

INITIATIVE PETITION FOR A LAW

An Act relative to "Voter Choice",
also known as Instant Runoff Voting, in primary and general elections.

In the Year Two Thousand and Nine

SECTION 1. Section 2 of chapter 50 of the General Laws, as appearing in the 2008 Official Edition is hereby amended by inserting after the second sentence the following:

The Instant Runoff Voting method, as defined in section 1 of chapter 50 shall be the method used for determining the person receiving the highest number of votes for an office for all primary and general elections held after January 1, 2012 for the following offices when three or more candidates have qualified to have their names printed on the ballot: governor, lieutenant governor, attorney general, secretary of the commonwealth, state treasurer, state auditor, state representative, state senator, United States Congressional representative, and United States senator. Demonstration ballots illustrating voting procedures shall be posted in or near the voting booth, and shall be included in the instruction packet for absentee ballots. Directions to voters shall conform substantially to the following:

"Vote for your first-choice candidate by filling in the number 1 oval to the right of your first-choice candidate. In addition to your first choice candidate, you may rank additional candidates in order of preference. Ranking additional candidates will not affect your first-choice candidate. Indicate your second-choice by filling in the number 2 oval to the right of that candidate's name, your third choice by filling in the number 3 oval to the right of that candidate's name, and so on for as many candidates as you wish. Do not fill in the same number oval for more than one candidate. Do not fill in more than one oval per candidate. Do not skip numbers."

After consideration of the practical limitations of existing voting machinery and counting methods, the Secretary of State may limit the number of allowable rankings to no fewer than three regardless of the number of candidates who have qualified to have their names printed on the ballot.

The secretary of the commonwealth shall promulgate regulations to implement this section. Such regulations shall ensure that ballot design and instructions shall be simple and easy to understand. As soon as practicable, the secretary of the commonwealth shall ensure that all voting equipment in the commonwealth is capable of effecting Instant Runoff Voting. In addition, the secretary of the commonwealth shall ensure that a voter education campaign is conducted to familiarize voters with Instant Runoff Voting. The secretary of the commonwealth shall also ensure that poll workers are properly trained in Instant Runoff Voting procedures, including methods for counting paper ballots where such ballots are counted by hand. The number of votes in each round of an Instant Runoff Voting election shall be made publicly available along with the final vote count. This shall include the number of first choices for each candidate, and the total number of votes for each advancing candidate in each round of counting.

SECTION 2. Section 1 of said chapter 50 is hereby amended, by inserting after the definition of "federal act" the following definition:

"Instant Runoff Voting", a method of casting and tabulating votes that simulates the ballot counts that would occur if all voters participated in a series of runoff elections with one candidate eliminated after each round of counting. In elections using the Instant Runoff Voting method, voters may rank the candidates in order of preference. In all such elections, the count shall proceed in the following manner:

(1) The initial round of counting shall be a count of the first choices marked on each ballot. If there are more than two candidates, the last-place candidate shall be eliminated, and only the continuing ballots shall be recounted. "Continuing ballot" means a ballot that is not an exhausted ballot. "Exhausted ballot" means a ballot on which there are no choices marked other than choices for eliminated candidates.

(2) Each continuing ballot shall be counted as one vote for that ballot's highest ranked advancing candidate. "Advancing candidate" means a candidate who has not been eliminated. Should two or more candidates tie for last place in a given round, none of them shall advance to the next round.

(3) The last-place candidate in the second round shall likewise be eliminated, and only the continuing ballots shall be recounted. Each continuing ballot shall be counted as one vote for that ballot's highest ranked advancing candidate.

(4) The process of eliminating the last-place candidates and recounting all the continuing ballots shall continue until there are fewer than three advancing candidates. At that point, the advancing candidate having the highest number of votes at this final stage of the count shall be deemed to have the highest number of votes in the election, and shall be deemed and declared to be elected.

SECTION 3 – The second sentence of section 1 of chapter 53 is hereby deleted and the following sentence inserted therefor:

" A party which makes one or more nominations shall be entitled to have the name of each of its candidates printed on the ballot to be used at the ensuing election; but, unless the nomination is made by Instant Runoff Voting or by direct plurality vote in a primary, or by direct plurality vote in several caucuses held in more than one ward or in more than one precinct or group of precincts, a certificate of nomination must be filed as provided in section five."

SECTION 4: : The second sentence of Section 2 of chapter 53 is hereby deleted and the following sentence inserted therefor:

"All nominations and elections in primaries shall be by Instant Runoff Voting or by direct plurality vote, and in caucuses shall be by direct plurality vote."

SIGNATURES OF PETITIONERS

I have personally reviewed the final text of this Initiative Petition, fully subscribe to its contents, and agree to be one of the original signers of the petition

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