

# Request for Ballot Title Preparation or Publication of Notice

SEL 805

rev 08/21  
OAR 165-014-0005

No later than the 81<sup>st</sup> day before an election, a governing body that has referred a measure must prepare and file with the local elections official the text of the referral for ballot title preparation or the ballot title for publication of notice of receipt of ballot title. This form may be used to file the text of the referral and request the elections official begin the ballot title drafting process or file a ballot title and request the elections official publish notice of receipt of ballot title.

## Filing Information

Election Date

November 8, 2022

Authorized Official

Jenny Madkour

Contact Phone

(503) 988-3138

Email Address

jenny.m.madkour@multco.us

## Referral Information

Title, Number or other Identifier

Amends charter: instant runoff ranked choice voting in county elections

This Filing is For

Drafting of Ballot Title Attach referral text.

Publication of Notice Ballot title below.

## Ballot Title Additional requirements may apply

**Caption** 10 words which reasonably identifies the subject of the measure.

See attached.

**Question** 20 words which plainly phrases the chief purpose of the measure.

See attached.

**Summary** 175 words which concisely and impartially summarizes the measure and its major effect.

See attached.

RECEIVED  
2022 AUG 11 AM 10:48  
MULTNOMAH COUNTY  
DIRECTOR OF ELECTIONS

By signing this document:

→ I hereby state that I am authorized by the county or city governing body, or district elections authority to submit this Request for Ballot Title – Preparation or Publication of Notice.



August 11, 2022

Signature

Date Signed

## **Instant Runoff Ranked Choice Voting Ballot Title & Explanatory Statement**

**Caption (10/10):** Amends charter: instant runoff ranked choice voting in county elections

**Question (20/20):** Should county officials be elected at general election (vacancies filled in May or November) using instant runoff ranked choice voting?

**Summary (174/175):** Under current charter, candidates for county office appear on primary election ballot; voters can cast one vote per office; candidate receiving majority is elected. If no candidate receives majority, two candidates receiving highest number of votes appear on general election ballot; candidate receiving majority is elected. For vacancies filled by election, candidate receiving majority is elected at next May or November election. If no candidate receives majority, two candidates receiving highest number of votes appear on special election ballot; candidate receiving majority is elected.

Under amendment recommended by Charter Review Committee, by 2026, officers would be elected at general election, vacancies filled at next May or November election, using instant runoff ranked choice voting (voters rank candidates by preference). Candidate with majority of votes based on first rankings is elected. If no candidate receives majority, ballots are counted in subsequent rounds: candidates retain votes from prior rounds; candidate with fewest votes eliminated each round; votes for eliminated candidate transfer to candidate ranked next on those ballots. Process repeats until candidate with majority is elected.

**Explanatory Statement (494/500):** Under the current charter, candidates for county elected office (chair, commissioners, auditor, sheriff) appear on the primary election ballot. Voters may vote for only one candidate per office. A candidate who receives a majority of the votes cast in the primary election is elected. If no candidate receives a majority, the two candidates that received the highest number of votes appear on the general election ballot, and the candidate who receives a majority is elected. For vacancies, if the term of office expires one year or more after the vacancy occurs, the replacement is elected at the next May or November election if a candidate receives a majority of the votes cast in that election. If no candidate receives a majority of the votes cast in that election, the board calls a special election in which the names of the two candidates who received the highest number of votes appear on the ballot. The candidate who receives a majority of the votes cast is elected to fill the remainder of the term.

This charter amendment recommended by the Charter Review Committee would change the method of electing county officers. By 2026, county officers would be elected at the general election using instant runoff ranked choice voting. Ranked choice voting is an election method where voters rank candidates for an office in order of preference and ballots may be counted in rounds.

In the initial round of counting, a candidate who has a majority of the vote based on the number of first rankings each candidate receives is elected. However, if no candidate receives a majority of the vote in the initial round of counting, ballots are counted in subsequent rounds. In those subsequent rounds, candidates keep the number of votes counted for them in the first and any subsequent rounds that already occurred. Then, the candidate having the fewest votes in each round is eliminated and ballots that had been counted as votes for the eliminated candidate instead are counted as votes for the candidate who is ranked next on those ballots. That process of eliminating candidates and transferring votes to the next-ranked candidates on those ballots repeats until a candidate has a majority of the vote and is elected. Because the instant runoff ranked choice voting method elects an official in a single election, no primary election would be necessary for county officers.

A similar process would be used for filling vacancies where the term of office ends one year or more after the vacancy occurs. In that case, a replacement would be elected at the next May or November election to fill the remainder of the term of office using the instant runoff ranked choice voting method described above. Because the instant runoff ranked choice voting method elects an official in a single election, no special election would be necessary.

The current system of electing county officers and filling vacancies would remain in place until instant runoff ranked choice voting is implemented.

## EXHIBIT C

### Instant Runoff Ranked Choice Voting Charter Amendment Text

(Language stricken is deleted; underlined language is new.)

#### CHAPTER IV. COUNTY OFFICERS IN GENERAL

- 4.10.       **Qualifications.**
- 4.20.       **Terms Of Office; Successive Terms; Running For Office In Midterm.**
- 4.30.       **Compensation Of The Chair, Commissioners, Sheriff and District Attorney.**
- 4.40.       **Vacancies -- Causes.**
- 4.50.       **Vacancies -- Filling.**

\* \* \*

#### 4.50. Vacancies -- Filling.

(1) If a vacancy occurs in an elective office of the county and the term of office expires:

(a) One year or more after the vacancy occurs, then a person shall be elected using instant runoff ranked choice voting, as described in section 11.15, at the next May or November election date to fill the vacancy for the remainder of the term of office.

(i) If a vacancy occurs before instant runoff ranked choice voting is implemented under section 11.15, then the election to fill the vacancy will be conducted under the terms of this subsection 4.50(1)(a)(i). If no candidate receives a majority of votes cast at that election, the board of county commissioners shall call for a special election in which the names of the two candidates receiving the highest number of votes shall appear on the ballot. The candidate receiving a majority of votes cast will be deemed elected to fill the balance of the unexpired term.

(ii) Subsections 4.50(1)(a)(i) and (ii) are repealed when instant runoff ranked choice voting is implemented under section 11.15.

(b) Less than one year but 90 days or more after the vacancy occurs, then the board of county commissioners shall appoint a person to fill the vacancy for the remainder of the term of office.

(c) Less than 90 days after the vacancy occurs, the vacancy shall not be filled.

(2) For purposes of this section 4.50, "term of office" means the term of office of the last person elected to the office which is vacant.

(3) In the event of a vacancy in an elective office, the board shall by ordinance prescribe procedures to designate an interim occupant of the office. The person so designated shall serve as acting chair, commissioner, sheriff or auditor, as the case may be, until the office is filled by election or appointment, as appropriate under section 4.50(1).

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## CHAPTER XI. ELECTIONS

- 11.15. Election Of Officers.
- 11.20. Tie Votes.
- 11.30. Initiative And Referendum.
- 11.40. Recall.
- 11.50. Charter Amendment And Repeal.
- 11.60. Campaign Finance.

### 11.15. Election Of Officers.

(1) All elective county offices shall be nonpartisan.

(2) The manner of nominating and electing officers shall be the same as that established by state law for nominating and electing circuit court judges, except as this charter provides to the contrary.

(3) Petitions or declarations of candidacy shall contain no reference to any political party ballot or to the political party affiliation of the candidate.

(4) No later than 2026, and except as provided in section 4.50 for elections to fill a vacancy, all elective county officers will be elected at the general election using instant runoff ranked choice voting.

(a) Ranked choice voting means an election method in which electors rank candidates for an office in order of electors' preferences and ballots may be counted in rounds.

(b) Instant runoff voting elects the candidate who has a majority of the vote after the initial round of counting based on the number of first rankings each candidate receives. If no candidate receives a majority of the vote in the initial round of counting, ballots are counted in subsequent rounds in which:

(i) Candidates retain the number of votes counted for them in the first and any subsequent rounds that already occurred; and

(ii) The candidate having the fewest votes in each round is eliminated and ballots that had been counted as votes for the eliminated candidate instead are counted as votes for the candidate who is ranked next on those ballots; and

(iii) The process of eliminating candidates and transferring votes for eliminated candidates to the next-ranked candidates on those ballots repeats until a candidate has a majority of the vote and is elected.

(5) Until instant runoff ranked choice voting is implemented, the names of all candidates shall appear on the primary election ballot. If a candidate receives a majority of the votes cast for a position at the primary election; the candidate shall be elected to the position. If no candidate for a position at a primary election receives a majority of the votes cast for the position, the two candidates receiving the highest number of votes shall be declared nominees and their names shall appear on the general election ballot. This subsection 11.15(5) is repealed when instant runoff ranked choice voting is implemented.

#### **11.20. Tie Votes.**

In the event of a tie vote for candidates for an elective office of the county, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the board of county commissioners.