

Ranked Ballot Voting

Frequently Asked Questions

Does Kingston have to use Ranked Ballot Voting?

No. Ontario municipalities have the option to use Ranked Ballot Voting to elect the mayor and district councillors, but it is not mandatory.

What do the results of the 2018 Ranked Ballot Referendum Question mean?

The 2018 municipal election ballot included a referendum question asking electors if they would be in favour of using Ranked Ballot Voting to elect the mayor and district councillors in the City of Kingston. The *Municipal Elections Act* requires that at least 50 percent of the total number of eligible electors in the municipality must vote on the referendum question in order for the results to be “binding”. Only 39.2 percent of eligible electors voted on the referendum question which means that the results are not “binding” on Council. Of the electors that voted on the referendum question, 62.9 percent were in favour of using Ranked Ballot Voting to elect the mayor and district councillors.

Could Council still decide to implement Ranked Ballot Voting?

Yes. In fact, Council, at its meeting on December 18, 2018, passed a motion requesting staff to initiate the process to implement Ranked Ballot Voting to elect the mayor and district councillors in the 2022 municipal election. Council must follow the process and procedures as outlined in the *Municipal Elections Act* and Ontario Regulation 310/16 in order to implement Ranked Ballot Voting and must pass a Ranked Ballot Election By-law by May 1, 2021.

Prior to passing the By-law, Council must consider such matters as the cost of conducting the Ranked Ballot Election, the availability of technology for conducting the election, and the impact the proposed By-law would have on election administration. At least one statutory public meeting must be held to consider the proposed By-law.

Will there be consultation with the public before deciding to change to Ranked Ballot Voting?

Yes. A public engagement strategy will be developed that will facilitate a number of opportunities for public consultation and input. Prior to passing the Ranked Ballot Election By-law, information must be made available to the public with respect to how the Ranked Ballot Election would be conducted, how the votes would be redistributed

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based on the rankings on the ballots, the costs of conducting the election, the voting equipment and vote-counting equipment being considered, and any

alternative voting method being considered (e.g. internet voting).

At least one open house must be held to present the required public information and at least one public meeting must be held to consider the proposed By-law.

How does Ranked Ballot Voting differ from the current system?

Under the current electoral system, known as First Past the Post, an elector gets one vote for mayor and one vote for a councillor in the district in which they are voting. There is one round of ballot counting (notwithstanding any recounts) and the candidate with the most votes is declared the winner.

With Ranked Ballot Voting an elector would be able to rank the candidates for mayor and district councillor based on their preferences (i.e. first choice candidate, second choice candidate, etc.). Also, in a Ranked Ballot Election, an elector's ballot may be counted more than once before a winner is declared.

Would Ranked Ballot Voting be used for all candidates?

No. Ranked Ballot Voting would only be used to elect the mayor and district councillors. Candidates for school board trustee would still be elected using the First Past the Post electoral system.

How many candidates could an elector vote for?

Council may specify the number of choices as part of the Ranked Ballot Election By-law. Council may also specify a different number of choices for each office to be elected, i.e. one number of choices for the mayor and a different number of choices for the district councillors. If the number of choices is not specified in the By-law, the default number is three (3).

How is a winner declared?

Unlike the First Past the Post electoral system where the candidate with the most votes wins, in a Ranked Ballot Election the winning candidate must achieve the threshold of 50 percent plus one (i.e. a simple majority) of the total votes cast in each race.

Will the winning candidate always achieve the threshold of 50 percent plus one?

The threshold of 50 percent plus one is established at the beginning of the vote counting process and is based on the total number of valid ballots cast in each race.

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The threshold is not amended thereafter, so it is possible for a candidate to be elected without achieving 50 percent plus one of the votes. For example, if there are only two candidates remaining and a number of “exhausted” ballots were removed from the count, the candidate with the highest number of votes would be declared the winner even though he or she may not have achieved 50 percent plus one of the total votes cast.

In a Ranked Ballot Election how are the votes counted?

After the close of voting, electronic tabulators would be used to count the ballots. All of the first choice votes in a race would be counted and if one of the candidates in that race received 50 percent plus one of the votes, that candidate would be declared the winner and no further ballot counting would be required.

If no candidate received 50 percent plus one of the votes, then the candidate who received the fewest number of first choice votes would be eliminated from the race. The votes for the remaining candidates from the first round of ballot counting would be carried forward to the next round of ballot counting and the eliminated candidate’s ballots would then be redistributed to the remaining candidates using the next choice indicated on each of the eliminated candidate’s ballots. The votes would then be counted again.

If any of the remaining candidates then achieve 50 percent plus one of the votes, that candidate would be declared the winner. If not, the process of eliminating the candidate with the fewest votes and redistributing the eliminated candidate’s ballots to the remaining candidates would be repeated until one of the remaining candidates had enough votes to be declared the winner.

When only two candidates remain after the elimination rounds have occurred, the candidate with the most votes would be declared the winner.

Can an elector vote for only one candidate?

Yes. With Ranked Ballot Voting an elector has the option to rank multiple candidates for mayor and district councillor in the order of preference. However, an elector can still vote for only one candidate for mayor or only one candidate for district councillor if that is their preference.

If an elector only ranks one candidate, that candidate would be the elector’s highest preference and their ballot would only be counted in the first round of ballot counting. If additional rounds of ballot counting were required, a ballot with only one ranking would

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become “exhausted” and would be removed from further counts as it could not be redistributed to any of the remaining candidates.

What if an elector votes for the same candidate as first, second and third choice?

Ranking the same candidate as an elector’s first, second and third choice would have the same effect as ranking that candidate as the elector’s first choice and not making a second or third choice. Only the highest ranking for the same candidate would be counted. A candidate’s chances of winning are not improved if an elector selects the same candidate as more than one choice on the ballot.

What if an elector ranks two candidates as first choice?

If an elector ranks more than one candidate as their first choice the ballot would be rejected as there would be no way to determine which of the candidates is the elector’s first choice.

What if an elector ranks a first choice but ranks more than one candidate as second choice?

In this case the elector’s first choice would be counted in the first round of ballot counting. If a subsequent round of ballot counting was required there would be no way to determine which of the two candidates was the elector’s second preference so the ballot would become “exhausted” and would be removed from the count for that race.

What if an elector skips a ranking?

If an elector skips a ranking, the next highest ranking on the ballot would be considered in each round of ballot counting. For example, if an elector marked a second choice and a third choice but not a first choice, the elector’s second choice, as the highest ranking on the ballot, would be counted in the first round of ballot counting. If a second round of ballot counting was required, the elector’s third choice would then be counted in the second round of ballot counting.

Similarly, if an elector marked a first choice and a third choice but not a second choice, the elector’s first choice would be counted in the first round of ballot counting. If a second round of ballot counting was required, the elector’s third choice would then be counted in the second round of ballot counting.

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In both of the foregoing examples, if additional rounds of ballot counting were required, the ballot would become “exhausted” and would be removed from further counts as it could not be redistributed to any of the remaining candidates.

Would an elector be advised about over-votes or under-votes?

In each of the foregoing scenarios, it is anticipated that the vote tabulator would be pre-programmed to either reject the ballot or display a warning message due to an under-vote or over-vote situation and the elector would be afforded the opportunity to either amend their ballot or to have the ballot cast as marked. If the elector chose to have the ballot cast as marked, any valid votes on the ballot would still be counted.

What happens if all of an elector’s choices are eliminated?

If all the candidates that an elector had ranked as their preferences are eliminated, the ballot becomes “exhausted”. “Exhausted” ballots are removed from the count since they cannot be redistributed to any of the remaining candidates in the race. Depending on the number of “exhausted” ballots, the winning candidate may not be able to achieve the 50 percent plus one threshold.

What happens if there is a tie?

If two or more candidates are tied after the first round of ballot counting, the tie is resolved by lot (e.g. name drawn from hat) and the candidate whose name is drawn is deemed to have the fewest votes and is eliminated.

If two or more candidates are tied in the second round of ballot counting and any subsequent round:

- (i) the candidate with the fewest votes in the preceding round is deemed to have the fewest votes in the current round and is eliminated. For example, if the candidates are tied in the second round, the candidate with the fewest votes in the first round would be eliminated;
- (ii) if the candidates who are tied in the current round were tied in the preceding round, the candidate with the fewest votes in the round before the preceding round is deemed to have the fewest votes in the current round and is eliminated. For example, if the candidates were tied in the fourth round and were also tied in the third round, the candidate with the fewest votes in the second round would be eliminated; and
- (iii) if the candidates who are tied in the current round were tied in all of the preceding rounds, the tie is resolved by lot (e.g. name drawn from hat) and

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the candidate whose name is drawn is deemed to have the fewest votes and is eliminated.

How would the ballots be counted?

Ranked ballots could be counted manually or electronically. If Ranked Ballot Voting is implemented in Kingston the intent would be to have the ballots counted electronically. The City of London used electronic vote counting equipment in the 2018 municipal election. Prior to passing the Ranked Ballot Election By-law information must be provided to Council and the public with respect to the voting equipment and vote-counting equipment and software being considered for the election.

Would it take longer to count the votes?

The length of time it would take to count the votes would likely be longer than in a First Past the Post election and would depend on the number of rounds of ballot counting that would be required for each race in order to determine a winner. If the 2018 election had been a Ranked Ballot Election, and assuming that everyone's votes would have been the first choice vote, the race for mayor and seven of the races for district councillor would have been decided on the first ballot count. In one of the districts the winning candidate was acclaimed. Only four of the races for district councillor would have required multiple ballot counts.

What could a Ranked Ballot Election cost?

Ranked Ballot Voting represents a significant change from the current electoral system and would require significant investment by the City's taxpayers. Overall election operations, equipment, staffing, support systems and administration have been estimated to cost an additional \$220,000 or more for a Ranked Ballot Election. The budget for the 2018 municipal election was \$750,000 which means that the initial Ranked Ballot Election could cost up to \$1 Million or more.

The additional costs are considered preliminary at this time and would be contingent on such things as: the vendor selected to supply the required voting and vote counting equipment; the number of choices for each office; final ballot design; and, the reporting algorithm development and testing. In addition, there would be additional costs to upgrade the City's IT infrastructure to support Ranked Ballot Voting and the reporting requirements.

Prior to passing a Ranked Ballot Election By-law more detailed costs for conducting a Ranked Ballot Election must be made available to the public and Council.