



Senate Counsel, Research, and Fiscal Analysis
State of Minnesota

Proceedings at a Joint Convention to Elect Regents

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For more information, please contact:
Andrew Erickson at 651-296-4855 or Andrew.Erickson@senate.mn

Joint Rule 4.02 provides the procedure for a joint convention of the House of Representatives and Senate called to elect regents for the University of Minnesota. After initial proceedings under the roll call have been dispensed with, the body receives a report from the regent nomination joint committee pertaining to regent candidates, and the recommended candidates are entered into nomination.

At this point, the Joint Rules provide that “the roll must be called first on congressional district seats until they are filled, then on the student seat, and then on the at-large seats.” This means that up to three sets of voice votes may be necessary in a given year: the first to fill all congressional district seats (with votes tabulated separately by district), a second for the student seat, and a final one to fill any at-large seats simultaneously. Each of these sets might consist of multiple rounds of voting, depending on the results of each ballot. Additional nominations for a seat will take place at the time that seat is put before the body for consideration. A nomination can be submitted with the support of a single member of either the House or the Senate.

The votes for the congressional district-based seats and the student seat are straightforward. A candidate must receive a majority of votes cast to be declared elected. If no candidate receives a majority on the first ballot, the candidate with the fewest votes – and any candidate with fewer than 20 votes – will be dropped from succeeding ballots. Rounds of balloting will continue until a candidate receives a majority of votes cast. In the case of a tie, the votes must be cast again.

The same procedure is used in years where only a single at-large seat is open. In other years, however, voting for the at-large seats is complicated somewhat by the fact that all at-large seats are voted on simultaneously. Members have a vote for each seat, and each of a member’s votes must be cast for a different candidate. However, when the vote total for each candidate is calculated, the votes are not separated by seat but rather taken as a single total. After the desk staff tabulates the vote total for each candidate, if a single candidate has received a majority of votes cast, that candidate will be declared elected. In this context, “votes cast” is understood to mean not the total number of votes cast for individual candidates, but rather the total number of ballots cast by members (with each ballot containing all of a member’s votes). Further rounds of voting would be conducted to fill any remaining at-large seats as described above for the congressional district-based and student seats.

If, however, more candidates receive a majority of votes cast than there are seats to be filled, then the candidates with the highest vote totals – up to the number of seats to be filled – are declared elected. This anticipates a scenario in which three candidates might all clear the simple majority threshold. To lay this out more clearly, with 201 members casting ballots for two at-large seats, a candidate would need 101 votes to reach a majority, but 402 votes are available. One can imagine a scenario in which three candidates receive 120, 130, and 152 votes, all of whom would then have received a majority of votes cast. The joint rules clarify that in such a case only the two candidates receiving the most votes will be elected. If, on the other hand, no candidate reaches the majority threshold, the candidate receiving the fewest votes and any candidates receiving fewer than 20 votes would be dropped from succeeding ballots, as above.

The Joint Rules also provide for the recasting of ballots “in case of a tie for the highest number of votes,” though this provision would be understood to apply only to a tie where at least one but

not all tied candidates could be declared elected (that is, one winner out of two tied candidates or two winners out of three tied candidates). In contrast, if the two candidates receiving the highest number of votes were tied but did not receive a majority of votes cast, the elimination procedures described above would apply rather than a recasting of ballots. Likewise, if two seats remain to be filled and the two candidates with the highest vote totals are tied and have received a majority of votes cast, the two candidates would both be declared elected no matter how many votes a third-place candidate might have received, and ballots would not be recast.

When all seats have been filled, the newly elected regents are recognized and the joint convention adjourned.