

SENATE No. 2229

The Commonwealth of Massachusetts

PRESENTED BY:

Donald F. Humason, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act amending the home rule charter of the city of Easthampton.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Donald F. Humason, Jr.

Second Hampden and Hampshire

Daniel R. Carey

2nd Hampshire

SENATE No. 2229

By Mr. Humason, a petition (accompanied by bill, Senate, No. 2229) of Donald F. Humason, Jr. and Daniel R. Carey (with approval of the mayor and city council) relative to amending the home rule charter of the city of Easthampton. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act amending the home rule charter of the city of Easthampton.

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

1 SECTION 1. Article 1 is hereby amended with the insertion of a new Section 1-7

2 Definitions (in alphabetical order) to read as follows:

3 Ranked Choice Voting means an election system in which voters rank the candidates for
4 an office in order of preference. In Ranked Choice Voting, each voter casts a single vote by
5 ranking candidates in order of preference, indicating the voter’s first choice, second choice, and
6 so forth until the voter has assigned a single numerical ranking to each candidate on the ballot, or
7 the voter chooses to stop ranking. When ballots are counted, if one candidate receives fifty
8 percent (50%) of the first choice votes cast for the office in the election, the candidate is declared
9 the winner. If no candidate receives fifty percent (50%) of the first choice votes cast in the first
10 round, an instant runoff automatically occurs. In each instant runoff, the candidate receiving the
11 least number of votes in the prior round is withdrawn from the election (“Withdrawn
12 Candidate”). The highest ranked non-Withdrawn Candidate of each voter is the voter’s first

13 choice vote, and such first choice vote is used in calculating the total number of votes for each
14 remaining non-Withdrawn Candidate. The instant runoff process is repeated until a candidate
15 receives fifty percent (50%) of the total first choice votes cast for the office in the election, at
16 which time a winner is declared. A Ranked Choice Voting ballot shall not interfere with a voter's
17 ability to rank at least one write-in candidate.

18 SECTION 2. Article 7, is hereby amended with the insertion of a new Section 7-1.1,
19 Election of Mayor by Ranked Choice Voting, to read as follows:

20 Notwithstanding any law to the contrary, the election for office of mayor shall be
21 conducted using Ranked Choice Voting.

22 SECTION 3. Article 7, is hereby amended by the insertion of a new Section 7-1.2,
23 Election of District City Councilor by Ranked Choice Voting, to read as follows:

24 Notwithstanding any law to the contrary, the elections for district city councilors shall be
25 conducted using Ranked Choice Voting.

26 SECTION 4. Article 3, Section 3-1 is hereby amended by striking out subsection (b) and
27 inserting in place thereof the following subsection:

28 (b) Section 3-1. Mayor; Term of Office the term of office of the mayor shall be four (4)
29 years beginning on the first Monday of January following the biennial city election at which
30 chosen and until a successor is qualified.

31 SECTION 5. Should the voters of the city adopt the provisions of Section 7-1.1 or 7-1.2,

32 Article 9, Section 9-6 is hereby amended by adding the following new subsection:

33 In order to implement Ranked Choice Voting the city council president shall appoint an
34 ad hoc committee to draft an ordinance establishing the ballot format and the procedural rules for
35 casting and counting the Ranked Choice Voting votes. The committee shall also be tasked with
36 establishing an implementation budget. The ad hoc committee shall consist of seven (7)
37 members: one (1) shall be the city clerk or his/her designee, one (1) shall be a member of the
38 board of registrars of voters, three (3) shall be registered voters in the city and two (2) shall be
39 members of the city council.

40 General provisions for Ranked Choice Voting elections shall be specified by ordinance;
41 provided, however, that a voter's lower ranked choices shall not impact the likelihood of a
42 voter's higher ranked choices being elected. To the extent possible, a Ranked Choice Voting
43 ballot shall allow voters to rank as many choices as there are candidates. In the event that the
44 voting equipment cannot accommodate a number of rankings on the ballot equal to the number
45 of candidates, the board of registrars of voters may limit the number of choices a voter may rank
46 to the maximum number allowed by the voting equipment. A Ranked Choice Voting ballot shall
47 not interfere with a voter's ability to rank at least one write-in candidate.

48 The ad hoc committee shall present its proposal to the city council for its review and
49 adoption, with or without amendments. The ordinance will become effective for the first regular
50 biennial city election after approval, dependent upon funding in accordance with the
51 implementation budget. The budget limitation shall only be applicable for the first biennial
52 election following voter approval. Ranked Choice Voting shall be implemented by the second
53 regular biennial city election following voter approval of either Section 2 or Section 3 of this
54 Act.

55 SECTION 6. Sections 2 and 3 and 4 of this Act shall only take effect upon voter
56 ratification of each section considered as separate ballot questions.
57 Sections 1 and 5 will only take effect if either Section 2 or 3 are ratified by the voters.