

LEGISLATURE AMENDMENT BILL.

MEMORANDUM.

THE object sought to be attained by the Absolute Majority Bill is to repeal the Second Ballot Act, 1908, and substitute in place thereof a system of voting which will secure proper representation as the result of the expressed opinions of the whole of the electors who vote. This Bill will grant a preferential power to the elector—a power which he must exercise if he votes.

Mr. McNab's Absolute Majority Bill provided that after having voted in the usual way the elector could then indicate by a figure the candidate whom he preferred next after his first choice. But the exercise of this vote was optional, and not compulsory, and the Bill was condemned largely on that ground. This Bill makes the exercise of the preferential vote compulsory.

PREFERENCE SHOWN BY FIGURES.

Should an elector have to decide as to the merits of four candidates, he must indicate by figures—1, 2, 3, 4 (or as many consecutive figures as there are candidates)—his order of preference. Having done that, the elector's work is finished.

The votes are then counted by the Returning Officer. The elector's first preference vote is multiplied by the number of candidates, so it cannot be urged that each of his preferences is of equal value. For instance, if 1,000 electors vote for (1) Deakin, (2) Watson, (3) Reid in that order, the value of the preference would be—

Deakin ...	...	...	...	...	1,000 × 3 equals	3,000.
Watson ...	...	...	...	...	1,000 × 2 "	2,000.
Reid ...	...	...	...	...	1,000 × 1 "	1,000.

Thus, the number of candidates is made to determine the value of the preference votes, and the old objection that A's fourth vote given under compulsion was equal to B's first vote readily given is disposed of.

The new system is demonstrated by the following tables, compiled on the basis of 5,990 valid votes being cast for four candidates :—

First Preference Votes.

A ...	...	...	...	...	1,944 × 4 =	7,776.
B ...	...	...	...	...	1,300 × 4 =	5,200.
C ...	...	...	...	...	1,006 × 4 =	4,024.
D ...	...	...	...	...	1,740 × 4 =	6,960.
						5,990

Second Preference Votes.

A ...	...	...	...	...	1,740 × 3 =	5,220.
B ...	...	...	...	...	1,006 × 3 =	3,018.
C ...	...	...	...	...	1,300 × 3 =	3,900.
D ...	...	...	...	...	1,944 × 3 =	5,832.
						5,990

Third Preference Votes.

A ..	...	...	...	...	1,300 × 2 =	2,600.
B ...	...	...	...	...	1,944 × 2 =	3,888.
C ...	...	...	...	...	1,740 × 2 =	3,480.
D ...	...	...	...	...	1,006 × 2 =	2,012.

Fourth Preference Votes.

A ...	...	...	...	...	1,006 × 1 =	1,006.
B ...	...	...	...	...	1,740 × 1 =	1,740.
C ...	...	...	...	...	1,944 × 1 =	1,944.
D ..	...	...	...	...	1,300 × 1 =	1,300.

Final Result.

			A	B	C	D
First preference ...	...	...	7,776	5,200	4,024	6,960
Second preference ...	...	...	5,220	3,018	3,900	5,832
Third preference ...	...	...	2,600	3,888	3,480	2,012
Fourth preference ...	...	...	1,006	1,740	1,944	1,300
Finals ...	...	...	<u>16,602</u>	<u>13,846</u>	<u>13,348</u>	<u>16,104</u>
	A	...	...	...	16,602	
	D	...	...	...	16,104	
	B	...	...	...	13,846	
	C	...	...	...	13,348	

Mr. Fisher.

LEGISLATURE AMENDMENT.

ANALYSIS.

Title		ascertained on close of poll.	Validity of
1. Short Title.		ballot-papers.	
2. Repeal. Marking the ballot-paper.			
3. Ballot-paper.		5. Legislature Act, 1908, amended.	
4. Counting the ballot-papers. Value of preference votes. Number of votes to be		6. Repeal. Schedules.	

A BILL INTITULED

AN ACT to amend the Legislature Act, 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Legislature Amendment Act, 1909, and it shall form part of and be read together with the Legislature Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. Subsection one of section one hundred and thirty of the principal Act is hereby repealed, and the following substituted in lieu thereof:—

Repeal.

“(1.) A voter, having received a ballot-paper, shall retire into one of the inner compartments provided for the purpose, and shall there, alone and secretly, indicate on the ballot-paper the order in which he desires the whole of the candidates to be placed at the close of the poll.

Marking the ballot-paper.

“(1A.) Such indication shall be made by writing against the name of the candidate whom he desires to be returned the figure ‘1,’ and against the name of the candidate for whom he has the next preference the figure ‘2,’ and so on with the consecutive figures for each candidate.”

3. The ballot-paper shall be in the form numbered (1) in the First Schedule hereto.

Ballot-paper.

4. (1.) In order to ascertain what candidate has been elected, the Returning Officer, after counting the ballot-papers as prescribed by section one hundred and forty-four of the principal Act, shall, in the presence of the scrutineers, mark in figures on each valid ballot-paper against the name of each candidate the number of points representing the value of the preference indicated by the voter on the ballot-paper.

Counting the ballot-papers.

Value of preference votes.

- (2.) The number of points aforesaid shall be as follows :—
 (a.) To the candidate marked by the voter with the figure “ 1,” as many points as there are candidates :
 (b.) To the candidate marked by the voter with the figure “ 2,” one point less than the number of points prescribed by paragraph (a) : 5
 (c.) To the candidate marked by the voter with the figure “ 3,” one point less than the number of points prescribed by paragraph (b) :

and so on for every candidate. 10

Number of votes to be ascertained on close of poll.

(3.) The Returning Officer shall then ascertain from the ballot-papers the total number of points received by each candidate, and shall publicly declare, in the form numbered (2) in the *First* Schedule hereto, that candidate to be elected who has received the greatest number of points. 15

Validity of ballot-papers.

(4.) No ballot-paper shall be deemed to be valid if it does not bear the official mark and there is no reasonable cause to believe that it was not issued to a voter by any Deputy Returning Officer, or if anything not authorised by the principal Act or this Act is written or marked thereon by which the voter can be identified, or if it does not clearly indicate the order in which the voter desires every candidate to be placed as aforesaid. 20

Legislature Act, 1908, amended.

5. The Legislature Act, 1908, is hereby further amended in the manner and to the extent mentioned in the *Second* Schedule hereto.

Repeal.

6. The Second Ballot Act, 1908, is hereby repealed. 25

SCHEDULES.

FIRST SCHEDULE.

	DEAKIN.
	FISHER.
	LYNE.
	WATSON.

Directions.

The voter must indicate on the ballot-paper the order in which he desires the whole of the candidates to be placed at the close of the poll. Such indication shall be made by writing against the name of the candidate whom he desires to see returned the figure “ 1,” and against the name of the candidate for whom he votes next in preference the figure “ 2,” and so on with consecutive figures.

The voter must indicate his preference vote for every candidate. The ballot-paper is to be folded up so that the contents cannot be seen ; and, having shown the official mark on the back to the Returning Officer, the ballot-paper is to be put in the ballot-box by the voter.

The ballot-paper is not to be taken out of the booth.

Schedules.

SECOND SCHEDULE.

AMENDMENTS OF THE LEGISLATURE ACT, 1908.

Section of Legislature Act, 1908.	Nature and Extent of Amendment.
Section 91 ...	Repealing paragraph (e), and omitting from paragraph (i) all words after the word "transmitted."
" 136 ...	Inserting, after the words "each candidate," the words "distinguishing in the case of each candidate the number of votes marked with the figures '1,' '2,' '3,' '4,' or other number respectively."
" 145 ...	Repealing paragraph (b).
" 147 ...	Omitting the word "votes" wherever it occurs, and substituting the word "points."
" 162 ...	Omitting the words "the candidate for whom any voter in such booth is about to vote or has voted" wherever they occur in subsection two, and substituting the words "any vote which any voter in such booth is about to give to has given."
" 162 ...	Omitting the words "the name of the candidate for or against whom" in subsection four, and substituting the words "the manner in which."
" 196 ...	Inserting, after the word "recount" in paragraph (f), the words "of points."
" 212 ...	Omitting the word "votes," and substituting the word "points"; and omitting the words "one vote," and substituting the words "as many points as there were candidates at the election."