

# INFORMATION REPORT

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	November 16, 2016
<b>SUBJECT/REPORT NO:</b>	Ranked Ballot Elections (CL16013) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
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<b>SUBMITTED BY:</b>	Rose Caterini, City Clerk
<b>SIGNATURE:</b>	

## Ranked Ballot Elections

The Province of Ontario conducted a public consultation process in 2015 as it began a thorough examination of the Municipal Elections Act (MEA).

This report provides information regarding the option of ranked ballot elections. Ranked ballots allow a voter to rank candidates in order of preference (1<sup>st</sup> choice, 2<sup>nd</sup> choice, 3<sup>rd</sup> choice, etc.)

No Canadian municipality currently uses a ranked ballot system. Ontario is the first province to allow municipal councils to pass a by-law to implement ranked ballot elections commencing with the 2018 Municipal Election.

Section 1(1) of the MEA has been amended to include the following definition:

“ranked ballot elections” means, with respect to an office on the council of a municipality, an election authorized under subsections 41.1 (1);

Section 41.1 of the MEA sets out a framework for ranked ballots as follows:

41.1 (1) The Lieutenant Governor in council may, by regulation, authorize elections for offices on a municipal council to be conducted in accordance with the following rules:

1. Electors vote by ranking candidates for an office in order of the elector's preference.
2. Votes are distributed to candidates base on the rankings marked on the ballots.
3. The counting of vote is carried out in one or more rounds, with at least one candidate being elected or eliminated in each round.

Regulation 310/16 stipulates that for a single tier municipality ranked ballot elections for office on the council are authorized only if they are to be conducted for all offices on the council.

With ranked ballot elections a candidate would have to cross a “threshold” of votes to be elected. The threshold is the number of votes sufficient for a candidate to be elected to an office and is determined using the following formula,

$((A) \div (B + 1)) + 1 = \text{Threshold}$  , in which,

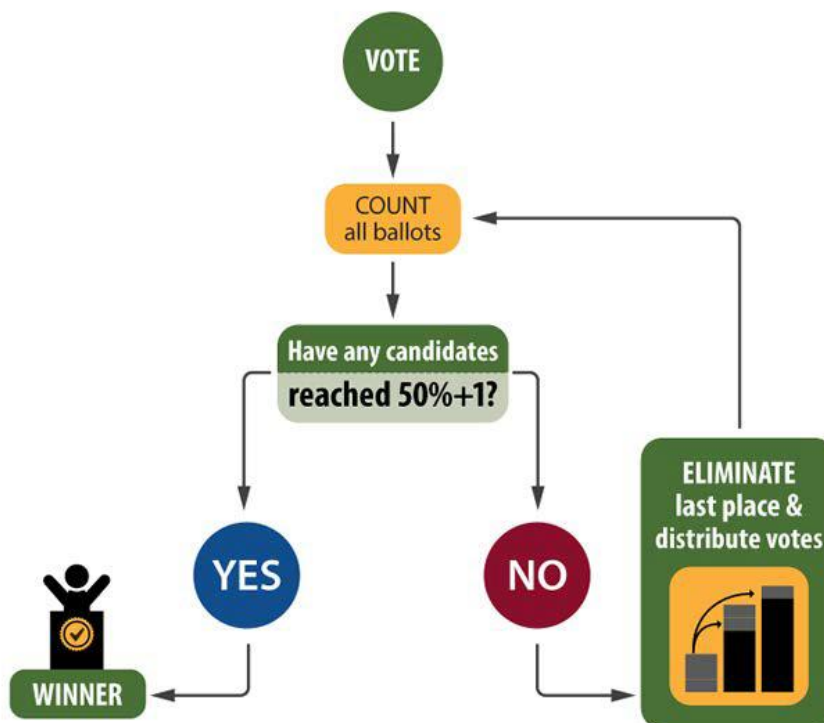
“A” is the total number of ballots cast for office,

“B” is the number of members to be elected to the office.

### Single-member ranked balloting

To cross the threshold in a single-member ranked ballot election, votes would be distributed among candidates based on the rankings indicated by the voter on the ballot.

In the event that a candidate does not receive enough votes to pass the threshold, subsequent rounds of vote counting would be conducted where the candidate(s) who received the lowest number of votes would be dropped from future counts, and his or her votes redistributed based on the rankings assigned to other candidates on the same ballot, until the threshold is met.



Appendix “A” is taken from the Ministry of Municipal Affairs website and gives an example of a single member ranked ballot election. This example demonstrates how votes are redistributed between candidates to meet the required thresholds.

### **Public Information**

Prior to the passing of a by-law with respect to ranked ballot elections, the council shall ensure that the following information is made available to the public:

1. A detailed description of how the elections would be conducted, including a description of how votes would be distributed to candidates based on the rankings marked on ballots.
2. An estimate of the costs of conducting the elections.
3. A description of the voting equipment and vote-counting equipment, if any, that is being considered.
4. A description of any alternative voting method being considered.

At least one open house must be held for the purpose of giving the public an opportunity to review and ask questions as it pertains to the above listed information. A public meeting must also occur prior to the adoption of the by-law.

### **Voting Equipment**

Our current supplier of tabulators has confirmed that their tabulators would be able to handle a ranked ballot Election and a first past the post Election.

Due to the multiple rounds of voting required for ranked ballot elections the amount of time needed to prepare and test tabulators and software would be affected. It is imperative that the security and integrity of the tabulators, memory cards, and software be secured at all times.

The logic and accuracy testing phase for tabulators would require new testing procedures and would take longer for multiple rounds of vote counting. This would require additional staff to complete.

There would be an additional vendors cost to prepare the tabulators for a ranked ballot election. The cost has not yet been determined, however an enhancement to the existing Election budget would be required.

### **Ballot Considerations**

For past Elections a composite ballot has been produced displaying all offices on the same ballot face. With the combination of Mayor, Councillor and English and French Trustee races we produce 75 ballot faces.

The MEA does not provide for the use of ranked ballot Elections for Trustee races. A ballot would need to be created with a ranked balloting explanation for the Mayor and Councillor races, and a first past the post explanation for Trustee races.

This scenario may result in confusion at the polls, a larger number of spoiled ballots, longer lines, and certainly increase the amount of time it takes electors to cast their ballot.

Regardless of the number of candidates, the ballots will be complex and may result in two separate ballots, one for City Council and one for Trustees. Design of the ballots will need to include the size of the ballot, the number and arrangement of columns, the readability, logic and accuracy testing. This will result in more time needed to educate electors at the poll.

These differences in voting will also affect Election Day staffing as more time will be required to issue, manage, balance and reconcile multiple, or dual face ballots.

### **Accessibility**

In previous municipal Elections the City has utilized tabulators with accessible features such as hand held touch pads, yes/no paddles and a sip and puff machine.

These devices gave the voter the opportunity to listen to an audio ballot with candidate options read out over headphones.

Experience has shown that with these tabulators require a significant amount of time to read out the entire ballot and the options for voting.

If ranked balloting were implemented the time for reading out the ballot and an explanation for ranked ballot voting, where three or more candidates may be selected, and first past the post voting would create a decisively longer time for the elector.

### **Election Results**

To continue transparency with voting results further information would need to be provided with ranked ballots.

In additions to the candidates who have been elected and the number of ballots cast, which are currently reported, the Clerk would also have to report on the following:

- The number of ballots that were declined or rejected;
- The threshold of each office;
- The number of votes each candidate received in the first round, and thereafter where applicable, of vote counting.
- The results of each round of vote counting, including the number of votes received by each remaining candidate and the number of exhausted ballots.

The ranked ballot process will likely delay the release of official results from the Clerk's office. Although unofficial results may be available on the evening of Election Day the verification of these results may take up to a week to complete.

### **Summary**

When consideration is given to the above topics the following would be required for a ranked ballot Election:

- The number of ballots required and the ballot costs will increase based on the size and number of ballot faces required, and the anticipation of more spoiled ballots;
- Additional staff will be needed for the following:
  - Research, planning, writing and presentation of ranked ballot Elections for public meetings preceding the passing of the by-law;
  - Planning, design, and testing of the ballots;
  - Diagnostic testing of the tabulators and software to ensure they are properly calibrated and in good working order to ensure accurate results on Election Day, and a secure audit trail of the ballots cast;
  - Education at the polls for the two voting systems being used;
  - A marketing program which would include all aspects of the ranked ballot process and first past the post process, and include promotional materials, and media advertising;
  - The research, planning, writing and implementation of new training manuals and the subsequent training sessions.
  - Election results to determine rankings at each counting.

The City is required to hold at least one open house for the purpose of giving the public an opportunity to ask questions. The open house must be held at least 15 days prior to the public meeting.

Before passing a by-law Council shall ensure that a public meeting is held where people are given the opportunity to make representations in respect of the proposed by-law.

At least 30 days prior to the open house and the public meeting Council shall publish notice of the meetings.

If Council decides not to pursue ranked ballot Elections for the 2018 Municipal Election the Election's office will monitor the initial implementation of a ranked ballot system for those municipalities that decide to undertake this method of voting.

## **APPENDIX ATTACHED**

Appendix A – Ranked Ballot System Sample