

TESTIMONY ON BEHALF OF THE LIBERTARIAN PARTY OF
HAWAII

c/o 1658 Liholiho St #205
Honolulu, HI 96822

January 27, 2019

RE: SB 427 to be heard Tuesday January 29, in Room 16, at 9:00 AM

To the members of the Senate Committee on Judiciary

SUPPORT

Dear Chair Rhoads and members:

The Libertarian Party likes the concept of ranked voting as it means voters can choose the people they prefer and not be put into a situation wherein they feel a need to vote for a candidate they don't like because they like another one even less. This is a good system, which not incidentally would show more of the real support that third parties such as ours, the Greens, and others may have with voters.

This bill does contain a lot of complicated formulas which we assume have come from other venues and are workable in practice.

Aloha



Tracy Ryan
For The Libertarian Party of Hawaii

SB-427

Submitted on: 1/27/2019 11:28:32 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Testifying for Honolulu County Republican Party	Oppose	No

Comments:

The Honolulu County Republican Party **OPPOSES** this bill.



O`ahu County Committee on Legislative Priorities (OCCLP)

January 28, 2019

TO: Honorable Chair Rhoads & JDC Committee Members

RE: SB 427 Relating to Ranked Choice Voting

Support for hearing on Jan. 29

Aloha mai kakou:

The O`ahu County Committee on Legislative Priorities (OCCLP) of the Democratic Party of Hawai`i (DPH) hereby submits its testimony in **SUPPORT of SB 427 relating Ranked Choice Voting.**

OCCLP supports SB 427 as it would establish ranked-choice voting for special federal elections and special elections of vacant county council seats. First-past-the post elections where there are several candidates from one Party and only one candidate from a second Party give the advantage to the minority Party candidate; this is not democratic. This bill sets up a more democratic system. OCCLP suggests your consideration in using this methodology in primary races as well.

Thank you for your favorable consideration.

Mahalo nui loa

Me ka `oia`i`o

/s/ Melodie Aduja

Melodie Aduja

Chair, O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i

Ph. (808) 258-8889

Email: legislativepriorities@gmail.com



Testimony on Senate Bill 427 Relating to Elections
By Rob Richie, FairVote Action President. January 28, 2019

Dear Chair Rhoads and members of the Judiciary Committee:

I am writing to express FairVote Action's support for Senate Bill 427, regarding ranked choice voting in certain vacancy elections. FairVote Action is a national nonpartisan organization that educates and advocates for electoral system reforms that improve democracy in our elections. We work closely with FairVote, our 501-c-3 partner organization at FairVote.org, which I have led as executive director and now president and CEO since 1992. We are seen as a leading national resource on ranked choice voting (RCV), and we work closely in the growing number of states and cities using RCV, including in statewide elections in Maine and elections in nine cities in the past 15 months and in the nine cities scheduled to use RCV for the first time later this year.

SB 427 would improve elections in Hawaii. If SB 427 were enacted, RCV would be used in those special elections for federal office that are not held with regularly scheduled primary and general elections, and counties would use it to fill county council vacancy elections. SB 427 deserves support as it upholds the principles of majority rule and representative democracy.

RCV ensures that elections are won with majorities without the need for a costly, inefficient runoff elections. In a RCV election, voters rank candidates in order of choice: their first choice, with an option to rank backup preferences as a second choice, third choice and so on. All first choices are counted with a value of one vote. If a candidate receives more than half of the first choices, they win, just like any other election. If not, the candidate with the fewest votes is eliminated, and voters who picked that candidate as 'number 1' will have their votes count for their next choice. The process continues until two candidates remain. The winner will always have a majority of the vote when matched head-to-head against his or her final round opponent.

SB 427 would mean that even in a crowded field such as those often seen in vacancy elections, a representative winner will be selected with just one election without the risk of vote-splitting. All voters are able to participate in a single, decisive election that produces a consensus winner.

FairVote ACTION

RCV's simplicity, representative outcomes, and positive experience for voters have made it an increasingly popular election method. Recommended by Robert's Rules of Order and used in hundreds of private association elections, RCV is fully constitutional, having been twice upheld in federal courts, including in the Ninth Circuit Court of Appeal in 2011 and in district court in Maine in 2018. RCV is used in 11 cities, and another 11 cities and counties in the past year have acted to use RCV in their upcoming elections.

Last year, Maine became the first state to adopt RCV for use at the state and federal level, including in the seven-candidate Democratic primary and four-candidate Republican primary for governor in June and in three multi-candidate U.S. Senate and U.S. House elections in November. Despite RCV being introduced to voters without an appropriation for voter education, Maine voters responded very well to the system. More votes were cast in the Democratic primary than any in state history, and voter turnout increased in November. The percentage of Maine voters who skipped the US Senate and U.S. House races held with RCV dropped sharply from recent elections for those offices without RCV, and voter error was miniscule -- more than 99.8% cast valid ballots. A Bangor Daily News exit survey found that more than 60% of voters want to keep RCV for congressional elections and a majority to extend it to governor; a huge majority of voters reported it was easy to vote with RCV.

This first use in Maine mirrors what we have seen elsewhere. As implementation of RCV becomes straightforward and candidates adjust to the new rules, RCV consistently works well. Among examples: 1) in San Francisco in June 2018, more city voters chose to cast an RCV ballot for mayor than a non-RCV ballot for governor and U.S. Senator; 2) in Santa Fe's first use of RCV in March 2018, voter turnout was sharply up from its comparably contested mayoral election in 2014, 99.9% cast valid ballots, more than three in five voters ranked all five candidates, and RCV results were released on election night; 3) in Minneapolis, a comprehensive city staff report on the November 2017 election provided a range of evidence on how well voters are using RCV and that fewer than one in five voters would prefer not voting with RCV.

Scholarly research about older elections is encouraging as well. In 2013 and 2014 for example, the Rutgers-Eagleton poll conducted a study examining the experiences of voters in RCV and non-RCV cities in seven cities, including four in California. 84% of voters reported understanding RCV; indeed, more voters understood RCV thoroughly than they did plurality voting (limited to one preference). More voters also understood RCV than California's top two runoff system. Majorities of voters across all 7 cities supported keeping their RCV system.

FairVote ACTION

Hawaii's current vacancy law is an accident that continues to happen. Several winners of vacancy elections in the past decade have won with well under half the votes cast. Limiting voters to one choice in crowded vacancy election fields in fact can be seen as a literal form of voter suppression. Consider that in high-profile races with RCV, nearly nine in ten voters will indicate at least a second choice as a backup -- like in the mayoral elections in the past year in Santa Fe and San Francisco and in the Democratic primary for governor in Maine, where more than three times as many voters chose to rank at least six of the seven candidates as chose to rank only one. Yet Maine's old rules and Hawaii's current plurality system forces everyone to be limited to one preference.

This issue of RCV has come before the legislature in Hawaii in previous years. However, the evidence has never been so strong that voters like and use RCV well and the roadmap to implementing RCV smoothly and efficiently, as detailed by the Ranked Choice Voting Resource Center at RankedChoiceVoting.org. RCV is an elegant, intuitive solution to the problems seen in crowded vacancy elections. It is proven in practice, with more and more communities interested in its benefits each year. FairVote Action strongly recommends SB 427 be passed so Hawaiians can have representative outcomes in their vacancy elections.

Thank you for this opportunity to testify, and please don't hesitate to contact me at rr@fairvote.org or (301) 270-4616 if you have any questions.

Attached: Sample RCV ballot and election outcome from Maine elections in 2018



Ranked Choice Voting Ballot: Maine Democratic 2018 Primary for Governor

Here is the ballot used in Maine for its Democratic primary election in the governor in 2018 that resulted in the nomination of Janet Mills.

Governor	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice	6th Choice	7th Choice	8th Choice
Cote, Adam Roland Sanford	0	0	0	0	0	0	0	0
Dion, Donna J. Biddeford	0	0	0	0	0	0	0	0
Dion, Mark N. Portland	0	0	0	0	0	0	0	0
Eves, Mark W. North Berwick	0	0	0	0	0	0	0	0
Mills, Janet T. Farmington	0	0	0	0	0	0	0	0
Russell, Diane Marie Portland	0	0	0	0	0	0	0	0
Sweet, Elizabeth A. Hallowell	0	0	0	0	0	0	0	0
Write-in	0	0	0	0	0	0	0	0

RCV Election Example: *Maine Congressional Elections, 2018*

Maine, 2nd U.S. House District Ranked choice Voting Election, November 2018			
Candidate	Round 1	Round 2	Round 3
Jared Golden Democrat	45.5%	46.2%	50.5%
	128,999 votes	130,182 votes	139,231 votes
Bruce Poliquin Republican	46.4%	47.1%	49.5%
	131,631 votes	132,505 votes	136,326 votes
Tiffany Bond Independent	5.7%	6.7%	<i>Defeated</i>
	16,260 votes	18,831 votes	
Will Hoar Independent	2.4%	<i>Defeated</i>	
	6,753 votes		

SB-427

Submitted on: 1/28/2019 12:54:20 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Testifying for Common Cause Hawaii	Support	Yes

Comments:

SB-427

Submitted on: 1/25/2019 9:34:30 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Oppose	No

Comments:

I do not like the idea of ranked choice voting. It is too radical.

To: The Senate Committee on Judiciary
From: Brodie Lockard
Date: Tuesday, January 29, 2019, 9:00 am

In support of SB 427

Dear JDC Chair Rhoads, Vice Chair Wakai and Committee Members—

I support SB 427.

In Ranked-Choice Voting, as with other ranked election methods, each voter ranks the list of candidates in order of preference. Under a common ballot layout, the voter marks a '1' beside the most preferred candidate, a '2' beside the second-most preferred, and so forth, in ascending order.

The mechanics of the process are the same regardless of how many candidates the voter ranks, and how many are left unranked. In some implementations, the voter ranks as many or as few choices as they wish, while in other implementations the voter is required to rank either all candidates, or a prescribed number of them.

Better Elections

RCV improves the relationship between candidates and votes.

- Promotes Fairness. Results are grounded in majority rule, meaning the winner is more representative.
- Fosters Civility. RCV encourages civil elections. Candidates have more incentives to debate the issues.
- No Spoiler Effect. Voting for a candidate in third place or lower doesn't "split the vote" for the majority.
- Saves money. RCV saves the time and needed for runoff elections.

Ranked choice voting ensures that elected leaders in special elections will be more likely to represent the interests of Hawaii voters.

How Ranked Choice Voting Could Work in Special Elections in Hawaii

Currently, special elections for U.S. House elections in Hawaii are conducted in one round, without a primary. The winner is the candidate who wins the most votes, even if that vote total is far less than half of the votes. That means a candidate can win election to federal office with less than 40% of the vote.

Using ranked choice voting in special elections for the U.S. House would start when that election is not consolidated with a regularly scheduled primary or general. With ranked choice voting, voters would rank the candidates in order of choice, from first to last. If a candidate has a majority of first choices, they win like in any election. If not, then the candidate with the fewest votes is defeated. Votes for the defeated candidate instantly count for their second choice. That repeats until a candidate wins with a majority. Until Hawaii has precinct-level voting equipment ready to get an "instant runoff" result (as done in Bay Area cities), ranked choice voting would be used in tandem with vote-by-mail elections.

Please pass SB 427 and bring Hawaii to the forefront of modern election practices.

Thank you for the opportunity to testify.

Brodie Lockard
Kailua

SB-427

Submitted on: 1/28/2019 6:55:54 AM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
George Pace	Individual	Oppose	No

Comments:

SB-427

Submitted on: 1/28/2019 7:26:08 AM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Denise Kekuna	Individual	Oppose	No

Comments:

SB-427

Submitted on: 1/28/2019 8:57:54 AM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Smart	Individual	Oppose	No

Comments:

LATE

SB-427

Submitted on: 1/28/2019 1:25:25 PM
Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Individual	Oppose	No

Comments:

LATE

SB-427

Submitted on: 1/28/2019 2:17:54 PM
Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
D. Choy	Individual	Support	No

Comments:

I support this start for ranked voting in Hawaii. Ideally, all Federal, State, and County elections would eventually use ranked voting.

LATE

SB-427

Submitted on: 1/28/2019 3:15:06 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
James Logue	Individual	Support	No

Comments:

LATE

SB-427

Submitted on: 1/28/2019 3:44:33 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

LATE

SB-427

Submitted on: 1/28/2019 4:31:27 PM
Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
William Caron	Individual	Support	No

Comments:

Aloha Chair Rhoads,

I support the implementation of Ranked Choice Voting in **all elections** and would love to see this bill amended to mandate such implementation. RCV saves us money, eliminates the possibility of "spoil" votes, and ensures that people's true feelings about the merits of a given candidate are more accurately reflected in election results. RCV is fair, efficient and cheaper because only one election process is needed, eliminating the need for a primary election.

Mahalo,

LATE

SB-427

Submitted on: 1/28/2019 7:36:40 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Frank Genadio	Individual	Oppose	No

Comments:

LATE

SB-427

Submitted on: 1/28/2019 8:24:19 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Canales	Individual	Support	No

Comments:

Strongly Support

SB-427

Submitted on: 1/28/2019 9:29:29 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Brown III	Individual	Support	No

Comments:

Ranked Choice Voting is a wonderful, pro-democracy, opportunity for much-needed election reform.

Please favorably report SB427 out of JDC.

Mahalo

SB-427

Submitted on: 1/28/2019 10:07:57 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph P. Picon	Individual	Oppose	No

Comments:

To the Senate Committee on Judiciary receiving testimony in the hearing for this bill; my name is Joesph P. Picon a registered voter in Waipahu, 96797.

SB 427 RELATING TO RANKED CHOICE VOTING. I OPPOSE this bill.

LATE

SB-427

Submitted on: 1/28/2019 10:38:31 PM

Testimony for JDC on 1/29/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Montgomery	Individual	Oppose	No

Comments:

I oppose this measure.