2006-Or-____

AN ORDINANCE
of the
CITY OF MINNEAPOLIS

By Benson, Gordon, Glidden, Remington

Amending Chapter 2, of the Minneapolis City Charter relating to Officers—Elections, eliminating primary elections for city offices, amending filing dates, and allowing for Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 5 of the above-entitled ordinance relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows:

Section 5. ~~Primary Elections~~ Candidate Filing. Prior to January 1st of the election year, the City Council shall fix and determine ~~the dates for the City Primary Election and~~ the opening and closing dates for the filing of candidates for office. ~~Such election shall be held at least 40 days prior to the General Election and the~~ The time allowed for the filing of candidates for office shall never be less than 15 days (and the closing date of such filing shall never be less than ~~30~~ 40 days), before the ~~Primary~~ General Election.

Section 5A. Conduct of Elections. Notwithstanding the provisions of Minnesota Statutes, Section 205.17, subdivision 2, or any other provision of law and except as otherwise provided in this section, the City ~~Primary Election and~~ General Election for Mayor and City Council shall be conducted in the manner provided by law for elections for nonpartisan offices. ~~All candidates for Mayor and City Council shall run for nomination in the city primary election.~~ All such candidates shall, however, state the name of their political party or political principle, stated in three words or less, on their affidavits of candidacy and affidavits of candidacy for Mayor and City Council shall otherwise conform with all requirements of the Minnesota general election laws pertaining to affidavits of candidacy for partisan offices. The political party or political principle shall be placed on the ~~Primary and~~ General Election ballot~~s~~ with the names of the candidates for such offices. (As amended 6-13-55; 3-29-68; 81-Or-145, § 1, 6-12-81; 11-8-83)

Section 5B. Voting Method. The elected officers shall be elected by the method of Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting. The City Council shall, by ordinance, establish the ballot

format and rules for counting the votes. The method shall be used for the first municipal election after adoption and all subsequent elections unless the City Council certifies, by ordinance, no later than four months prior to the election that the City, will not be ready to implement the method in that election. Such certification must include the reasons why the City is not ready to implement the method.

Section 2. That Section 6 of the above-entitled ordinance relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows:

Section 6. Election Judges--Council to Fix Compensation. The City Council shall at least 14 days before any special~~, primary~~ or general City Election appoint such judges of election as may be necessary to constitute a full board for every election precinct, as provided by general laws. The compensation of elections judges shall be forty (40) percent greater than the prevailing minimum wage as defined by state law unless the City Council sets a different rate. This amendment shall become effective January 1, 2000. (As amended 81-Or-207, § 1, 8-14-81; 99-Or-079, § 1, 7-16-99)

Section 3. That Section 8 of the above-entitled ordinance relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows:

Section 8. City Council to Provide Ballots and Ballot Boxes. The City Council shall provide all necessary ballots and ballot boxes to be used for each general~~, primary~~ and special election held in the City for the election of City officers or for any other City purposes.

Section 4. That Section 9 of the above-entitled ordinance relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows:

Section 9. Ballot at City Election. The names of all candidates to be voted on at any general City election~~, City primary election~~ or special election for City purposes shall be placed on one ballot. Regardless of whether they are contested or uncontested, the offices on the ballot shall be in the following order: Mayor; Council Member; Board of Estimate and Taxation Member; Park and Recreation Commissioner at Large; Park and Recreation Commissioner by District; Library Board Member. (As amended 89-Or-171, § 1, 9-7-89)

Section 5. That Section 11 of the above-entitled ordindnace relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows:

Section 11. City Clerk to Give Notice of Time and Places of Holding Elections. The City Clerk shall give notice of the time and places of holding general city elections ~~and at the same time and in the same notice give notice of~~

~~the time and places of holding primary elections~~, which notice shall be given at least 15 days before the ~~primary~~ general city election, and unless otherwise specifically provided for in this Charter, the City Clerk shall give 15 days' notice of the time and places of holding special elections.

Section 6. That Section 12 of the above-entitled ordinance relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows:

Section 12. In Case of Tie Vote. When two or more candidates for any elective city office shall receive an equal number of votes at the ~~primary election,~~ general city election or at a special election, ~~and such number votes would be sufficient to elect or nominate at least one of the candidates receiving such number of votes,~~ the election shall be determined as between those candidates by the casting of lots in the presence of the City Council at such time and in such manner as the City Council shall direct. (As amended 83-Or-139, § 1, 6-10-83)

Section 7. That Section 13 of the above-entitled ordinance relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows:

Section 13. Filing for ~~Nominations.~~Election. All candidates for ~~nomination~~ election at any city election shall file their affidavit for such ~~nomination~~, election and pay their fee therefor, in the same manner as provided in the general election laws of the State of Minnesota, except only that such filing shall be made with, and such fee paid to the City Clerk instead of the County Auditor, and such filing must be made, and the fee therefor paid, not later than the ~~30th~~ 40th day preceding the ~~primary~~ general election. (As amended 84-Or-040, § 4, 3-30-84)

Section 8. That Section 15 of the above-entitled ordinance relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows

Section 15. General Laws to Govern Elections--Exceptions. All general laws of the State of Minnesota relating to ~~primaries and~~ elections and the preliminaries thereto, unless this Charter otherwise specifically provides, shall, so far as applicable, apply and govern all elections under this Charter and the same are hereby adopted and made part of this Charter.

Section 9. That Section 16 of the above-entitled ordinance relating to Chapter 2 of the Minneapolis City Charter be amended to read as follows:

Section 16. Vacancy in Office of Mayor and Council Members--How Filled. Whenever any vacancy shall occur in the office of Mayor or in the office of any Council Member prior to March 1st of the year of the general City election for the office of Mayor or Council Member, it shall be filled for the unexpired term by a special election ordered by the City Council and held City-wide if the vacancy is in the office of the Mayor or held in the applicable ward if the vacancy is in the

office of a Council Member. The special election shall be held within seventy-five (75) days after such vacancy shall occur.

For the purpose of selecting the candidates to be voted on at such special election, the Council shall ~~fix the date of a primary election to be held not less than thirty-five (35) days prior to such special election, and shall also~~ fix the dates for filing of candidates for such office which shall be for a period of not less than eight (8) days, and the closing date for such filing shall not be less than ~~twenty (20)~~ forty (40) days prior to the date fixed for the ~~primary~~ general city election. All provisions of this Charter pertaining to ~~primary and~~ special elections shall apply to any ~~primary or~~ special election provided for by this section, except as otherwise specifically provided herein.

Until the vacancy in the office of Mayor has been filled by the special election, the then President of the City Council shall take the oath of office of, and become, and shall be styled Acting Mayor for the interim period, and as such shall exercise all the powers and discharge all the duties of Mayor, and while so acting shall be entitled to the salary of Mayor, but such salary shall be in lieu of, and not additional to, the salary as Council Member in [the] event such person shall occupy both offices.

Whenever any vacancy shall occur in the office of Mayor on or after March 1st of the year of the general City election for the office of Mayor, the then President of the City Council shall fill the vacancy for the remainder of the vacated term in the same manner as provided above.

Whenever any vacancy occurs in the office of any Council Member on or after March 1st of the year of the general City election for the office of Council Member, such vacancy shall be filled by the City Council appointing a qualified voter from the ward for which the vacancy exists, to hold office for the remainder of such unexpired term, provided that no such appointment shall be made after the opening date for filing for such position in the next ensuing city ~~primary~~ general election.

When a vacancy for Council Member exists on or after the first date for filing, the person elected at the general City election, upon certification of the general City election results, shall fill the position for the remainder of the unexpired term. (As amended 6-20-82; 11-4-75; 11-2-76; 83-Or-234, § 2, 9-30-83; 11-8-83; 92-Or-035, § 1, 3-13-92; 95-Or-041, § 1, 3-10-95)