City of Northampton
MASSACHUSETTS

In City Council, April 14, 2022
Upon the recommendation of Mayor Gina-Louise Sciarra and Councilor Stanley W. Moulton, III

22.072 An Order For Special Legislation Relative
To Ranked Choice Voting In The City Of Northampton
(redlined)

Ordered, that

WHEREAS,   In accordance with Section 10-6 of the City Charter and Chapter 9 of the Code of Ordinances, in January 2019, the City appointed a Charter Review Committee; and

WHEREAS,   On December 12, 2019, the Charter Review Committee filed its Final Report with the City Clerk; and

WHEREAS,   the Charter Review Committee made recommendations for certain changes to the City Charter among them the adoption of ranked choice voting in municipal elections; and

WHEREAS,   the City Council referred issues regarding implementation of ranked choice voting to the ad hoc Ranked Choice Voting Committee; and

WHEREAS,   the Ranked Choice Voting Committee filed its report along with proposed special legislation; and

WHEREAS,   The City Council wishes to authorize the Mayor to seek special legislation to effectuate the change to ranked choice voting.

NOW, THEREFORE, BE IT ORDERED

Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

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, section 8-7 to section 8-5, 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, as amended by SECTION 1, is hereby further amended by deleting section 8-5 in its entirety and by replacing it with the following:

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 Clerk, subject to the approval of the City Council, shall establish and maintain procedures may make any changes to thefor ranked choice voting ballot and tabulation processes 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.