

Instant Runoff Voting (IRV) Report to the Elections Committee

July 21, 2006

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I. Status of the Ordinance: City Council and Charter Commission Actions

At the meeting of June 30, 2006, Council adopted amendments to the IRV ordinance and referred the amendments to the Charter Commission for consideration at their meeting of August 2, 2006. The Charter Commission may choose to:

- approve the ordinance as amended
- propose substitute language, or
- take no action

The City Council is not bound by the action of the Charter Commission and may:

- proceed with the ordinance as it was submitted to the Charter Commission, or
- adopt replacement language proposed by the Charter Commission

At the regular City Council meeting of August 4, 2006 the City Council will consider adopting the ordinance and will also consider approval of the ballot language.

II. Instant Runoff Voting Update

a. Election Partners: Federal, State, County, Municipal

The Secretary of State (SOS) is responsible for overseeing the uniform application of Minnesota Election Law. Responsibility for conducting elections is delegated to the County Auditors who, in turn, delegate responsibilities to cities. The SOS is responsible for administration of the Help America Vote Act (HAVA) and for certification of all electronic voting equipment used in the state.

Though our charter authorizes us to conduct local elections according to local rules, our equipment must be certified by the Federal Election Commission, the MN Secretary of State, and must receive approval from our County Auditor.

In 1999 all 45 cities of Hennepin County entered into an agreement with Hennepin County to provide County-owned voting equipment by lease to the individual cities. This equipment is used for all elections conducted by the cities. At the time of purchase the cost to the county for the Minneapolis equipment was \$848,124. Our contract does not authorize us to modify the equipment in any way.

Since that time the Help America Vote Act (HAVA) has gone into effect which required the purchase of an additional piece of equipment for each precinct. Again, the County purchased the equipment and is leasing to the cities. The value of the Minneapolis portion of the HAVA equipment is \$855,700.

Participation in the County contract offers several benefits to the City of Minneapolis.

- The City saved \$1,703,824 in initial purchase costs
- Hennepin County performs all programming services, a significant undertaking
- The City enjoys reduced costs on ballot printing, supply purchase, and maintenance contracts by sharing costs with all other Hennepin County cities through contracts managed by Hennepin County

Because the county received its federal and state certification for all its townships and municipalities as one system, any changes (including modification of our share) will require the county and our vendor to have the entire system recertified.

The County Auditor's Office informed us that Minneapolis will be required to use the same equipment as all other Hennepin County cities for conducting all elections other than our municipal election, or purchase new equipment which is fully compatible with the county system.

The county equipment's life expectancy is 15-20 years, meaning the system is expected to be fully functional until 2015-2020. The county may not replace the system prior to 2015, as the equipment is working well, is fully certified and is trusted by election officials and the public. It is possible that when the County does replace the existing system, it will be with IRV compatible equipment and programs. That decision would be made by the County Board.

b. Municipal Elections Ordinance

One of the amendments sent to the Charter Commission for review deals with the provisions regarding general election laws in our charter. Section 15 of the Charter states that all general laws of the State of Minnesota relating to elections apply, unless Charter specifically states otherwise. The amendment being considered modifies the Charter to explicitly state that when the City conducts an IRV election, general election laws will not apply.

The charter amendment also requires that the City adopt an ordinance outlining the rules of election. This ordinance will dictate how the tabulation program counts the votes, performs ballot layout, determines candidate rotation algorithm, and maintains and produces audit trail information. The election system hardware and software is then designed by the vendor to match the rules laid out in our ordinance. Once the system has been designed, the City and the vendor must seek certification from the Federal Elections Commission and the Secretary of State.

Currently, all systems in use in Minnesota are based on Minnesota General Election Law. We expect state and federal standards for IRV to be developed in the future, but these standards do not exist today. This means that our system will be the only one in Minnesota which is not designed to the same standards created by the agencies certifying our equipment.

Though an IRV bill has been proposed to the MN legislature, the bill merely amends the statute to allow IRV. It is in our best interest to seek assistance from our legislators to introduce a bill setting standards for conduct of IRV elections state-wide. This would help to avoid possible legal challenges and would smooth the way for future research and development by voting equipment manufacturers.

Absent legislation setting rules, charter cities that adopt IRV may adopt different rules in their individual ordinances. This translates into higher development costs for equipment vendors which must create a custom application for each jurisdiction.

If legislation is adopted in the future, there is no guarantee that statute will not contain additional requirements or conflicting rules of tabulation. If we move forward with a custom application based upon local rules, we will need to be prepared to modify our system to accommodate different rules that may be enacted in the future.

The proposed Charter amendment contains a clause which allows the city to certify that we are not ready to implement. We are also required to include the “reasons” why we are not ready.

This provision opens us to a legal challenge similar to the challenge brought against San Francisco in 2003. It is in our best interest to discuss which factors would be acceptable or unacceptable in making the “Go/No-Go” decision in July of 2009. Factors considered acceptable can be included in the City’s Municipal Election Ordinance outlining the rules of election.

c. Equipment

If the city desires to move forward prior to the time the county replaces equipment, we must consider an entirely independent purchase of new equipment. It is difficult to provide an accurate estimate of the cost for IRV compatible equipment, but we do know the following costs incurred by other jurisdictions:

Jurisdiction	Registered Voters	Cost of Equipment	Cost of IRV Programming and/or Hardware Modifications
Cambridge MA – 1997	17,500	Existing Equipment	\$25,000 *
San Francisco – 2004	417,000	Existing Equipment	\$1,600,000
Burlington VT - 2006	25,000	Existing Equipment	\$2,000 *
Alameda County – 2007 (projected)	308,533	\$13,150,000	\$350,000

* Does not meet MN specification standards

The following table shows estimated costs under two scenarios – one which assumes a full city purchase of equipment, and one which assumes we will be able to modify the M100 and continue to enjoy the services provided to us by the County through our equipment contract.

Estimate of equipment costs year one and year four of IRV implementation
 (Does not include Communications Program, Additional Staff, or Judge Training)

CITY PURCHASE - INDEPENDENT OF COUNTY

	Current System 2005 Municipal	Proposed IRV Year One	Proposed IRV Year Four
Cost of new equipment*	\$ -	\$ 950,780	\$ -
Accumulation Software**	\$ -	\$ 300,000	\$ -
Secure warehouse space	\$ 45,000	\$ 90,000	\$ 90,000
Annual Maintenance	\$ 20,000	\$ 40,000	\$ 40,000
Ballot Programming	\$ -	\$ 50,000	\$ 50,000
Ballot Printing	\$ 52,000	\$ 104,000	\$ 104,000
	<u>\$ 117,000</u>	<u>\$ 1,534,780</u>	<u>\$ 284,000</u>

* Cost of M100's in year 2000

**Accumulation Software - Based on Sequoia/Alameda County Contract 6/13/06

MODIFY M100'S - ASSUMES FULL COUNTY SUPPORT

	Current System 2005 Municipal	Proposed IRV Year One	Proposed IRV Year Four
Modify Hardware*	\$ -	\$ 700,000	\$ -
Accumulation Software**	\$ -	\$ 300,000	\$ -
Secure warehouse space	\$ 45,000	\$ 45,000	\$ 45,000
Annual Maintenance	\$ 20,000	\$ 40,000	\$ 40,000
Ballot Programming	\$ -		
Ballot Printing	\$ 52,000	\$ 104,000	\$ 104,000
	<u>\$ 117,000</u>	<u>\$ 1,189,000</u>	<u>\$ 189,000</u>

The average cost of a city primary is approximately \$200,000 and the cost of conducting an IRV election would not include expenditures for the primary. The City Clerk's Office has created three alternative budgets as a tool for discussion in preparing our departmental five-year plan. If we consider the total elections department budget, we estimate a total budget amount for 2008 of \$1,248,546. By moving to IRV we estimate additional costs of between \$1.35 and \$1.75 million for the 2009 budget year.

A more complete estimate of costs was provided to the council with the IRV Task Force report of May 9, 2006.

d. Implementation Timeline

The timeline shown as **Attachment C** indicates major steps prior to implementation. The items shown as gray rather than black indicate variables either subject to negotiation or beyond our control.

e. Data from IRV Jurisdictions – Voter Behavior and Election Outcomes

Council Members have requested information about how IRV has affected voters and elections in jurisdictions which currently operate under the system.

Voter Understanding of IRV - Information regarding public understanding of IRV and the level of "drop-off," (not voting all the choices on the ballot) can be found in a study called "An Assessment of Ranked Choice Voting in the San Francisco 2004 Election," produced by the Public Research Institute of San Francisco State University in May of 2005. The purpose of the study was to evaluate the transition to IRV by gauging the ease or difficulty experienced with the new system. The assessment considered three main indicators:

1. Whether voters knew they would be asked to rank candidates before coming to the polls,
2. Whether they indicated they understood IRV after having used it, and
3. The degree to which they reported using the full function of the ballot by ranking three choices.

The Executive Summary shown as **Attachment A** to this report contains specific data. Overall, the report stresses the need for a strong and well-funded voter education program, especially for our minority and non-English speaking population.

The study can be accessed at http://www.sf-rcv.com/SFSU-PRI_RCV_final_report_June_30.pdf

Voter Turnout - It is unclear whether IRV has been a factor in voter turnout. It is true that more voters are casting the decisive vote in that voter turnout is always higher at a general election than at either a primary or run-off election. In the case of San Francisco, each IRV election has been held in conjunction with another election or series of ballot questions and it is unclear whether the opportunity to use IRV has affected voter turnout.

Outcomes – There is no data available to indicate how IRV affects candidates and the decision to run. Evidence suggests that the civility of campaigns have been positively affected by the need to garner 2nd choice votes.

In analyzing election result data from four cities using IRV, the method of counting itself does not seem to affect final outcome. Election results posted for each city shows that in every case the IRV counting method produces the same winner, or set of winners, in the final round of counting as in the first round. Only the number of votes and percentage of the total votes cast differ. Sample statistics illustrating this are included as **Attachment B** to this report.

III. Multiple Seat Offices

If IRV is adopted by our voters this fall, the system will apply only to the Mayor and City Council, the Park Board, Library Board and Board of Estimate and Taxation. The Minneapolis School Board and members of state or county boards are under separate jurisdictional rule and will not be subject to the rules of IRV.

The proposed charter change states, "The elected officers shall be elected by the method of Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting." When the rules of "Single Transferable Vote" (STV) are used in a single winner election (Mayor and Council Member) it is called "Instant Runoff Voting" (IRV) or "Ranked Choice Voting" (RCV). This method uses an STV system to ensure that the person elected receives a majority, or 50% +1 of the votes.

When STV is used in multi-seat applications (Board of Estimate and Taxation, Park Board, Library Board) it is known as "Proportional Representation through the Single Transferable Vote." (PR-STV) This method does not require that winners achieve a majority. Under PR-STV, candidates reach a threshold which, in the case of the Mpls Library Board, would be calculated as 14% +1 of the total votes cast for Library Board. Any votes received above the threshold are removed from the elected candidates' totals and redistributed proportionally to the second choice on all ballots cast for the winner. At the point where the redistribution of votes no longer reaches the threshold, the last place winner is eliminated and the second choice votes from those ballots are redistributed.

Minneapolis voters currently vote for all six seats on the Library Board, essentially meaning voters have six first choices. Under the current proposal, voters would have only one first choice, with subsequent choices labeled "2nd", "3rd", etc. This ranking may imply to the voter that each subsequent choice carries less weight than the previous choice. Voters may believe they have been denied a right previously enjoyed.

Under the current proposal, members of the Park Board would be elected using different systems. The District Park Board member, a single-seat office, would be required to garner 50% +1 of the votes cast for that office. At-Large Park Board members, elected as a multiple-seat office, will only be required to receive 25% +1 of the votes cast for that office.

IV. Ballot Language

Minnesota Rule 8250.0390 outlines rules for the form of the ballot question. The City Attorney's Office drafts language for Council consideration.

From An Assessment of Ranked Choice Voting – San Francisco 2004

http://www.sf-rcv.com/SFSU-PRI_RCV_final_report_June_30.pdf

EXECUTIVE SUMMARY¹

Purpose

In the November 2004 General Election, the city of San Francisco used a new voting system for electing its Board of Supervisors. This system, Instant Run-off Voting or Ranked-Choice Voting (RCV), was used in seven of the city's eleven districts. The purpose of this study is to evaluate this transition in election systems by gauging the ease or difficulty with which voters expressed their preferences on the new form of ballot. This assessment considers three main indicators:

- Whether voters knew they would be asked to rank candidates before coming to the polls,
- Whether they indicated they understood RCV after having used it, and
- The degree to which they reported using the full function of the ballot by ranking three choices.

Methodology

Two main sets of voters were surveyed for this study: those who cast their ballots in person on Election Day, and those who voted with an absentee ballot submitted through the mail.² Additional exit poll surveys were collected in several select neighborhoods, over-sampling Asian-Americans, African-Americans, and Latinos (special neighborhoods sample).

- The sample design for the basic sample at the polling places involved a purposive sample of three precincts per district, chosen by how well they represent their districts overall. A total of 2,847 surveys were collected from this sample. Response rates by precinct varied from 22%-53%.
- The sample design for the special neighborhood sample involved a purposive sample of two precincts per district, six precincts in all, chosen for their geographic location and their high concentration of Asian-Americans, African-Americans, and Latinos. Altogether, 543 surveys were collected, with response rates by precinct ranging from 23%-47%
- The sample design for the absentee survey involved a simple random sample of some 1,167 absentee voters. These voters were mailed a comparable version of the survey intended for absentee voters. This mail-out yielded 217 completed surveys for a response rate of approximately 19%.
- The questionnaire was designed to pursue the primary research question of how easy or difficult it was for voters to use the RCV system. It consisted of two sides of an 8 ½ x 14" sheet of paper and approximately 26 questions. It was available in English, Spanish and Chinese.
- A team of 110 student surveyors were deployed to the polling places of the selected precincts on Election Day. Interviewers worked in pairs and surveyed voters in six hour

shifts from either 7:00 a.m. to 1:00 p.m. or 2:00 p.m. to 8:00 p.m. Because of known interviewer effects, each pair included one female and one male. Interviewers who spoke Spanish or Cantonese were chosen for precincts with large concentrations of residents speaking those languages, and efforts were made to recruit African-American students to survey in primarily African American precincts.

Prior Knowledge of Ranked-Choice Voting (RCV)

- Over two-thirds (69%) of polling place voters and over three-fifths (63%) of absentee voters knew before voting that they would be asked to rank candidates on the Board of Supervisors (BOS) ballot
- About half (51%) of the first-time voters and 41% of “occasional” voters were not aware that they would be asked to rank candidates.
- Those with less prior knowledge of RCV tended to be the least educated, voters whose first language is something other than Chinese or English, and those whose race or ethnicity is something other than Asian or White.

Overall Understanding of RCV

- The wide majority of voters said they understood RCV fairly well or perfectly well (polling place = 86%, absentee = 89%).
- Levels of understanding were lowest among voters with little education and low income.
- African Americans (23%), Latinos (20%), and voters of “Other” racial/ethnic groups (17%) were more likely to report a lack of understanding than were Asian (13%) or White (12%) voters.
- Differences in understanding between African Americans and voters of other races and ethnicities were more pronounced once education, prior knowledge of RCV, and voting habits were considered.
- Prior knowledge significantly lessened the potential for language-based difficulty in using the RCV ballot.
- Asian-Americans living in Chinatown appear to have had more difficulty understanding RCV than did Asians living elsewhere; by contrast, Latinos in the Mission appear to have had less difficulty than Latinos elsewhere.
- Reported levels of understanding of RCV were related to voters’ general dispositions toward change and difficulty making a first choice among BOS candidates.

Use of the Ranked-Choice Ballot

- Most polling place (59%) and absentee (60%) voters reported ranking three candidates; about one-fourth said they voted for only one (23% polling place, 24% absentee).
- The prevalence of ranking three candidates was lowest among African Americans, Latinos, voters with less education, and those whose first language was not English.
- Nearly two-thirds (64%) of those who knew of RCV prior to coming to the polls ranked three candidates versus 47% of those who were unaware of the new development.

- Sixty-three percent of those who understood RCV at least “fairly well” ranked three candidates, while only 36% of those who did not understand it entirely or at all ranked three candidates.
- Voters were most likely to rank three candidates in District 5 (76%) and least likely in District 2 (46%).

Other Questions

- The most common sources of information about RCV were newspapers, the DOE’s literature or website, and television.
- Forty-six percent (46%) of polling place respondents felt that they were *more* likely to vote for their most preferred candidate under the new system, 3% felt that they were *less* like to vote for their most preferred candidate, and the majority (51%) said there was no difference. Among absentee voters, 42% said they were more likely to vote for their most preferred candidate, 3% said less likely, and 56% reported no difference.
- Among polling place voters, 29% said they felt less like their vote was wasted, 7% said they felt more like it was wasted, and 64% noted no difference. Among absentee voters, 20% said “less,” 7% said “more,” and 74% said “no difference.”
- Voters were split on whether the BOS campaigns were more or less negative in this election versus past elections (14% said more negative, 15% said less negative).
- Thirty-two percent (32%) of polling place voters said they gather more information for this election compared to past elections, 8% said they gathered less, and 53% said there was no difference. Absentee voters were a bit less likely to report gathering more information (24%), while 5% said they gathered less, and 68% reported no difference.

Opinion about RCV

- A majority of polling place voters (61%) preferred the RCV system; 13% preferred the Runoff system. Opinions were more positive among absentee voters (77% preferred RCV and 11% preferred Runoff).
- About one if five voters (19%) who came to the polls opposing RCV now prefer it to the Runoff system, while 4% of those who supported RCV now prefer the Runoff.
- Among voters who had no clear prior opinions about RCV, 52% now prefer it to the Runoff system, compared to 12% who now prefer the Runoff system.

ATTACHMENT B

ELECTION RESULTS - OTHER JURISDICTIONS

**CAMBRIDGE MA - 2005 CITY ELECTION - BOARD OF SUPERVISORS
Electing 9 - Rank Choices up to 27**

	Winners First Count	Round One		Winners Final Count	Final Round		Drop Off
		#	%		#	%	
At-Large	Galluccio, Anthony D.	2001	12%	Galluccio, Anthony D.	1608	10%	10%
At-Large	Decker, Marjorie C.	1524	9%	Decker, Marjorie C.	1608	10%	
At-Large	Sullivan, Michael A.	1464	9%	Sullivan, Michael A.	1608	10%	
At-Large	Davis, Henrietta	1459	9%	Davis, Henrietta	1608	10%	
At-Large	Toomey, Timothy J., Jr.	1432	9%	Toomey, Timothy J., Jr.	1608	10%	
At-Large	Simmons, Denise	1330	8%	Simmons, Denise	1608	10%	
At-Large	Murphy, Brian	1236	8%	Murphy, Brian	1608	10%	
At-Large	Reeves, Kenneth E.	1207	8%	Reeves, Kenneth E.	1608	10%	
At-Large	Kelley, Craig A.	1042	6%	Kelley, Craig A.	1608	10%	

**SAN FRANCISCO CA - 2004 CITY ELECTION - BOARD OF SUPERVISORS
Electing 1 - Rank Choices up to 3**

	Winner First Count	Round One		Winner Final Count	Final Round		Drop Off
		#	%		#	%	
Dist 1	McGoldrick	11791	41	McGoldrick	14011	54	10%
Dist 5	Mirkarimi	9928	28	Mirkarimi	13211	51	26%
Dist 7	Elsbernd	10475	33	Elsbernd	13834	57	23%
Dist 11	Sandoval	7427	32	Sandoval	10679	59	21%

**SAN FRANCISCO CA - 2005 CITY ELECTION - ASSESSOR/RECORDER
Electing 1 - Rank Choices up to 3**

	Winner First Count	Round One		Winner Final Count	Final Round		Drop Off
		#	%		#	%	
At-Large	Ting	92729	47	Ting	110053	58.13	5%

**BURLINGTON VT - 2006 CITY ELECTION - MAYOR
Electing 1 - Rank Choices up to 6**

	Winner First Count	Round One		Winner Final Count	Final Round		Drop Off
		#	%		#	%	
At-Large	Kiss	3809	39	Kiss	4761	55	16%

