



NORTHAMPTON MASSACHUSETTS RANKED CHOICE VOTING COMMITTEE

Meeting Date: March 2, 2022
Meeting Time: 4:00 pm

Join Zoom Meeting

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Meeting ID: 813 5035 8383

Passcode: 8RsD8Y

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Meeting ID: 813 5035 8383 Passcode: 924592

1. MEETING CALLED TO ORDER

The meeting will be held via teleconference and will be audio and video recorded.
All votes of the committee will be done by a roll call vote.

2. PUBLIC COMMENT

In accordance with committee rules, each public speaker shall have a maximum of two minutes to address the committee concerning any agenda topic or related ranked choice voting topic. The committee has established an overall time limit of 20 minutes for public participation.

3. REVIEW AND APPROVE MINUTES FROM PREVIOUS MEETING

Documents:

[_01272022-6210.pdf](#)

4. Review Attorney Seewald amendments to legislation & Chair Boulrice letter for submission to City Council

Documents:

[RCV Council letter.pdf](#)

[Northampton RCV Draft Legislation FINAL.pdf](#)

5. NEW BUSINESS

6. FUTURE MEETING DATE(S)

7. ADJOURN

For Questions, please contact City Clerk Pamela L. Powers @ (413) 587-1223



NORTHAMPTON MASSACHUSETTS RANKED CHOICE VOTING COMMITTEE

Meeting Date: 1/27/2022
Meeting Time: 5:00 pm

1/27/2022 - Minutes

1. MEETING CALLED TO ORDER

At 5:03 pm Chair Boulrice called the meeting to order. Member Mark Ventola moved to open the meeting. Member Catherine Kay seconded the motion. The motion was approved on a roll call vote of 4 Yes (Mark Ventola, Robert Boulrice, Catherine Kay, John Crowley), 1 Absent (Bill Dwight).

2. PUBLIC COMMENT

None

3. REVIEW & APPROVE MINUTES FROM PREVIOUS MEETING

Member Kay moved to approve the minutes; Member Crowley seconded the motion. The motion was approved on a roll call vote of 4 Yes (Boulrice, Crowley, Kay, Ventola), 0 No, 1 Absent (Dwight).

4. Discuss draft legislation & related topics

The committee addressed the seven questions associated with the draft legislation.

1. When should a ballot be concluded?

Member Kay preferred the language in the draft legislation: "a ballot is concluded when it does not rank any continuing candidate or contain an overvote."

Member Crowley does not agree with any language that provided for manual intervention & adjudication; it seems that this could lead to questioning of the process. The voter has the ability to correct the discrepancies if they cast their own ballot; however, there is not the opportunity to do this if a ballot is mailed in (this is consistent with what happens today).

Options for Skipped or Overvoted races

For races with Skipped Rankings there are three options:

- Choose the machine setting that allows the algorithm to assign SKIPPED RANKINGS to the set of exhausted ballots (conclude a ballot when a skip occurs).
- Use Default machine setting where any rankings that are left empty by the voter will be skipped by the algorithm and the next available ranked candidate will be used instead (promote skipped ranks).
- PREFERRED BY COMMITTEE
- Adjudicate skips.

For races with Overvoted Rankings there are two options:

- Choose the machine setting that allows the algorithm to skip overvoted rankings and proceed to the next ranking. No overvotes will be recorded. - PREFERRED BY COMMITTEE
- Use Default machine setting where overvotes will be recorded.

Attorney Seewald agreed to take a look at the definition of "Highest-ranked continuing candidate"; perhaps it could be made specific to include highest ranked candidates that are such because of skipped ranks.

2. When must ranked choice voting be used?

There was a discussion about whether RCV should be used when the number of candidates per seat does not require its use (such as a one-seat race with only 2 candidates). In theory, ranking could come into play if there are any strong write-in candidates, which as happened in a past state election.

As a matter of simplicity, one ballot style would be preferred for all races, regardless of number of candidates. This would require section (b) to be amended. Attorney Seewald agreed to make this adjustment.

3. When should tabulation be complete?

The committee agrees with the language in section 8.8 (c) as drafted:

(c) In any single-seat election, each round shall begin by counting the number of votes for each continuing candidate. Each ballot shall count as 1 vote for its highest-ranked continuing candidate. Concluded ballots shall not be counted for any continuing candidate. Each round shall end with 1 of the following 2 outcomes:

(1) If there are more than 2 continuing candidates, the last-place candidate shall be defeated or the last-place candidates shall be defeated in batch elimination, and a new round shall begin; or

(2) If there are 2 continuing candidates, the candidate with the fewest votes shall be defeated, the candidate with the most votes shall be elected, and tabulation shall be complete.

4. Should the threshold be recalculated each round?

The committee agreed that the threshold should be calculated only in the first round. The committee does not support re-calculating the threshold in subsequent rounds.

5. How should ties for the fewest votes be resolved?

The committee supports "backwards tie-breaking" when batch elimination does not apply. In this case, if there is a tie, the candidate with the least votes in the previous round is eliminated.

6. Who has authority to fill in gaps and make small changes to the implementation?

The Clerk is required to send City Council the draft language for ballots. Clerk Powers can include any layout options that the Council can approve. The goal is also to avoid having to go back to the Legislature

to make "tweaks" to the language. Attorney Seewald feels that the City Council would like to have a say in election matters. He wonders if some of the language in the draft legislation could be placed in an ordinance which is approved at the local level.

7. Do you want to include a local approval provision in the text?

The committee feels that approval to use RCV for Northampton elections should be brought before the voters for buy-in. The earliest time that that this can be done is likely Nov. 2022.

Rep. Sabadosa has reached out to find out the status of this project. She is prepared to spearhead this legislation through the legislative process on behalf of Northampton. She has asked that we share our legislation with the Elections Division @ the Sec. of the State's Office prior to submission.

5. NEW BUSINESS

None.

6. FUTURE MEETING DATE(S)

The next meeting is scheduled for February 10, 2022 @ 4 pm.

7. ADJOURN

At 5:50 pm Member Kay moved to adjourn the meeting; Member Ventola seconded the motion. The motion was approved on a roll call vote of 4 Yes (Boulrice, Crowley, Kay, Ventola); 0 No, 1 Absent (Dwight).

Minutes Prepared by City Clerk Pamela L. Powers
For questions, please call 413.587.1223

James B. Nash, City Council President
Mayor Gina-Louise Sciarra
City Hall
Northampton, MA

DRAFT

February xx, 2022

RE: An Act Relative to Ranked Choice Voting in the City of Northampton

Dear President Nash and Mayor Sciarra;

The City Council created the Ranked Choice Voting Committee (the Committee) May 10, 2021 and directed it to recommend how Northampton can best implement ranked choice voting (RCV) in our municipal elections. The committee first met July 26, 2021 and has held a total of twelve meetings to date. We are pleased to submit for your consideration, a draft of an Act which amends our Charter in order that RCV may be used. Once approved by the Council and the Mayor, the Act must be submitted to the Commonwealth's Legislature and the Elections Division for their consideration and action.

In our deliberations, the Committee attempted to craft an Act that would receive the requisite approval of the Legislature and the Elections Division. We started our work with a draft that was modeled after the recent state-wide referendum in 2020. While the referendum failed statewide, it passed with over 68% approval in Northampton. Our thinking was, if we started from a place where our Act was modeled upon that which had already been approved by the State as a ballot question, then our chances of ultimately receiving approval was more likely. We note that Amherst's home rule petition implementing RCV has not yet received approval from the state. We hope to avoid similar delay. Throughout our deliberations, the assistance of Greg Dennis and Andy Anderson of Voter Choice MA has been appreciated.

As the Committee created the draft Act which we now present for your approval, the primary elements contained therein were evaluated according to five criteria:

1. Does it comply with all applicable legal requirements and can it meet Massachusetts certification requirements?
2. Is it adequate to reflect the electorate's preferences?
3. Can it be clearly and succinctly explained to the electorate?
4. Would it enjoy the electorate's confidence in outcomes?
5. Is the City Clerk comfortable with our recommendations?

The first four criteria were developed by the Amherst RCV Commission and we have benefited from their efforts.

In doing its work, the Committee deliberated on seven essential RCV topics. A summary of each follows.

1. *What tabulation method should be used?* After much discussion, the Committee decided to utilize the Weighted Inclusive Gregory Method (WIGM). We appreciate the help from Jeff Silvestro of Dominion Software, who prepared for our analysis the outcomes of a 200-ballot sample election that was tabulated using the several most

- common methods. Upon evaluating the election outcomes produced by the various methods, in the Committee's opinion, WIGM best meets the evaluation criteria, above.
2. *When should a ballot be considered concluded?* A ballot is "concluded", i.e., no longer being tabulated, when it contains any of the following: no "continuing candidate", that is no candidate who may yet be elected during succeeding rounds of tabulation; or an "overvote at the "highest-ranked continuing candidate", that is for example, two votes in the number two rank after the number one rank has been tabulated. The Committee's intent is to minimize the occurrence of concluded ballots, in order that the expression of the voters might be reflected in the tabulation to the greatest extent possible. Accordingly, our draft does not conclude ballots in the case of skipped rankings, i.e., a voter chooses a #1 candidate, but not a number two, and then chooses a candidate in the number three rank. Dominion software has the ability to automatically elevate the number three selection into the number two rank. The Committee chose to utilize this feature.
 3. *When must ranked choice voting be used in Northampton municipal elections?* The draft calls for all offices to be eligible for RCV, in part for consistency, but also because anything short of all offices would mean that Northampton would still hold preliminary elections. The Committee feels that another important aspect of having all offices elected by RCV is that a single, uniform ballot would be used.
 4. *When should tabulation be complete?* For multi-seat elections, tabulation is complete when the requisite number of candidates have received enough votes to exceed the threshold. For single seat elections, candidates are continually eliminated until the field is reduced to two candidates.
 5. *How should ties for the fewest votes be resolved?* In all RCV elections in the US to date, there has never been a tie for fewest votes where batch elimination did not apply. Still, such an event could in theory happen in the future. The legislation in many jurisdictions calls to resolve such ties randomly, but random tie-breakers (e.g. "coin-flips") are not allowed under Massachusetts law. The draft Act prescribes the most common non-random method, often called "backwards tie-breaking," where ties are broken in favor of which candidate had more votes in the prior round; and if they are tied in the prior round, the round before that, and so on.
 6. *Who has the authority to make changes to the ranked choice voting ballot and tabulation process?* The Committee believes this authority resides with the Council, but recognizes that the City Clerk has essential input in this regard as she is required to file the warrant which includes the ballot to be used.
 7. *Should a local approval provision be included in the Act?* Our Act could directly include a provision that the Act be approved by Northampton voters on a ballot. If such a provision is not included, our understanding is that the Legislature might add one anyway, as they do like to see evidence of voter support for any change to elections. One might argue that with the strong show of support for RCV in the November 2020 referendum, another vote is redundant. The Committee believes that it is proper to ask our voters to endorse the specific language that is included in our Act. Also, as mentioned above we feel that the likelihood of acceptance by the Elections Division and the Legislature is enhanced by requiring a local vote. Finally,

and perhaps most important, such a ballot question put to our voters provides an excellent opportunity to roll out our education initiative.

The Ranked Choice Voting Committee thanks the Council for the opportunity to work on this important matter. We also appreciate the earnest participation and expertise of City Clerk Pam Powers and City Solicitor Alan Seewald. We urge you to consider expeditiously the draft Act we have presented. The ideal outcome for the ultimate implementation of RCV in Northampton involves the approval by the Legislature early enough in 2022 that the Clerk might be able to include the referendum in the upcoming state election in November. Should such a desirable scenario present itself, the City would then need to give considerable thought and effort to the matter of educating its voters. It cannot be overstated that an effective, comprehensive education campaign has been seen to be vital to the smooth implementation and acceptance of RCV in every jurisdiction attempting to use it.

For the Committee:

Robert B. Boulrice, Chair

Catherine M. Kay, Vice Chair

“AN ACT RELATIVE TO RANKED CHOICE VOTING IN THE CITY OF NORTHAMPTON”

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, as follows:

Chapter 277 of the Acts of 2012, shall be amended as follows:

SECTION 1. Article 8 is hereby amended by deleting section 8-1 and section 8-2 in their entirety, and by renumbering section 8-3 to section 8-1, section 8-4 to section 8-2, section 8-5 to section 8-3, section 8-6 to section 8-4, and section 8-8 to section 8-6.

SECTION 2. Article 8 is hereby amended by deleting in section 8-2, as amended by SECTION 1, the first two sentences in their entirety and replacing them with the following sentence:

The order in which names of candidates for each office appear on the ballot shall be determined by a drawing, by lot, conducted by the city clerk on the fourth Tuesday in September prior to the regular city election.

SECTION 3. Article 8 is hereby amended by deleting in section 8-6, as amended in SECTION 1, the word “preliminary,”.

SECTION 4. Article 8 is hereby amended by adding a new section 8-5 as follows:

SECTION 8-5. RANKED CHOICE VOTING

(a) For the purposes of this section, the following terms shall have the following meanings, unless the context clearly requires otherwise:

“Batch elimination” is the simultaneous defeat of multiple candidates.

"Concluded ballot," a ballot that does not rank any continuing candidate or contains an overvote at the highest-ranked continuing candidate.

"Continuing candidate," a candidate who has not been defeated or elected.

“Election threshold,” the number of votes sufficient for a candidate to be elected in a multi-seat election. It is calculated by dividing the total number of votes counting for continuing candidates in the first round by the sum of the number of seats to be elected and 1, disregarding any fractions, and then adding 1.

"Highest-ranked continuing candidate," the continuing candidate with the highest ranking on a voter's ballot. Where a ballot omits one or more ranks, the next highest ranking shall be used for determining the highest-ranked continuing candidate.

“Ranked choice voting,” a method of casting and tabulating ballots in which voters rank candidates for office in order of preference.

"Last-place candidate," (i) the candidate with the lowest vote total in a round of the ranked-choice voting tabulation; or (ii) a candidate that is defeated in batch elimination.

"Overvote," a circumstance in which a voter ranks more than 1 candidate at the same ranking.

"Ranking" means the number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Ranking number 1 shall be the highest ranking, ranking number 2 shall be the next-highest ranking, and so on.

"Surplus fraction," the number equal to the difference between an elected candidate's vote total and the election threshold, divided by the candidate's vote total.

"Transfer value," the proportion of a vote that a ballot will count to its highest-ranked continuing candidate. Each ballot shall begin with a transfer value of 1. If a ballot counts to the election of a candidate under subsection (d)(1), it receives a lower transfer value.

(b) All city offices shall be elected by ranked choice voting. Ranked choice voting elections shall be tabulated in rounds pursuant to this section.

(c) In any single-seat election, each round shall begin by counting the number of votes for each continuing candidate. Each ballot shall count as 1 vote for its highest-ranked continuing candidate. Concluded ballots shall not be counted for any continuing candidate. Each round shall end with 1 of the following 2 outcomes:

- (1) If there are more than 2 continuing candidates, the last-place candidate shall be defeated or the last-place candidates shall be defeated in batch elimination, and a new round shall begin; or
- (2) If there are 2 continuing candidates, the candidate with the fewest votes shall be defeated, the candidate with the most votes shall be elected, and tabulation shall be complete.

(d) In any multi-seat election, each round shall begin by counting the number of votes for each continuing candidate. Each ballot shall count, at its current transfer value, for its highest-ranked continuing candidate. Concluded ballots shall not count for any continuing candidate. In the first round only, the election threshold shall then be calculated. Each round shall end with 1 of the following 3 outcomes:

- (1) If at least one candidate has more votes than the election threshold, then all such candidates shall be elected. Each ballot counting for an elected candidate shall be assigned a new transfer value by multiplying the ballot's current transfer value by the surplus fraction for the candidate. Each elected candidate shall be deemed to have a number of votes equal to the election threshold in all future rounds, and a new round shall begin;
- (2) If no candidate has more votes than the election threshold and the sum of the number of elected candidates and continuing candidates is more than the sum of the number of seats to be elected and 1, the last-place candidate shall be defeated or the last-place candidates shall be defeated in batch elimination, and a new round shall begin; or
- (3) Otherwise, the continuing candidate with fewest votes shall be defeated, all other continuing candidates shall be elected, and tabulation is complete.

(e) Batch elimination shall apply to the largest possible group of continuing candidates such that the sum of the votes of candidates in the group is less than the individual number of votes of every

continuing candidate not in the group, and provided that the number of continuing candidates not in the group is at least 1 more than the remaining number of positions to elect.

(f) If 2 or more last-place candidates are tied and batch elimination does not apply, the candidate with the fewest votes in the prior round shall be defeated. If 2 or more such tied candidates were tied in the prior round, the second tie shall be decided by referring similarly to the standing of the candidates, in terms of votes, in the second-prior round. This process shall be applied successively as many times as necessary, a tie shown in any prior round shall be decided by referring to the standing of the candidates in the round immediately preceding the tie.

(g) The City Council may make any changes to the ranked choice voting ballot and tabulation process necessary to ensure the integrity and smooth functioning of the election, provided that ranked choice voting shall still be used and the fewest number of changes are made to achieve such purpose.

SECTION 5. The following question shall be placed on the ballot to be used at a regular state or municipal election or at special election called for the purpose of presenting the question to the voters: Shall an act entitled “An Act Relative to Ranked Choice Voting in the City of Northampton” be accepted?

The city solicitor shall prepare the summary of the proposed amendment to the special act charter of the city of Northampton which shall appear on the ballot along with the question provided in this section.

If a majority of votes cast in answer to the question is in the affirmative, the city shall be taken to have accepted the amendment to the charter of the city of Northampton, but not otherwise.

1.