

HOUSE No. 1917

The Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 24, 1916.

The committee on Election Laws to whom was referred the petition (with accompanying bill, Senate, No. 76) of John C. Brimblecom that preferential voting be authorized at municipal elections in the city of Newton, report the accompanying bill.

For the committee,

ROLAND D. SAWYER.

Messrs. MARTIN and HOBBS, of the Senate, and Messrs. BURR of Boston and GARRITY of Worcester, of the House, dissent.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Sixteen.

AN ACT

To authorize Preferential Voting at Municipal Elections in the City of Newton.

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. The mode of nomination and
2 election of all city officers elected by the people of
3 the city of Newton, after acceptance of the pro-
4 visions of this act in the manner herein provided,
5 shall be as hereinafter set forth.

1 SECTION 2. All candidates for city offices to
2 be filled by vote of the people shall not be nomi-
3 nated by primaries or caucuses, but shall be
4 nominated only by nomination papers in accord-
5 ance with the provisions of chapter eight hundred
6 and thirty-five of the acts of the year nineteen
7 hundred and thirteen: *provided*, that nomination
8 papers for the office of mayor shall be signed by at
9 least one hundred voters of said city, that nom-
10 ination papers for members of the school com-
11 mittee and for alderman at large shall be signed

12 by at least fifty voters of said city and that nom-
13 ination papers for alderman by ward shall be
14 signed by at least twenty-five voters of the ward
15 in which the election is to be held.

1 SECTION 3. The city clerk shall cause ballots
2 for each general and special municipal election to
3 be prepared, printed and authenticated as pro-
4 vided by the constitution and laws of the com-
5 monwealth, except as is otherwise required by
6 this act. The ballots shall contain a full list and
7 correct names of all the offices to be filled and the
8 names and residences of all the candidates nomi-
9 nated respectively therefor.

1 SECTION 4. Nothing on the ballot shall be in-
2 dicative of the source of the candidacy or of the
3 support of any candidate. No ballot shall have
4 printed thereon any party or political designation
5 or mark and there shall not be appended to the
6 name of any candidate any such party or political
7 designation, mark or anything indicating his views
8 or opinions. There shall also appear on the ballot
9 all questions required by law to be submitted to
10 a vote of the qualified voters of the city.

1 SECTION 5. The ballots shall be in substan-
2 tially the following form: —

3 At the top of each group of candidates for
4 an office shall be stated the number to be elected
5 to that office. In the heading of the first col-
6 umn for every such group shall appear the
7 words "First Choice" and, if the number to

8 be elected to that office is more than one, the
9 words "First Choices." In the heading of the
10 second column for every such group shall in like
11 manner appear the words "Second Choice" or
12 "Second Choices." After the word "Choice" or
13 "Choices" in the heading of the first and second
14 columns for every such group shall appear the
15 words "Not more than (here insert the number
16 to be elected from that group)." In the heading
17 of the third column for every such group shall ap-
18 pear the words "Other Choices, as many as you
19 wish to express."

20 *Instructions.* — To vote for any person make a
21 cross (X) in the square in the appropriate column
22 according to your choice, at the right of the name
23 voted for. Do not vote for any one candidate
24 in more than one column, as only one choice will
25 count for any one candidate by this ballot. (And
26 if only one candidate is to be elected to an office:)
27 Vote your first choice in the first column; vote
28 your second choice in the second column; vote in
29 the third column for all the other candidates
30 whom you wish to support. Vote only one first
31 choice and only one second choice. (But if two
32 or more candidates are to be elected to an office:)
33 Vote your first choices in the first column; vote
34 your second choices in the second column; vote
35 in the third column for all the other candidates
36 whom you wish to support. Vote not more than
37 two first choices and not more than two second
38 choices (substituting for the word "two" a
39 number equal to the actual number of candidates

40 to be elected to the office in question in case
41 more than two are to be elected).

FOR MAYOR (ONE TO BE ELECTED).	First Choice. Not more than One.	Second Choice. Not more than One.	Other Choices. As many as you wish to express.
Richard Roe, 2 A Street,			X
James Hoe, 6 F Street,	X		
John Doe, 28 G Street,		X	
Henry Poe, 117 K Street,			X
Louis Coe, 67 B Street,			
FOR ALDERMAN AT LARGE, WARD ONE (ONE TO BE ELECTED).	First Choice. Not more than One.	Second Choice. Not more than One.	Other Choices. As many as you wish to express.
Frank Smith, 28 Elm Street,	X		
Harry Jones, 16 Maple Avenue,		X	
Fred Brown, 128 Ash Street,			
FOR ALDERMAN BY WARD (ONE TO BE ELECTED).	First Choice. Not more than One.	Second Choice. Not more than One.	Other Choices. As many as you wish to express.
Hiram Black, 16 Main Street,	X		
Robert White, 20 Summer Street,			
MEMBERS OF THE SCHOOL COMMITTEE (THREE TO BE ELECTED).	First Choices. Not more than Three.	Second Choices. Not more than Three.	Other Choices. As many as you wish to express.
Felix Holt, 4 First Avenue,		X	
Adam Bede, 29 Gold Street,	X		
John Adams, 48 Silver Street,			X
Robert Norris, 96 Second Street,			
Philip Sheridan, 30 Sycamore Street,	X		
Alexander Hamilton, 19 North Street,		X	
Isaac Burr, 60 Hill Street,			
Peter Stuyvesant, 2 Smith Road,			X
Benjamin Franklin, 4 Duane Avenue,			X
Daniel Deronda, 6 Ivy Street,			
Robert E. Lee, 8 Haven Street,	X		X
Henry Clay, 20 Lake Avenue,		X	

1 SECTION 6. As soon as the polls are closed, the
2 precinct officers shall immediately open the ballot
3 boxes, take therefrom and count the ballots in
4 public view, and enter the total number thereof
5 on the tally sheet provided therefor by the city
6 clerk. They shall also count and enter on said
7 tally sheet the number of the first-choice, second-
8 choice and other-choice votes for each candidate
9 and make return thereof to the city clerk as pro-
10 vided by law.

11 Only one vote shall be counted for any candi-
12 date on any one ballot, all but the highest of two
13 or more choices on one ballot for one and the
14 same candidate being void.

15 If upon any ballot more candidates are voted for
16 in the first-choice column for any one office than
17 there are candidates to be elected to said office,
18 but not more than twice that number, all of such
19 votes in the first-choice column shall be counted
20 as votes expressing second choice for such can-
21 didates, and all votes in the second-choice column
22 of the ballot in question for that office shall be
23 counted as if marked in the third column.

24 If upon any one ballot candidates are voted for
25 in the first-choice column for any one office ex-
26 ceeding in number twice the number of candidates
27 to be elected to that office, all votes upon the
28 ballot in question for that office shall be counted as
29 if marked in the third column.

30 If upon any one ballot more candidates are
31 voted for in the second-choice column for any one
32 office than the number of candidates to be elected

33 to that office, such votes shall be counted as if
34 marked in the third column.

35 Except as hereinbefore provided all choices
36 shall be counted and returned as marked on the
37 ballot.

38 The city clerk shall then determine the suc-
39 cessful candidates as hereinafter provided in this
40 section.

41 The candidate or candidates for any office re-
42 ceiving a majority of the first-choice votes cast
43 for candidates for that office shall, to the number
44 required and in the order of the number of their
45 first-choice votes beginning with the highest, be
46 elected to that office: *provided*, that if the candi-
47 dates who receive such a majority are fewer in
48 number than the number of candidates to be
49 elected to that office, the second-choice votes
50 received by each candidate for that office who
51 shall not have received a majority of first-choice
52 votes as aforesaid shall then be added to the first-
53 choice votes received by every such candidate,
54 and the candidate or candidates receiving a ma-
55 jority in said first choice and second-choice votes
56 combined shall, to the number required and in the
57 order of the number of first-choice and second-
58 choice votes combined received by such candi-
59 dates, beginning with the highest, be elected to
60 that office; and *provided, further*, that if the can-
61 didates then elected are fewer in number than the
62 number of candidates to be elected to that office,
63 the other-choice votes received by each candi-
64 date who shall not have been elected as aforesaid,

