question shall be by
10 ballot, but the question shall not be placed on the official ballot used to elect officers, except in the
11 case of a legislative body that uses an official ballot form of meeting under RSA 40:13 or under a
12 charter adopted pursuant to RSA 49-D. If a 3/5 majority or the super majority as determined under
13 a charter pursuant to RSA 49-D of those voting on the question vote "yes," the appropriation is
14 approved. Only votes in the affirmative or negative shall be included in the calculation of the 3/5
15 majority or the super majority as determined under a charter pursuant to RSA 49-D.

16 (a) When using the official ballot form of meeting under RSA 40:13, if the warrant
17 article for the operating budget results in appropriations exceeding the tax cap under this section
18 and receives less than 3/5 majority "yes" vote, the adopted operating budget shall be reduced by
19 appropriations already raised to remain compliant with the tax cap under this section.

20 (b) School districts shall place the warrant article for the SAU budget at the beginning of
21 school district warrant, immediately after any warrant articles proposing bonds or notes. For school
22 districts using a traditional meeting and when the outcome of the SAU budget vote is pending on
23 balloting from the other school districts in the SAU, the higher of the school district's assigned
24 portion of the proposed SAU budget or the school district's assigned portion of the adjusted SAU
25 budget shall be assumed as raised and appropriated for the purpose of determining when the
26 override provisions under paragraph III apply.