



RANKED BALLOT VOTING

Presentation to Public Open Houses

January 10th and 11th, 2018



Introduction / Purpose

- The 2018 municipal election ballot will include a Referendum Question asking Kingston electors if they would be in favour of using Ranked Ballot Voting to elect the Mayor and District Councillors in future elections;
- This Open House is part of Council's approved Public Education / Communications Strategy to ensure that Kingston electors are aware of the Referendum Question and how Ranked Ballot Voting would work.

Background

- An amendment to the *Municipal Elections Act* in 2016 gave municipalities the option to use Ranked Ballot Voting to elect members of Council;
- Information on Ranked Ballot Voting was provided to Council (Reports 16-244 and 16-366);
- On November 15, 2016 Council decided to maintain the First Past the Post electoral system for the 2018 municipal election;
- At that meeting Council also directed staff to initiate the process for submitting a Referendum Question with respect to the use of Ranked Ballot Voting for future elections;

Background (cont'd)

- Council also directed staff to report back with a public education plan to engage the public on the Referendum Question;
- June 20, 2017 Council approved the Public Education / Communications Strategy (open houses, website, signage, social media, news releases, etc.);
- Ranked Ballot Voting would be a significant change for Candidates, election administrators and electors from the current First Past the Post electoral system.

First Past the Post

- Current electoral system;
- Each elector gets one vote for Mayor and one vote for the Councillor in the District in which they are voting;
- One round of ballot counting (notwithstanding recounts);
- The candidate with the most votes is elected;
- In the 2014 election, the winning candidates received a low of 33.7% of the vote to a high of 87.3%.



Ranked Ballots

City of Kingston, January, 2018

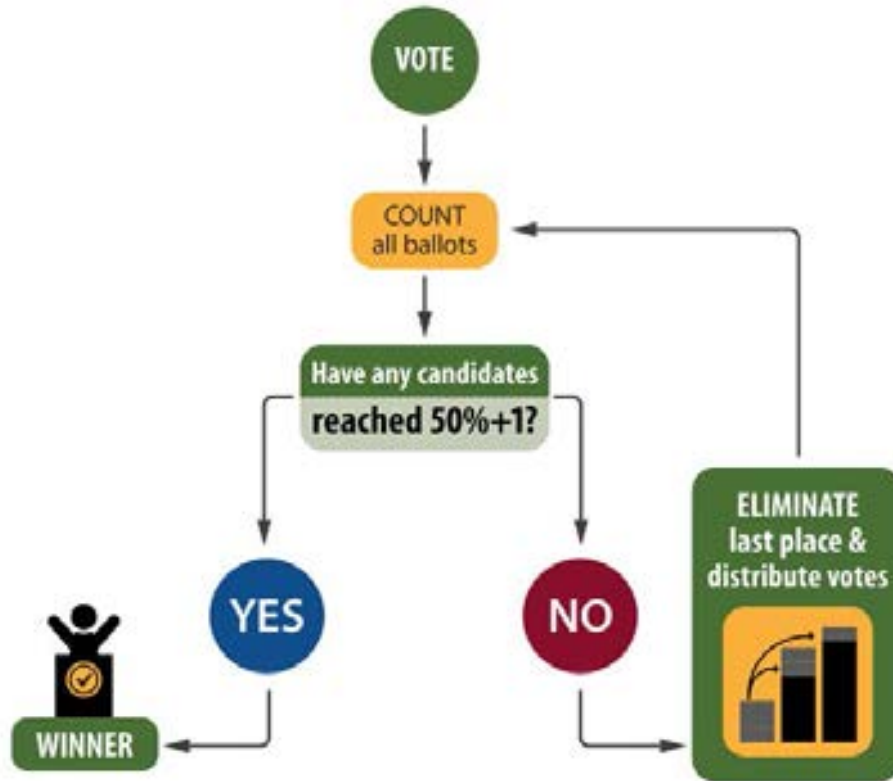
Disclaimer

- This presentation provides general information in plain language about the *Municipal Elections Act, 1996* and O.Reg. 310/16.
- This presentation should not be considered legal advice and is not meant to replace provincial legislation. For more specific information, please refer to the relevant legislation and regulations which can be found online at www.e-laws.gov.on.ca.
- As local facts and circumstances are variable, users should obtain their own legal and professional advice when specific issues arise.

General Requirements

- Municipalities have been provided with the option of using ranked ballots starting in the 2018 municipal election
- If a municipality chooses to use ranked ballots, they must be used for all offices on council
- Ranked ballots cannot be used to elect school trustees

Overview



Voting in a Ranked Ballot Election

How Many Candidates Can You Rank?

- Council may specify the maximum number of rankings
- Number of rankings may be different for different offices
- If no maximum specified, the default maximum is three
- Electors do not have to rank the maximum number

Ballots

- What the ballot will look like may depend on:
 - The vote casting technology being used
 - The vote counting technology being used
 - How many candidates a voter is allowed to rank

List Style Ballot

SAMPLE BALLOT

Monkey bars	<input type="checkbox"/> 3
Picnic table	<input type="checkbox"/> 1
Sandbox	<input type="checkbox"/>
Slide	<input type="checkbox"/> 2
Swings	<input type="checkbox"/>
Treehouse	<input type="checkbox"/>

Column Style Ballot

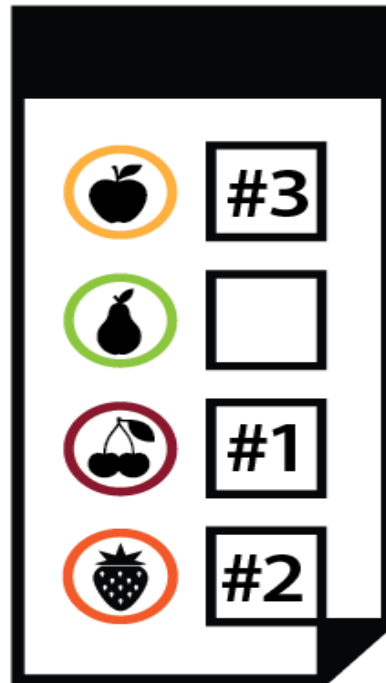
SAMPLE BALLOT		
1 st choice	2 nd choice Must be DIFFERENT from your 1st choice	3 rd choice Must be DIFFERENT from your 1st and 2nd choice
Select One	Select One	Select One
Monkey bars <input type="checkbox"/>	Monkey bars <input type="checkbox"/>	Monkey bars <input checked="" type="checkbox"/>
Picnic table <input checked="" type="checkbox"/>	Picnic table <input type="checkbox"/>	Picnic table <input type="checkbox"/>
Sandbox <input type="checkbox"/>	Sandbox <input type="checkbox"/>	Sandbox <input type="checkbox"/>
Slide <input type="checkbox"/>	Slide <input checked="" type="checkbox"/>	Slide <input type="checkbox"/>
Swings <input type="checkbox"/>	Swings <input type="checkbox"/>	Swings <input type="checkbox"/>
Treehouse <input type="checkbox"/>	Treehouse <input type="checkbox"/>	Treehouse <input type="checkbox"/>

Grid Style Ballot

SAMPLE BALLOT						
Candidates	1 st	2 nd	3 rd	4 th	5 th	6 th
Monkey bars	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Picnic table	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandbox	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Slide	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Swings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Treehouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Interpreting Rankings

- Rankings are considered in order of preference indicated



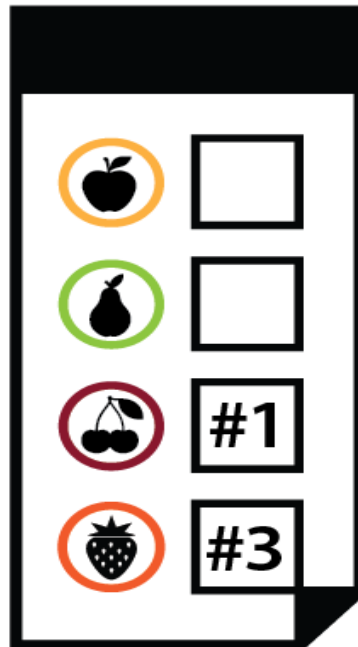
Interpreting Rankings

- If the same candidate is given more than one ranking, only the highest of those rankings is considered

SAMPLE BALLOT		
1 st choice	2 nd choice Must be DIFFERENT from your 1st choice	3 rd choice Must be DIFFERENT from your 1st and 2nd choice
Select One		
Monkey bars <input type="checkbox"/>	Monkey bars <input type="checkbox"/>	Monkey bars <input checked="" type="checkbox"/>
Picnic table <input type="checkbox"/>	Picnic table <input type="checkbox"/>	Picnic table <input type="checkbox"/>
Sandbox <input type="checkbox"/>	Sandbox <input type="checkbox"/>	Sandbox <input type="checkbox"/>
Slide <input checked="" type="checkbox"/>	Slide <input checked="" type="checkbox"/>	Slide <input type="checkbox"/>
Swings <input type="checkbox"/>	Swings <input type="checkbox"/>	Swings <input type="checkbox"/>
Treehouse <input type="checkbox"/>	Treehouse <input type="checkbox"/>	Treehouse <input type="checkbox"/>

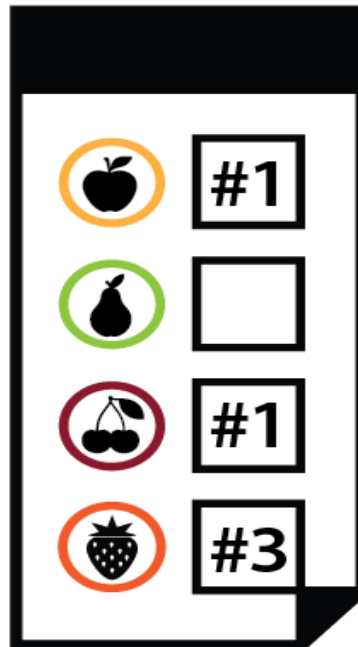
Interpreting Rankings

- If a voter skips a ranking, the next highest preference is considered



Interpreting Rankings

- If a voter gives two candidates the highest ranking, the ballot is rejected



Interpreting Rankings

- If the voter indicates a highest preference, and gives two candidates a subsequent preference (e.g. puts two candidates second) the ballot is counted in the first round but becomes exhausted if transferred



Vote Counting

Vote Counting – Establishing the Threshold

- The first step in vote counting is establishing the threshold for the office
- Formula: $[\text{valid ballots cast} / (\text{seats} + 1)] + 1$
- Ballots cast does not include declined or rejected ballots
- The threshold is only calculated once – it does not change for subsequent rounds
- Example: 1000 voters electing 1 candidate:
 $[1000 / (1 + 1)] + 1 = 501$ votes needed to win

Single Member – Steps

Calculate the threshold: $[\text{valid ballots cast} / (\text{seats} + 1)] + 1$

First Round:

- Votes are counted for candidates based on the first choice marked on each ballot.
- If a candidate has received enough votes to reach or cross the threshold, that candidate is the winner, and the vote count stops.
- If none of the candidates has enough votes to reach or cross the threshold, the candidate with the fewest votes is eliminated. The votes for that candidate will go to the next choice marked on each ballot that was cast for the candidate.

Single Member – Steps

Second Round (and any subsequent rounds):

- Votes are counted for each candidate, including any votes the candidate received in the first round because they were the first choice on the ballot, as well as any votes that were transferred to the candidate because they were the next choice on the ballot from an eliminated candidate.
- If none of the candidates has enough votes to reach or cross the threshold, the candidate with the fewest votes is eliminated. The votes for that candidate will go to the next choice marked on each ballot that was cast for the candidate.
- This process is repeated until a candidate has enough votes to win.

Reporting Requirements and Recounts

Reporting Requirements

- As soon as possible after voting day, the clerk must make the following information available for each office:
 - Number of ballots cast
 - Number of declined ballots
 - Number of rejected ballots
 - Threshold for the office
 - Number of votes cast for each candidate in the first round
 - Results of each round of vote counting, including the number of votes received by each candidate and the number of exhausted ballots

Consultation

Consultation Requirements

- The municipality must hold an open house, and at least one public meeting
- The following information must be provided to the public:
 - 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
 - estimate of the costs of conducting the elections
 - description of the voting equipment and vote-counting equipment that is being considered
 - description of any alternative voting method being considered

For More Information

- Guide to Ranked Ballot Elections for Ontario Municipalities
- Ranked Ballots – Guide for Clerks

www.ontario.ca/MunicipalElections

Contact Information

Ministry of Municipal Affairs/Ministry of Housing

Municipal Services Office Eastern

www.ontario.ca/mah

Petr Sizov, Municipal Advisor, petr.sizov@ontario.ca

613-545-2117 or 1-800-267-9438 ext.117

Carol D. Church, Municipal Advisor, carol.church@ontario.ca

613-545-2130 or 1-800-267-9438 ext. 130

RANKED BALLOT VOTING



How does ranked ballot voting work?

Voters rank the candidates in order of preference on the ballot

1st choice, 2nd choice and 3rd choice



How is a winner declared?

All of the first-choice votes are added up.



What happens if no winner can be declared?

- The candidate with the fewest **FIRST-CHOICE** votes is eliminated. A new count begins.
- The ballots for the eliminated candidate are redistributed to the remaining candidates based on the **NEXT** choice marked on each of the eliminated candidate's ballots.
- This process is repeated until a winner can be declared with 50% plus one of the votes.



How can a candidate be declared the winner?

50% plus one of the votes, the candidate is declared the winner.



How Ranked Ballot Voting Works (cont'd)

- If the 2014 election had been a ranked ballot election, and assuming everyone's "first choice" vote was the same, the Councillor in eight (8) of the Districts would have been elected based on the "first choice" votes only;
- The elected candidates in those eight (8) Districts received a low of 51.9% of the vote to a high of 87.3%;
- For the office of Mayor and the other four (4) District Councillors, multiple ballot counts would have been required as the winning candidates received a low of 33.7% of the vote to a high of 40.6% based on the "first choice" votes.

What Would Ranked Ballot Voting Cost?

- Detailed cost estimates have not been prepared;
- Significant investment would be required in terms of staff, technological and financial resources, with respect to the following:
 - Public Education and Engagement - to explain how Ranked Ballot Voting works and how it differs from First Past the Post;
 - Ballot Design – to accommodate Ranked Ballot Voting for Mayor and District Councillors and First Past the Post for School Board Trustees;
 - Voting Technology – new or upgraded equipment that meets all the requirements of the legislation with respect to ballot counting and redistribution of ballots;

What Would Ranked Ballot Voting Cost? (cont'd)

- Logic Testing – ballots and equipment to ensure reliability and accuracy of first ballot count and any subsequent ballot counts;
- IT Support – upgrades to infrastructure to accommodate new voting technology and reporting requirements;
- Staff Training – to ensure all election staff know how Ranked Ballot Voting works; and
- Election Support Staff – additional staff at each voting place to assist electors and explain how to mark ballot.

What Would Ranked Ballot Voting Cost? (cont'd)

- Budget for 2018 Municipal Election \$750,000;
- Initial estimates for Ranked Ballot Voting an additional \$250,000 to \$300,000, or more;
- If Ranked Ballot Voting to be used in the 2022 Election, the cost could be \$1 Million, or more;
- Detailed costs would be prepared and presented to the public prior to Council passing the Ranked Ballot Voting By-law for the 2022 Election.

Referendum Question Process

- The *Municipal Elections Act* sets out the process;
- Council must pass a By-law by March 1, 2018 authorizing the City Clerk to include the Question on the ballot;
- City must provide at least ten (10) days notice of the intent to pass the By-law;
- At least one public meeting must be held to consider the Referendum Question;
- Notice of Passing must be issued within fifteen (15) days of the date of passing;

Referendum Question Process (cont'd)

- The By-law may be appealed to the Chief Electoral Officer of the Province of Ontario within twenty (20) days after the date of the Notice of Passing; and
- The only grounds for an appeal are that the Referendum Question is:
 1. not considered to be clear, concise and neutral; or
 2. not capable of being answered in the affirmative or negative.

Proposed Referendum Question

The preliminary wording for the Referendum Question is:

“Are you in favour of using Ranked Ballot Voting to elect the Mayor and District Councillors in the City of Kingston? Yes or No”

The final wording for the Referendum Question will be approved by City Council for inclusion in the By-law.

Results of the Referendum Question

- In order for the results of the Referendum Question to be binding:
 - At least 50% of eligible electors must vote on the Referendum Question;
 - The number of eligible electors will be determined from the Voters' List at the close of voting on Voting Day (October 22, 2018).

Implementation of the Question Results

- If the results of the Referendum are binding and the majority of the votes are in the **negative**, the City could take no further action on Ranked Ballot Voting for a period of four (4) years after Voting Day;
- Any reconsideration of Ranked Ballot Voting could not happen until after October 22, 2022;
- The earliest that the City could use Ranked Ballot Voting would be the 2026 Municipal Election.

Implementation of the Question Results (cont'd)

- If the results of the Referendum are binding and the majority of the votes are in the **affirmative**, the *Municipal Elections Act* requires the City to implement the results in a timely fashion;
- Implementation must respect, and is subject to, other legislative requirements (e.g. Ontario Regulation 310/16, “Ranked Ballot Elections”) and processes (e.g. required public meetings);
- Implementation must be initiated within 180 days from Voting Day;
- Council must pass a Ranked Ballot Election By-law.

Implementation of the Question Results (cont'd)

- Prior to passing the By-law Council **must** consider:
 - The costs of conducting the election;
 - The availability of technology and software; and
 - The impact on election administration.

- Prior to passing the By-law Council **must** make the following information available to the public:
 - A detailed description of how the election would be conducted;
 - An estimate of the cost of the election;
 - A description of the voting equipment and vote-counting equipment being considered; and
 - A description of any alternative voting method being considered.

Implementation of the Question Results (cont'd)

- Prior to passing the By-law Council **must**:
 - Hold at least one (1) Open House;
 - Hold at least one (1) Public Meeting;
- After the Public Meeting, Council has the discretion not to implement the results of the Question;
- The By-law must be passed by May 1, 2021 for the 2022 Election;
- If the By-law is passed to implement the Question results, Council cannot reverse or substantially change the action for four (4) years.

Key Future Dates for Referendum Question

- February 6, 2018 – Statutory Public Meeting Re: Referendum Question;
- March 1, 2018 – date by which Council must pass By-law;
- September, 2018 – Open Houses to explain Ranked Ballot Voting & Referendum Question;
- October 13, 2018 – Advance Voting Day & Internet Voting begins;
- October 22, 2018 – Voting Day.

Contacts

For further information on Ranked Ballot Voting please contact:

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Deputy City Clerk/Assistant Returning Officer

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Or visit the Ranked Ballot Voting Website:

CityofKingston.ca/RankedVoting

Questions??

VO**TE**

October 22, 2018

KINGSTON

MUNICIPAL ELECTION