

HOUSE No. 3665

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act regarding the preparation of certain ballots in the City of Boston..

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. Definitions

2 As used in this act, the following words shall, unless the context requires otherwise, have
3 the following meanings:

4 Chinese surname means any surname which appears on the Lauderdale and Kestenbaum
5 list of Chinese surnames.

6 City means the City of Boston.

7 Election shall mean any election, as defined by section 1 of chapter 50 of the General
8 Laws.

9 Transliteration means the printing of relevant Chinese characters to represent the
10 phonetic equivalent of the syllables of an English name or a name in any other language that is
11 not traditionally written using Chinese characters.

12 State election shall mean any election at which a national, state, or county officer or a
13 regional district school committee member elected district-wide is to be chosen by the voters,
14 whether for a full term or for the filling of a vacancy.

15 Vietnamese surname means any surname which appears on the Lauderdale and
16 Kestenbaum list of Vietnamese surnames.

17 SECTION 2. Notwithstanding section 40 of chapter 54 of the General Laws, or any
18 other general or special law to the contrary, in federal and state elections the state secretary shall
19 prepare bilingual ballots in English and Chinese, and English and Vietnamese in addition to any
20 other bilingual ballots required by law, in the designated polling places within the city of Boston
21 as defined by Section 4 of this act.

22 SECTION 3. Notwithstanding section 58 of the charter of the City of Boston, or any
23 other general or special law to the contrary, in all City of Boston preliminary or final elections
24 the election commission shall cause bilingual ballots in English and Chinese, and English and
25 Vietnamese in addition to any other bilingual ballots required by law, in the designated polling
26 places within the city of Boston as defined by Section 4 of this act.

27 SECTION 4. English-Chinese bilingual ballots shall be provided in every polling place
28 in the City where there are at least 35 registered voters with Chinese surnames. English-
29 Vietnamese bilingual ballots shall be provided in every polling place in the City where there are
30 at least 30 registered voters with Vietnamese surnames.

31 At least one English-Chinese bilingual ballot per registered voter with a Chinese surname
32 shall be provided in each designated polling place. At least one English-Vietnamese bilingual
33 ballot per registered voter with a Vietnamese surname shall be provided in each designated

34 polling place. In any district, county, state, or federal primary or election the State Secretary
35 may provide additional sets of bilingual ballots for any polling place in the City when he deems
36 it necessary. In any preliminary or final election the City's Election Department may provide
37 additional sets of bilingual ballots for any polling place in the City when it deems necessary.

38 SECTION 5. The Election Commission in all City of Boston preliminary or final
39 elections and the State Secretary in all federal and state elections shall provide for the
40 transliteration of all candidates' names for English-Chinese bilingual ballots. All candidates shall
41 be provided with a written copy of the proposed transliteration of candidate's name. Within seven
42 days of receiving the proposed transliterations of candidate's name, any candidate may provide
43 written notice to the City Election Commission or State Secretary of a modification of the
44 proposed transliteration of candidate's own name or decline to have candidate's own name
45 transliterated on the ballot. The transliteration shall be subject to final approval by the City
46 Election Commission in all City of Boston preliminary or final elections or the State Secretary in
47 all federal and state elections. The City Election Commission or State Secretary shall provide
48 public notice of transliterated names as soon as practicable.

49 SECTION 6. The City of Boston shall record the number of English-Chinese and
50 English-Vietnamese bilingual ballots that are printed, requested, or used in all elections held in
51 the City of Boston.

52 SECTION 7. The provisions of this act shall take effect on its passage.

53 SECTION 8. All provisions of this law shall cease to have further effect after December
54 31, 2013, the sunset date.

55 SECTION 9. If any provision of these sections or the application of such provision to
56 any person or circumstance shall be held invalid, the validity of the remainder of these sections
57 and the applicability of any such provision to other persons or circumstances shall not be
58 affected thereby.