 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Mayor and Council Members	
FROM:	Brent Larmer	
TITLE:	Deputy Clerk	
DATE OF MEETING:	March 13, 2017	
TITLE / SUBJECT:	Bill 181-Municipal Elections Modernization Act (MEMA)	
REPORT DATE:	March 1, 2017	File #:

1.0 STRATEGIC PLAN

Not Applicable

2.0 RECOMMENDATION

THAT Council receive the report for information purposes outlining the potential implications for the delivery of the 2018 Municipal and School Board Elections contained in Bill 181- the Municipal Elections Modernization Act; and
 FURTHER THAT Council maintain the first-past-the-post election model for the 2018 municipal election; and
 FURTHER THAT the Municipal Clerk be directed to monitor ranked ballot elections in Ontario and report back to Council with an evaluation and analysis after the 2018 Municipal Election to be held on October 22, 2018.

3.0 ORIGIN

On May 28th, 2015 the Ministry of Municipal Affairs and Housing (MMAH) launched its review of the Municipal Elections Act, 1996 (MEA). The introduction of the Bill tabled at the Ontario Legislature followed with extensive consultation and input from a variety of stakeholders in Ontario, including, among others, the Association of Municipalities of Ontario, the Association of Municipal Managers, Clerks, Treasurers of Ontario and members of the public. The public consultation process ended on July 27, 2015. Bill 181 and the changes that the Municipal Elections Modernization Act (MEMA) proposes constitute the most significant update to the Municipal Elections Act (MEA) and the conduct of Municipal elections in Ontario within the last 20 years and is a response to many of the concerns expressed by Councils, Municipal Candidates, Municipal Clerks and other interested parties.

4.0 BACKGROUND

On April 4, 2016, the Ontario Minister of Municipal Affairs and Housing, introduced Bill 181, the Municipal Elections Modernization Act, 2016. The MEMA received Royal Assent on June 9, 2016. The most significant changes among those within the MEMA, is the option of utilizing ranked ballot elections for offices on Municipal Councils beginning in 2018. Some other important amendments include a number of changes to the election calendar, including a reduction in the length of the nomination period, the implementation of a regime regulating third party advertising and involvement in the election process, new requirements surrounding the content of candidate third party ads, clarification respecting what constitutes an election advertisement and how a candidate may avoid the automatic penalties contained in the Act for failing to file their financial statement and the circumstances under which a candidate's filing fee may be refunded.

5.0 ANALYSIS

The revisions to the *Municipal Elections Act, 1994*, as set out in the *Municipal Election Modernization Act*, significantly alter the conduct of municipal elections in Ontario, and will impact electors, candidates and election staff during the upcoming 2018 Municipal Election.

Below is a brief analysis and description of some of the significant changes that have been made to the Legislation which will be important to the delivery of the 2018 Municipal Election:

A. Summary of significant changes to the Municipal Election Calendar:

There were a number of changes and updates that have been made under the MEMA. Attachment 'A' to the report summarizes the new dates as attached to this report for further information.

1) Election Policies and Procedures (Section 42.3):

Previously the Municipal Clerk had until June 1st of the election year to establish procedures for voting and the use of vote counting equipment and alternative voting methods authorized by Council. Any policies, procedures and forms used to support voting, vote counting equipment and alternative voting methods must now be established by the Clerk before January 1, of an election year.

2) Approval/Authorization of Ballot Question (Section 8.1(1)):

In the current version of the of the Municipal Elections Act, should Council or a local board deem it appropriate to place a question on the ballot, the by-law authorizing the question must be passed on or before June 1st in the election year, the amendment sets a new deadline of March 1st in the election year.

3) Authorization of Alternative Voting Methods (Section 42):

The option to employ vote counting equipment and alternative voting methods remains within the legislation; however the deadline to adopt a by-law authorizing the use of such methods and technologies has been moved from June 1st to May 1st of the election year.

Under the Municipal Election Modernization Act amendments, the policies, procedures and forms for use when voting, or in the use of alternative voting methods or vote counting equipment must be in place prior to January 1.

The later date for adoption of alternative voting methods or vote counting equipment may require Municipal Clerks to reissue forms, policies and procedures should Council choose to adopt these alternatives between the January 1 and the May 1, deadline.

4) Opening of Nomination Period- May 1st (Section 33(4))

In response to complaints concerning the length of municipal campaigns in Ontario and the nomination period as expressed by the Town of Cobourg and other surrounding municipalities, the legislation moves the first opportunity to register from January 1st, in the year of the election, to May 1st.

5) End of Nomination Period- Fourth Friday in July (July 27th) (Section 31)

The new amendments also include to move the final day a candidate may register to run for office, from the second Friday in September to the fourth Friday in July.

6) Availability of Voters' List- September 1st (Section 23(2))

In order to provide greater clarity to candidates around the availability of the Voter's list, the Municipal Elections Modernization Act, proposes to set September 1st as the first day that the Voters' list may be released.

7) Compilation of Interim List of Changes – September 15th to 25th (Section 27(1)).

The Municipal Elections Modernization Act, amends the dates for the amendments to the voters list in the following 10 days of the nomination day must be compiled and made available to candidates in an interim list of candidates, to confirmed dates of September 15th as the starting date and September 25th as the closing date for this period.

B. Summary of Significant Changes for Candidates:

1) Nomination Timelines and Candidate Process Update (Section 33 (1.1)).

In addition to the above mentioned changes to the reduced nomination registration and campaign period, a further change has been made through the Municipal Elections Modernization Act. All Candidates seeking office on Council will have to have their nomination paper endorsed by at least 25 individuals who are eligible to vote within the municipality. The nomination paper may only be accepted by the Municipal Clerk if it contains the specified amount of signatures as required. This new amendment will not impose the requirement of the Municipal Clerk to verify that the individuals endorsing the nomination paper are qualified electors.

2) Advertising (Section 88.3- MEMA)

Candidates will now be required to include specific information within their election advertising in order to make it clear who is responsible for the messages provided. These new requirements apply to all of the different methods of advertising by the candidate. Additionally, candidates, or the third party will need to provide publishers and broadcasters with information including the name of the candidate and the name, business address and telephone number of the individual interacting with the broadcaster or publisher on behalf of the candidate. This information, along with a copy of the ad and the invoice provided for its appearance will need to be retained and made available for public inspection for a period of at least two (2) years.

3) Financial Statement Updates (Section 88.25):

The Municipal Election Modernization Act, establishes new requirements for the Municipal Clerk to review and report on campaign contributions made to candidates running for the position of Municipal Council. The report would identify any candidates who appeared to exceed the campaign contribution limits. This same report would be also created for registered third party contributors. These reports would be referred to the Compliance Audit Committee to determine if any further action is to be taken. Another new requirement under Financial statements is for the Municipal Clerk to publicly identify in a report the candidates and third parties who have failed to comply with the requirement to file a financial statement and who are prohibited from running or registering in the next election as a result.

4) Refund of Filing Fee (Section 34):

In order to improve compliance with the requirement to file financial statements, the Municipal Elections Modernization Act amendment includes that a candidate is only entitled to a refund if they file their financial statement on or before the deadline established by the Act. This would mean that before a candidate receives a refund, they must file their financial statements to the Municipal Clerk.

5) Late Filing Fee (Section 88.23(9) 88.27(6)):

If a candidate files a financial statement after the filing deadline pursuant to section 34 of the MEA, that candidate is automatically prohibited from being elected or appointed to any office to which the Act applies until after the next regular election is completed. No changes are proposed to the penalties; however a candidate could avoid the automatic imposition of the penalties if they were to file their financial statement within a thirty (30) day period after the deadline, accompanied with a \$500 late filing fee to be paid to the Municipal Clerk.

6) Candidates Access to Residential Properties (Section 88.1):

In previous elections, candidates have highlighted challenges associated with campaigning in apartment buildings, condominiums, housing cooperatives and gated communities as the Act lacked language compelling managers to permit access to these facilities. The new changes addresses these issues by providing candidates with the right to access residential properties for campaign purposes between 9 a.m. and 9 p.m.

C. Summary of Significant Changes for Municipal Clerks and Election Staff:

1) Greater Independence and Discretion for the Municipal Clerk: (Section 43(1), 46(1), 25(1)).

The Municipal Elections Modernization Act provides for greater discretion and independence to the Municipal Clerk when dealing with administrative matters. The following matters, some of which previously required Council authorization or approval, will now be entirely within the purview of the Clerk:

- The establishment of Advance Voting dates, locations and hours;
- The establishment of reduced voting hours for voting places at long-term care facilities, hospitals and retirement homes; and,
- The management of the Voters' List, including the removal of deceased persons, additions of new electors and amendments to existing electors, as well as the method by which additions, amendments and deletions may be completed.

2) Elections Accessibility Plans and Post- Election Reporting (Section 12.1(3)):

The Town of Cobourg has continuously been proactive in taking into consideration the needs of electors and candidates with disabilities during the election process. The Town ensures steps were taken to identify, remove and prevent barriers that could have affected electors and candidates with disabilities. The Municipal Elections Modernization Act will now require each Municipal Clerk to prepare an Elections Accessibility Plan and make it available to the public before Voting Day. The current Act requires the Clerk to report to Council on the identification, removal and prevention of barriers after the completion of the election. The requirement now directs the Municipal Clerk to make the report available to the public, rather than ordering that it be submitted to Council.

3) Third Party Involvement in Municipal Elections (Section 88.6):

Another change that will impact the 2018 Municipal Election is the introduction of a regulatory framework for the management of third party involvement in the election process. While the current Act includes provisions respecting the involvement of third parties respecting ballot questions, the Municipal Elections Modernization Act, expands the definition of a third party to include individuals who normally reside in Ontario, corporations who carry on business in Ontario or trade unions who hold bargaining rights for employees in Ontario and who wish to incur expenses promoting, supporting or opposing a candidate or issue in relation to an election in a municipality. Third party advertisements will only be permitted once a third party registers with the Municipal Clerk and will be prohibited after the close of voting on Voting Day.

4) Recount Policies (Sections 56-64):

In previous Municipal Election a recount could only be conducted under the following limited circumstances:

- i. Where the counting of ballots resulted in a tie vote;
- ii. Where a municipality, local board or Minister of Municipal Affairs and Housing has passed a resolution to order a recount; or
- iii. Where an electors' request for a recount has been granted by the Superior Court of Justice.

The Municipal Elections Modernization Act now provides the authority to adopt a policy by May 1st of the election year to define circumstances under which a recount would be conducted other than those listed above. The Municipal Clerk now has the authority to hold a recount in accordance with a Council Approved Policy.

5) Ranked Ballot Municipal Election Option (Section 41.1):

One of the most significant changes to the Municipal Elections Act is the establishment of a framework to allow for a ranked ballot election in Ontario for the first time. This change can be made based on a Council decision and the passing of a By-law. Additional details on ranked ballot election is explained in this report below for Municipal Council information.

Ranked Ballot Election Option

The Ontario Government committed to providing municipalities with the option of using ranked ballots in future elections as an alternative to the current first-past-the-post system meaning candidates are voted into office when they receive the most number of votes. Ranked balloting would allow an elector to rank their choices instead of picking just one candidate e.g. if there were three candidates, the voter could rank each candidate by preference 1, 2, or 3. Currently no jurisdiction, including any Municipality, in Canada uses a ranked ballot election system. Changes to the Municipal Elections Act, now give all municipal councils in Ontario the option for the 2018 Municipal election to use Ranked Ballots.

(Note that there is two types of ranked ballots: First is single-member ranked ballot elections, also known as instant runoff voting (IRV) and second is multi-member ranked ballot elections, also known as single transferable vote (STV). Within the Town of Cobourg and under the governance structure, a single member ranked ballot process would apply to the Office of the Mayor and the Office of the Deputy Mayor, where only one candidate is elected. A multi-member ranked ballot process would apply the office of a Council Member, where 5 candidates are elected for the position of Council Member.)

Should Municipal Council wish to consider this option, a By-law must be passed to approve ranked ballots. Some considerations in doing this include:

- If a By-law is passed, ranked ballots must be used to elect all of the members of Municipal Council;
- The By-law may specify the maximum number of rankings that an elector may make. The maximum number of rankings may be different for each office being elected. If the By-law does not specify the maximum number of rankings, the default maximum is three.

Before passing a By-law, the municipality must hold an Open House to provide the public with information about:

- How elections would be conducted, including a description of vote counting;
- Estimated costs of conducting the election;
- Any voting and vote-counting equipment that is being considered for use in the election;
- Any alternative voting method being considered for use in the election.

The Town must hold a public meeting to allow members of the public to speak to council about the proposed by-law at least 15 days after the open house is held and the By-law must be passed no later than May 1 in the year before the year of the election. (e.g. May 1, 2017 for the 2018 election).

Attached to this report is three (3) information documents that will help better explain the Ranked Ballot System as described by the Ministry of Municipal Affairs and Housing.

Attachment 1: "How to Follow your Ballot: An Example of a Ranked Ballot Election"

Attachment 2: "Counting Votes in a Ranked Ballot Election". And

Attachment 3: "FAQ- Ranked Ballots".

Impact and Considerations Of Ranked Balloting

Public Consultation:

A considerable public engagement process would be recommended if council proposes implementing such a significant change to the way that Municipal elections are preformed within the Town and the change from the current election system. If Council selects staff to conduct and proceed with a ranked ballot election for 2018, a public consultation process would be recommended in order to gather public input. The results and feedback of engaging the community would be factors that are taken in consideration in a further report and decision of Council.

Public Education and Voter Turnout:

The current first-past-the-post system is an electoral system that is used consistently with all levels of government. The introduction of a ranked ballot system for electing Members of Municipal Council would be considered a significant change from the current experience of the average voter who is used to selecting a specified number of Candidates for each office (For example only choosing one candidate for Mayor and not a first, second and third). This new voting structure could cause confusion to new voters, and also those experience in voting. There will be an increase in the amount of time, effort, time and election funding needed to be put towards an education campaign and resources to help inform voters about the new electoral system.

This change could also decrease the voter turnout with the modification to ranked balloting due to a chance of public confusion and frustration. The need for public education would be important in order to have a successful election.

Election Ballot:

If Municipal Council chooses to continue with the Internet and Telephone alternative voting methods, the ranked ballot option would have an impact on the way an election ballot would be casted. A ballot using ranked voting will be significantly different than a traditional ballot that voters are used to using. For example when the voter clicks a box next to a candidate's name it would insert a number (in order of their selections) instead of an X. This could cause confusion and increase the time it takes for a voter to cast their ballot causing frustration in the process and potentially an increase in spoiled ballots.

This change would also affect telephone voting where there would be a requirement for electors to perform a more time consuming process in voting. In regards to telephone voting, it would certainly take longer to complete a vote as the voter will need to listen to the list of candidates and then make their selections in order of their preference. Multiple times, a voter will need to re-listen to the list after they make their first pick as they may not have thought of their other choices prior to making the call.

With a ranked ballot, an increase in more inquiries to staff would be a result and become more time consuming for election staff in order to educate the public during the voting period. Whereas the change to electronic online and telephone voting was completed to create an easier and more accessible way of voting to electors and in order to increase participation for voting in a municipal election.

Election Results and Recount:

In order to remain transparent with voting results, more in-depth information would be needed to be available with ranked ballots. In addition to the candidates who have been elected and the number of ballots cast, which are currently reported at the end of voting; the Municipal Clerk would also have to report on the following:

- The number of ballots that were declined or rejected;
- The threshold for each office;
- The number of votes each candidate received in the first round 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.

In addition to these new reporting measures, there are new regulations that determine the process and procedure in an event of a tie to determine the successful candidate.

6.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

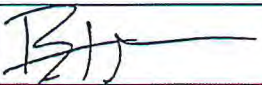
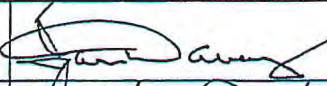
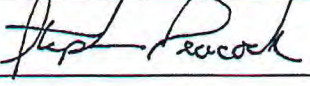
There are no financial implications associated with this report.

7.0 CONCLUSION

The Municipal Elections Modernization Act constitutes the most significant update to the Municipal Elections Act and the conduct of municipal elections in Ontario within the last two decades. The option of a ranked ballot system is a fundamental departure from the experience of the average voter. No municipality in Ontario currently conducts ranked ballot elections and, as a result, there is a significant lack of public knowledge on this system among both experienced and new voters alike. A significant amount of time, effort and election funding would have to be put towards public education and resources to inform voters about this new system.

It would be beneficial to monitor the impacts of implementation and learn from the public education initiatives led by municipalities who adopt a ranked ballot system for the first time in 2018. Should Council wish to pursue ranked voting, then Municipal Staff will return with a report focusing on that option alone, with costs and implementation details.

The above report provides the basis for the recommendation that Council maintain the current first-past-the-post election model for the 2018 municipal election and the Municipal Clerk be directed to monitor ranked ballot elections in Ontario and report back to Council with an evaluation and analysis of ranked ballot elections after the 2018 Municipal Election.

Title:	Signing Official:	Signature:	Date:
By-law Enforcement/Policy Coordinator/Deputy Clerk	B. Larmer		03/08/17
Director of Corporate Services	I.D. Davey		MAR 8/17
Chief Administrative Officer	S. Peacock		MAR 8/17

ATTACHMENT A

Changes to the Election Calendar

Item	Old Date	New Date
Establishment of forms, policies and procedures for voting, vote counting equipment and alternative voting methods	June 1	January 1
Authorization of a ballot question	June 1	March 1
Opening of nomination period	January 1	May 1
Close of nomination period	Second Friday in September	Fourth Friday in July
Establishment of voting subdivisions	Ministers' letter	March 31
Authorization of alternative voting methods	June 1	May 1
Availability of the voters' list	First Tuesday in September	September 1
Compilation of interim list of changes to the voters' list	10 days following nomination day	Starts September 15 and ends September 25
Authorization of a recount policy	N/A- new under MEMA	May 1
Authorization of a use of corporate resource policy	N/A- new under MEMA	May 1
Report of candidates in default	N/A- new under MEMA	May 1

ATTACHMENT 1

Ministry of Municipal Affairs and Housing

(<http://www.mah.gov.on.ca/Page11118.aspx>)

Follow Your Ballot: An example of a ranked ballot election

Follow a ballot and learn what happens in a single-member and multi-member ranked ballot election.

Single-member election: an election where one candidate is elected

In this election, you are being asked to vote on the kind of fruit that will be served as a snack.

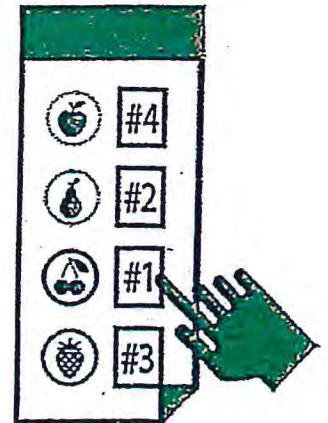
Ranking the ballot

With ranked ballots you can rank your choices from your most preferred to least preferred option. You rank the choices as follows:

- Cherry 1
- Pear 2
- Strawberry 3
- Apple 4

Calculate the threshold to be elected

Thirty people voted, and only one fruit can be chosen. Sixteen votes are needed for a fruit to be elected (50 per cent of 30 votes is 15 votes, plus one makes it a majority).



Count the first choice votes

After the ballots are distributed according to first choices, the vote count looks like this:

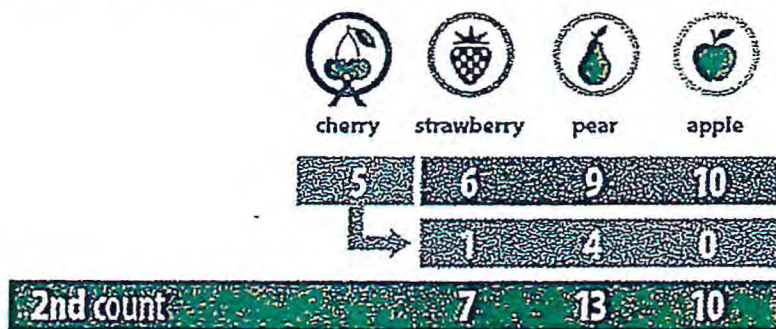


None of the fruits has received enough votes to be elected.

Eliminate the option in last place and redistribute those ballots to other candidates

Your first choice, Cherry got the fewest votes. Your ballot will now be given to your second choice, Pear. (The ballots of everyone else who voted for Cherry as their first choice will also be redistributed to their second choices).

After the 5 Cherry ballots are distributed, the new vote count is:



After the second round of counting, none of the fruits has received enough votes to be elected.

Drop the last place and redistribute those ballots

Strawberry now has the fewest votes. Your ballot stays with your second choice, Pear.

After the 7 Strawberry ballots are redistributed, the new vote count is:



Pear is elected with 17 votes. Even though your first choice didn't get elected, your ballot helped your second choice to win.

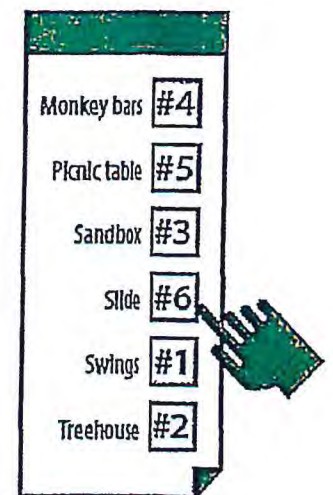
Multi-member Election: an election where more than one candidate is elected

In this election, you are being asked to vote on what new equipment should be installed in your neighbourhood park. Three pieces of equipment will be chosen out of a possible six.

Ranking the ballot

With ranked ballots you can rank your choices from your most preferred to least preferred option. You rank your choices as follows:

- Monkey bars 4
- Picnic Table 5
- Sandbox 3
- Slide 6
- Swings 1
- Treehouse 2



Calculate the threshold to be elected

In a multi-member ranked ballot election, the number of votes needed to be elected will depend on how many seats are being filled.

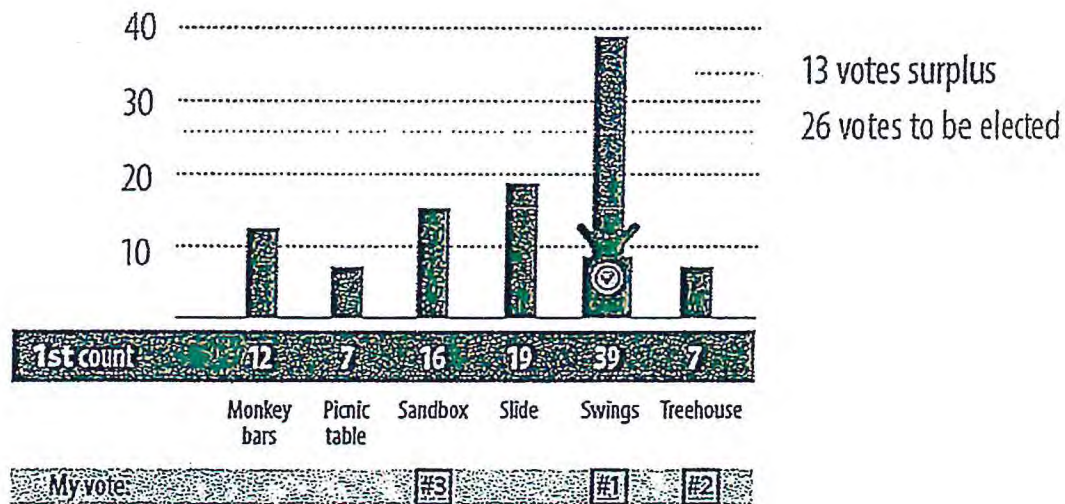
In this example, one hundred people voted, and three pieces of equipment will be chosen.

In order to be elected, a piece of playground equipment must earn twenty-six votes.

To do the math, one hundred votes divided by 4 (3 pieces of equipment will be chosen, plus one is 4) is 25 votes, plus one is 26.

Count the first choice votes

After the ballots are distributed according to first choices, the vote count looks like this:



Swings has received more than 26 votes, and is declared the winner.

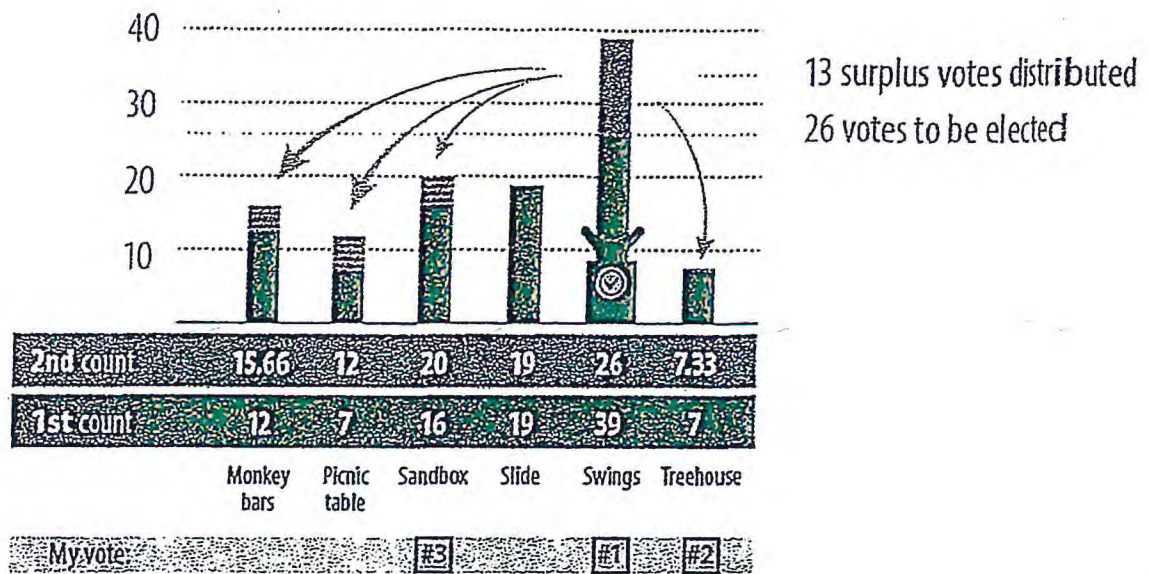
Distribute the surplus

Since the threshold is 26 votes, and Swings got 39 first choice votes, Swings got 13 more votes than is needed to be elected.

Swings has a surplus of 13 votes. Thirteen divided by 39 is one-third. This means that Swings only needed two-thirds of your vote (along with two-thirds of the vote of everyone else who had Swings as a first choice) to be elected.

The two-thirds of your vote that Swings needs to be elected will stay with Swings. The other one-third of your vote will be given to your second choice, Treehouse. Each ballot that had Swings as the first choice will give one-third of their vote to their second choice.

After the ballots are redistributed, the new vote count is:



	Round 1 total	Votes added	New total
Monkey Bars	12	11 ballots worth 1/3 each: 3.66 votes	15.66
Picnic Table	7	15 ballots worth 1/3 each: 5 votes	12
Sandbox	16	12 ballots worth 1/3 each: 4 votes	20
Slide	19	0 votes	19
Swings	39	- 39 ballots worth 1/3 each: -13 votes	26 elected
Treehouse	7	1 ballots worth 1/3 each: 0.33 votes	7.33

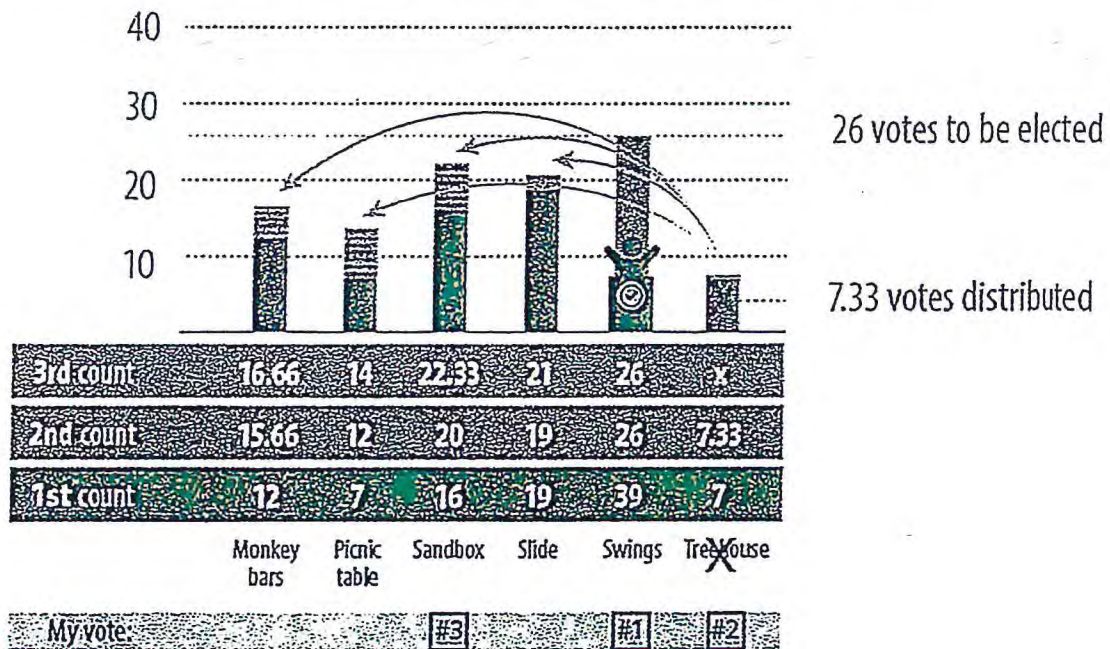
As it turns out, yours was the only ballot of the one hundred votes that chose Swings as the first choice and Treehouse as a second choice. Treehouse's vote total increased by one-third of a vote.

None of the candidates other than Swings has earned the 26 votes needed to be elected.

Drop the last place and redistribute those ballots

Treehouse got the fewest votes, so it is eliminated. Treehouse's votes are now redistributed. Your one-third of a vote will be transferred to your third choice, Sandbox.

After the Treehouse votes are redistributed, the new vote count is:

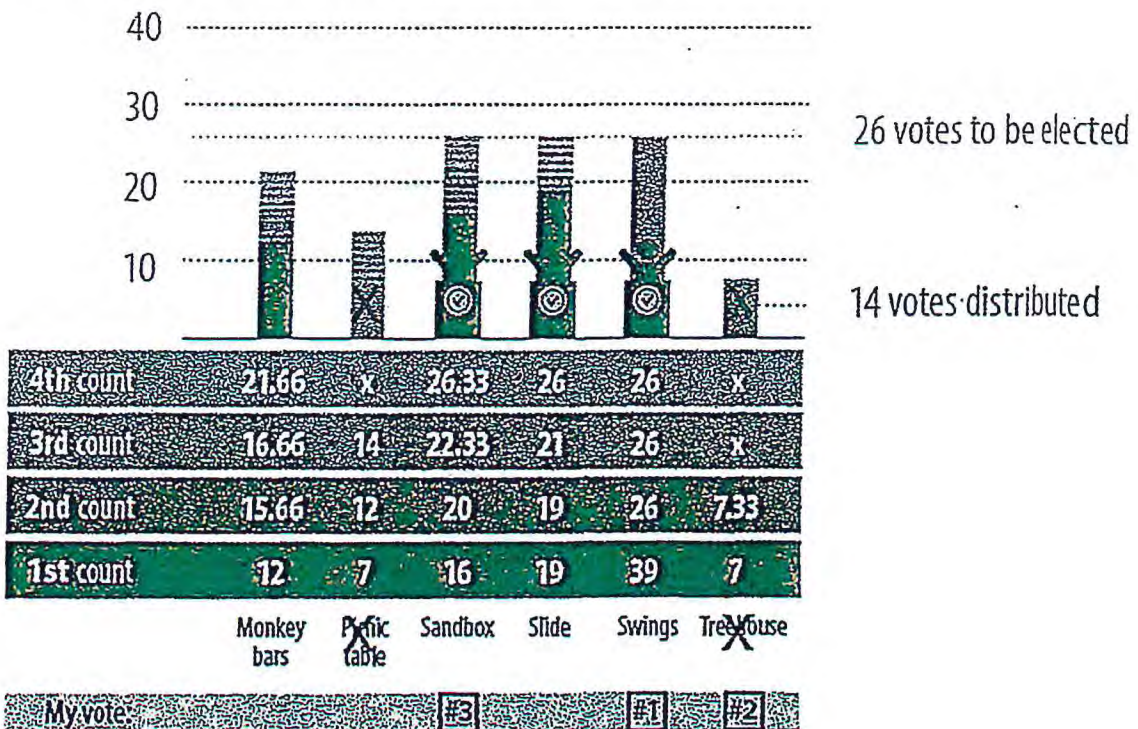


	Round 2 total	Votes added	New total
Monkey Bars	15.66	1	16.66
Picnic Table	12	2	14
Sandbox	20	2.33	22.33
Slide	19	2	21
Swings	26 elected	0	26 elected
Treehouse	7.33	-7.33 votes redistributed	0

None of the other candidates has earned the 26 votes needed to be elected.

Drop the last place and redistribute those ballots

Picnic Table has the fewest votes, so it is now eliminated. Picnic Table's votes are now redistributed according to their next choice.



	Round 3 total	Votes added	New total
Monkey Bars	16.66	5	21.66
Picnic Table	14	-14	0
Sandbox	22.33	4	26.33 elected
Slide	21	5	26 elected
Swings	26 elected	0	26 elected
Treehouse	0	0	0

Sandbox and Slide have each earned 26 votes, so they have reached the threshold to be elected.

Recall that in this election, three pieces of equipment were to be elected out of a possible six. Since three candidates have reached the threshold, the counting stops.

The three winning candidates are Sandbox, Slide and Swings.

ATTACHMENT 2

Ministry of Municipal Affairs and Housing

(<http://www.mah.gov.on.ca/Page11121.aspx>)

Counting Votes in a Ranked Ballot Election

Learn how votes are counted in single-member and multi-member elections.

Counting the ballots in a single-member election

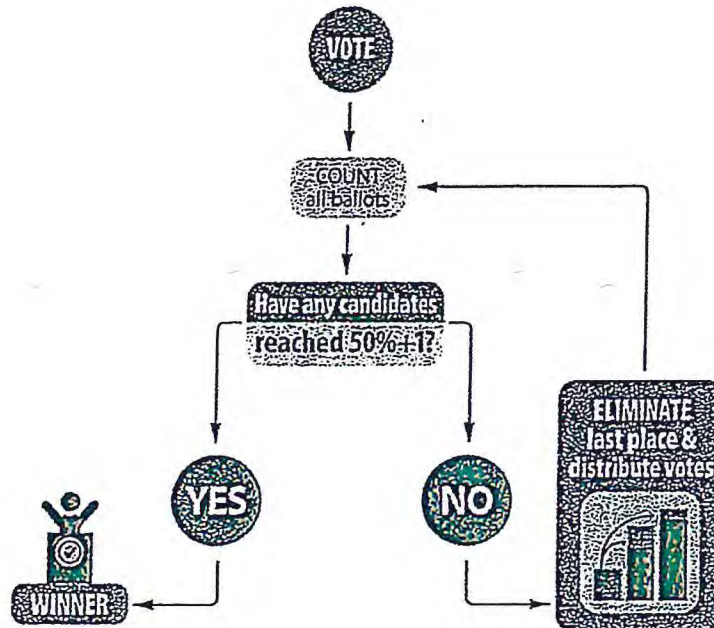
In order for a candidate to be elected in ranked ballot elections, they must receive a pre-determined number of votes.

In a **single-member ranked ballot election**, that number is 50 per cent of the total votes plus one (a simple majority).

First choice votes are counted for all of the candidates. If a candidate receives at least 50 per cent plus one vote, he or she is elected. If none of the candidates receives enough first choice votes, the candidate with the fewest votes is eliminated.

When a candidate is eliminated, their ballots are not disregarded. Instead each of the ballots is redistributed to one of the remaining candidates according to the next highest choice marked on the ballot.

If a candidate now has enough combined votes, he or she is elected. If none of the candidates receives enough votes to be elected, the candidate that now has the fewest votes is eliminated and those ballots are redistributed. This process continues until one candidate has enough votes to win.



In a single-member election, your first choice vote is always counted. Your second or third choices will only be counted if your earlier choice has been eliminated.

For more information and an example of how ranked ballot voting works see our [Follow Your Ballot](#) exercise.

Counting the ballots in a multi-member election

Multi-member elections are elections where more than one candidate is elected, such as:

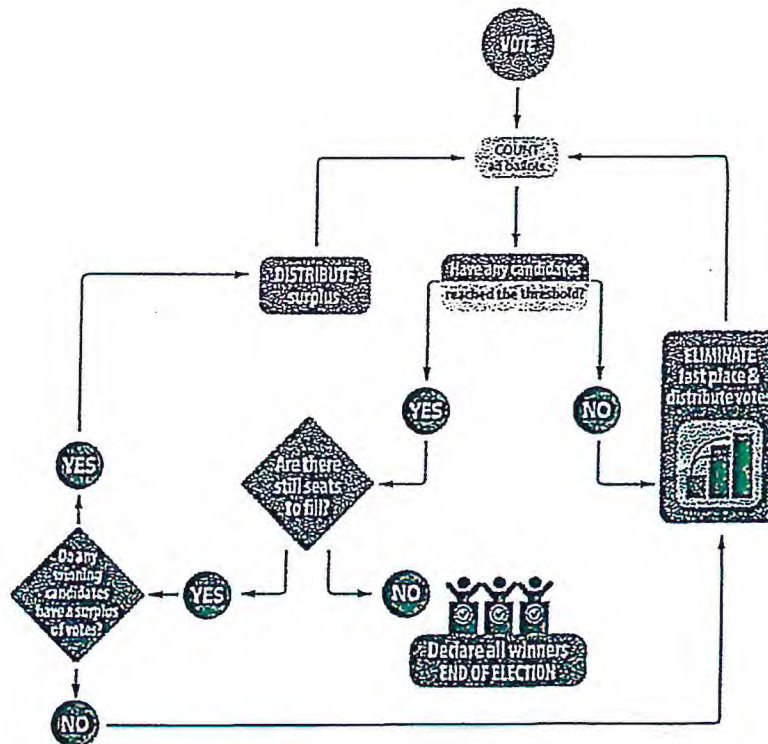
- When council members are elected at large
- A ward election where two or more people will be elected to represent the ward

In a **multi-member ranked ballot election**, the number of votes needed to win will depend on the total number of candidates being elected.

The threshold would be calculated by dividing the number of votes cast by the total number of candidates being elected plus one, then adding one to make it a majority.

$$\text{Threshold} = \left(\frac{\text{number of votes cast}}{\text{number of candidates being elected} + 1} \right) + 1$$

2 seats: 33.33%+1
 3 seats: 25%+1
 4 seats: 20%+1
 ...and so on.



First choice votes are counted for all of the candidates. If none of the candidates receives enough first choice votes, the candidate with the fewest votes is eliminated. The ballots for the eliminated candidate are redistributed according to each voter's next choice, and those votes are added to the total votes for the remaining candidates. If a candidate now has enough combined votes, he or she is elected.

If a candidate receives more than the number of votes that they need to be elected, their surplus votes are redistributed according to each voter's next choice. This is to ensure that there are enough votes remaining to elect all candidates with the same threshold.

In a multi-member election, your first choice vote is always counted. Your second or third choices will only be counted if your earlier choice has been elected or eliminated.

For more information and an example of how ranked ballot voting works in multi-member elections see our [Follow Your Ballot](#) exercise.

ATTACHMENT 3

Ministry of Municipal Affairs and Housing

(<http://www.mah.gov.on.ca/Page11122.aspx>)

Frequently Asked Questions about Ranked Ballots

1. What are ranked ballots?

Ranked ballots are used in voting systems in which voters are able to rank candidates based on their preference (i.e. first preference candidate, second preference candidate, etc.).

2. Would my municipality have to use ranked ballots?

No. Ontario is working on introducing changes to the Municipal Elections Act, which, if passed, would give municipalities the option to use ranked ballots in future municipal elections, starting in 2018, but ranked ballots would not be mandatory for municipalities.

3. Why has the government committed to allowing the use of ranked ballots?

We want to allow more choice in how municipal elections are run. Ranked ballots are an additional tool that would give municipalities more flexibility to meet the needs of their local communities.

4. When will the option to use ranked ballots be available to my municipality?

The proposal would give municipalities the option to begin using ranked ballots in the 2018 Ontario municipal elections.

Counting Votes

1. What happens if there is a tie?

Under the current voting system, ties are decided by lot (i.e. by putting the candidates' names in a hat or other container and drawing to see who will win). This method can also be used with ranked ballots.

2. What would happen if all my choices were eliminated?

If all the candidates that a voter had listed as their preferences were eliminated, their ballot would become "exhausted." Exhausted ballots would be removed from the count, as they could not be redistributed to any of the remaining candidates.

3. Would the ballots have to be counted by an electronic tabulator?

Ranked ballots can be counted manually or electronically. For instance, in their 2009 municipal election, Minneapolis, Minnesota counted all of the ballots cast in its first ranked ballot election by hand.

4. Why isn't the threshold in a multi-member election 50 per cent plus one, like it is for a single-member election?

Unlike a single-member election, the threshold is not 50 per cent plus one because it would not be possible for more than one candidate to receive more than half of the votes cast.

5. Why does the surplus have to be redistributed?

The surplus votes must be redistributed because, without doing so it may not be possible for any other candidate to reach the threshold of votes required to be elected.

6. How are candidates' surplus votes to be redistributed in a multi-member ranked ballot election?

In the event that a candidate receives more votes than the threshold (i.e. the number of votes required to be elected), they are declared a winner and their votes are redistributed to the other candidates. There are a few ways to redistribute these votes. One method is to calculate the percentage surplus received by the successful candidate. Every vote cast for that candidate is then redistributed to next preferences at a fraction of a vote equal to that percentage. This is necessary to ensure that enough votes remain in the count so that other candidates can meet the threshold.