



## Legislation Text

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**File #:** Ord 11-117, **Version:** 1

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Amending Chapter 31.05(d) of the Legislative Code pertaining to the tabulation of votes.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

### SECTION 1

That Chapter 31.05(d) of the Saint Paul Legislative Code is hereby amended as follows:

#### **31.05. Tabulation of votes; in general.**

(d) *Counting procedures at the tabulation center.* Before the reallocation of votes begins at the ranked voting tabulation center, the threshold must be re-determined based on the manual examination of the ballots. If one of the candidates reaches the threshold as a result of the manual examination of the ballots, the counting for that office is complete. If no candidate for an office has reached the threshold, counting and reallocation of votes at the ranked voting tabulation center must proceed in rounds for each office to be counted. Each round must proceed sequentially as follows:

(1) At the beginning of each round of counting, all candidates for whom it is mathematically impossible to be elected must be eliminated simultaneously and their votes reallocated to the continuing candidate with the next highest ranking on the ballot.

(2) After the votes have been reallocated, the number of reallocated votes cast for each continuing candidate must be counted. If one candidate's vote total is equal to or greater than the threshold, that candidate is elected. If no candidate's vote total is equal to or greater than the threshold, a new round begins and the candidate with the fewest votes is defeated. Votes for the defeated candidate must be reallocated to the next highest ranked continuing candidate. Ties between candidates with the fewest votes must immediately and publicly be decided by lot by the chief election official at the ranked voting tabulation center. The candidate chosen by lot remains a continuing candidate and the other candidate is defeated. In the event of a recount, this result is binding if there is a tie.

(3) The procedures in clauses (1) and (2) must be repeated until one (1) candidate reaches the threshold, or until only two (2) continuing candidates remain. If only two (2) candidates remain, the candidate with the most votes is elected. Ties between two (2) continuing candidates must immediately and publicly be decided by lot by the chief election official at the ranked voting tabulation center. The candidate chosen by lot is elected. In the event of a recount, this result is binding if there is a tie.

(4) The following rules must be followed when reallocating and counting votes.

(i) If the voter's next choice on a round of counting is ~~either an undervote, an overvote,~~ or a vote for a defeated candidate and no votes for continuing candidates remain on the ballot, the voter's ballot is exhausted.

(ii) If a voter's next choice on a round of counting is ~~either an undervote, an overvote~~ or a vote for a defeated candidate and at least one vote for a continuing candidate remains on the ballot, the voter's next highest

choice for a continuing candidate must be counted for that round.

(iii) If a voter has ranked two or more candidates in the same column, an overvote for that office exists and no votes for any candidate in that column may be counted.

(iv) If the voter has ranked the same candidate in more than one column, only the voter's highest ranked vote must be counted.

(v) If the intent of a voter's choice cannot be determined, the voter's next highest choice for a continuing candidate must be counted for that round.

(5) A candidate may waive participation in additional rounds of counting at any time. Votes cast for a waived candidate must be treated as votes for a candidate who is mathematically impossible to be elected.

## SECTION 2

This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.