

Takoma Park 2023 - HB 334 FAV - Ranked Choice Voting

Uploaded by: Matthew Ling

Position: FAV



**CITY OF TAKOMA PARK,
MARYLAND**

**HB 334
Support**

Ways and Means Committee

February 7, 2023

**HB 334: Voting Systems - Ranked Choice Voting and Inclusion of City
of Takoma Park Municipal Elections on the State Ballot MC 7-23
City Council of the City of Takoma Park**

The City of Takoma Park supports House Bill 334, and urges favorable consideration.

Takoma Park elections are non-partisan, and no primary elections are held. We have around 11,500 active registered voters

The City of Takoma Park has used a ranked-choice voting system for regular and special municipal elections since 2007. When marking a Takoma Park ballot, voters have the opportunity to rank candidates in order of preference. A candidate needs a majority of first-choice votes to be elected. If no candidate receives a majority, the candidate with the fewest first choice votes is eliminated. If those ballots indicate a second choice, the votes are transferred to the voter's second choice. This continues until a candidate receives a majority.

The City Board of Elections has used a variety of ballot counting methods over the years, including hand counts, tabulation of voter scanned ballots (similar to the system used by Maryland voters in state and federal elections), and bulk scanning and tabulating of ballots after an election. Scanned ballots are tabulated by proprietary or open-source software using the cast vote record created by the scanner. Once all ballots are scanned, ranked-choice voting results can be generated quickly.

The City of Takoma Park would welcome the opportunity to make a request to the State Board to have City elections included on the State ballot while maintaining our ability to use ranked-choice voting in City elections. Whether or not the City's elections are on the State ballot, having available voting equipment that is capable of tabulating ballots cast in a ranked-choice voting election, without the need for modification or upgrade, would benefit the City of Takoma Park and any other jurisdiction that adopts ranked-choice voting for its elections.

In sum, the City of Takoma Park supports the goals and intent of this bill, and encourages a favorable vote.

HB334_MDSierraClub_fav - 7Feb2023.pdf

Uploaded by: Richard Norling

Position: FAV



P.O. Box 278
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Committee: Ways and Means
Testimony on: HB 334 Voting Systems – Ranked Choice Voting and Inclusion of City of Takoma Park Municipal Elections on the State Ballot MC 7-23
Position: Favorable
Hearing Date: February 7, 2023

The Maryland Chapter of the Sierra Club urges a favorable report on HB 334. The bill will require that any new voting system certified by the State Board of Elections be capable of handling ranked choice voting. The City of Takoma Park already uses ranked choice voting in municipal elections conducted separately but at the same time as regular state elections. HB 334 includes provisions that would apply if the City of Takoma Park makes a request to consolidate their municipal elections on the same ballot with state elections.

The Sierra Club and its members care about both the natural and human environments, including ending racial and social injustice. We believe the single-round, winner-take-all voting method has problems, such as allowing a candidate to win a multi-candidate race with a plurality that is far short of a majority. We support alternative electoral methods like ranked choice voting that better reflect the diversity of public opinion.

Research has shown that ranked choice voting, when compared to single-round plurality methods, can result in more candidacies and winning candidates who are women and particularly women of color.¹ Research also supports the premise that campaigns tend to be more civil and less negative when ranked choice voting is in use.²

We believe it is important to enact a requirement that any new voting system be capable of handling ranked choice voting before the state begins to consider an expensive procurement for new voting equipment.

We urge a favorable report on HB 334.

Rich Norling
Chair, Voting Rights Committee
Rich.Norling@MDSierra.org

Josh Tulkin
Chapter Director
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¹ Sarah John et al., “[The alternative vote: Do changes in single-member voting systems affect descriptive representation of women and minorities?](#)”, Electoral Studies, Vol. 54, August 2018, 90-102. The results of this peer-reviewed study are also described in “[The Impact of Ranked Choice Voting on Representation: How Ranked Choice Voting Affects Women and People of Color Candidates in California](#)”, published by Representation2020.

² Todd Donovan et al., “[Campaign civility under preferential and plurality voting](#)”, Electoral Studies, Vol. 42, June 2016, 157-163.

Ranked Choice Voting Takoma Park HB 334 2023 Writt

Uploaded by: Amy Waychoff

Position: UNF

HB 334
7 February 2023 W&M
Amy Waychoff
LD18 Montgomery County
Unfavorable

Thank you for this opportunity to testify on “Voting Systems - Ranked Choice Voting and Inclusion of City of Takoma Park Municipal Elections on the State Ballot MC 7-23.” My name is Amy Waychoff and I have lived in Montgomery County for 35 years.

There is not a lot of data about the effectiveness of RCV. However, one study in 2014 documented a problem called ballot “exhaustion,” whereby ballots are discarded in the second and subsequent rounds. This phenomenon happens, for example, when the voter marks only one or two candidates. The study concluded that RCV “does not ensure that the winning candidate will have received a majority of all votes cast, only a majority of all valid votes in the final round of tallying.” For example, Tony Santos, mayor of San Leandro, California, lost his re-election bid in 2010 due to RCV. After the first round, Santos led, but only with 36 percent of the vote. After six rounds, “the winner had 51 percent to Santos’ 49 percent of the remaining vote. The winner held a majority over Santos but his share of the total votes cast was 46 percent, not a majority.”*

There is also a lack of elemental fairness in RCV. Let’s say that the candidate you placed in the first spot on your ballot received the lowest amount of overall votes, and was therefore scratched from every ballot. Under RCV, your second choice candidate is then turned into your top choice. It’s as if you are given a second vote. Why should someone who voted for the most unpopular candidate in the first round get to influence the final election?

RCV is expensive. According to the Fiscal and Policy Note for HB 344, the other Montgomery County bill dealing with RCV, FY 2024 costs have been estimated at a whopping \$2 million in Montgomery County alone: voting machines need to be configured with the proper software to implement RCV, and a large public information campaign must be undertaken because the system is so confusing. It would be more cost effective to hold a separate runoff election if the state wants to make sure the ultimate winner has a majority as opposed to a plurality of the vote. In a traditional runoff, everyone knows who the candidates are and has an equal voice in the outcome.

It is generally accepted that the higher the voter turnout, the more legitimate the election results. However, RCV is so confusing and convoluted that it would most likely lower turnout. Furthermore, research on decision-making has shown that as the number of choices increases, so does the individuals' difficulty in making decisions.

If one party is in the minority and only has one person on the ballot for a particular office, then that party would have to do a major education campaign to encourage its voters to "bullet vote," which means voting only for one person on the ballot; otherwise the minority party would be giving the majority party an even greater chance of placing one of its candidates as the ultimate winner.

RCV encourages back-room deals, where two candidates have its supporters promise to vote for the other candidate as their second choice. Three years ago, the California state legislature voted for RCV, but Governor Gavin Newsom vetoed the bill (SB 212): The Governor explained the reasons for his veto as follows: "Where it has been implemented, I am concerned that it has often led to voter confusion, and that the promise that ranked choice voting leads to greater democracy is not necessarily fulfilled." Like the Governor, I believe that RCV requires much more study before it is used more widely. Therefore, please give HB 334 an unfavorable report.

*Craig M. Burnett, Vladimir Kogan, "Ballot (and voter) 'exhaustion' under Instant Runoff Voting: An examination of four ranked-choice elections," Elsevier: Electoral Studies, Volume 37, March 2015.

HB0334 -2023 Takoma Park RCV final.pdf

Uploaded by: Ella Ennis

Position: UNF



Ella Ennis, Legislative Chairman
Maryland Federation of Republican Women
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The Honorable Vanessa Atterbeary, Chairman
And Members of the Ways and Means Committee
Maryland House of Delegates
Annapolis, Maryland

RE: **HB 334** – Ranked Choice Voting and Inclusion of City of Takoma Park Municipal Elections on the State Ballot (MC 7-23) -- **OPPOSED**

Dear Chairman Atterbeary and Members,

The Maryland Federation of Republican Women strongly opposes HB 334 that mandates that the State Board of Elections may not certify a voting system unless the State Board determines that the voting system is “capable of tabulating ballots cast in an election conducted using Ranked Choice Voting (RCV) without the necessity of modifying or upgrading the voting system to achieve that capability.” Clearly, HB 334 is affecting all voting systems for the State of Maryland. While this is titled as a Montgomery County local bill, it sets several precedents for the entire state. It requires that any voting system in the state must be capable of tabulating ballots cast in an election conducted using RCV. Why would every vote tabulation machine and software for the entire state need to be Ranked Choice Voting capable unless the plan is for all counties to use RCV?

HB 334 would allow Takoma Park to request to have its municipal elections on the State Ballot. This means that the municipal offices would appear on the same ballot as county, state and federal elected offices appear. Ten municipalities in Maryland, including Takoma Park, allow non-citizens to register and vote in their municipal elections. It is totally unacceptable for a municipal election that allows non-citizens to vote be included on the same ballot as county, state and federal offices and non-partisan Board of Education offices. Inclusion would require a blending of the voter registration lists.

Ranked Choice Voting will introduce a complex system of voting that will be difficult for voters to understand. Ranked Choice Voting is confusing to voters. It will take extra time for each voter to make 3 choices for each office. It will require an extensive and costly education program for voters to learn about the process. HB 334 admits that RCV will increase the time needed to vote: *Additional voting machines for the Montgomery County Board to deploy to Takoma Park to mitigate additional time added to the voting process by Ranked Choice Voting; and independent software to tabulate RCV results for the City of Takoma Park’s Municipal Elections.* This means that HB 334 requires the taxpayers of Maryland and Montgomery County to pay for the costs for Takoma Park to implement Ranked Choice Voting; and the city of Takoma Park does not have to reimburse the state or Montgomery County for its costs.



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The fiscal note for HB 334 is not yet available, but last year HB 362 – Voting Systems RCV said that the cost to implement Ranked Choice Voting in Montgomery County was about \$250,000 from the Maryland General Fund and about \$2 million from Montgomery County and in following fiscal years. If it will cost \$2 million to provide voting tabulators and marking devices and software, what will it cost to convert or buy new equipment and software for the entire State?

Multiple changes in the election process cause confusion for voters, undermine their confidence in the process, and increases the distrust in election results. A brief review of the Maryland State Board of Elections Turnout Reports for 2022 and 2018 indicate that there was a 10% overall decline in the number of voters voting in the 2022 elections from 2018. Six Maryland counties experienced a drop off rate between 10% and 15%. We need stability in our elections.

For all of these reasons we most urgently request that the Committee vote an **Unfavorable** Report for **HB 334**.

Sincerely,
Ella
Ella Ennis
Legislative Chairman
Maryland Federation of Republican Women

Testimony MCFRW HB0334 RCV Takoma Park.pdf

Uploaded by: Laurie Halverson

Position: UNF

Testimony

Ways and Means Committee

February 7, 2023 1:00 p.m. hearing

Montgomery County-Ranked Choice Voting and the Inclusion of the City of Takoma Park Municipal Elections on the State Ballot

Name: Laurie Halverson (8812 Harness Trail, Potomac MD 20854), District 15
President, Montgomery County Federation of Republican Women
Email: lsh2727@verizon.net

Position: Strongly Oppose

Montgomery County Federation of Republican Women (which includes four clubs representing 400 women) strongly oppose HB0334 for these reasons:

- 1. Takoma Park's choice for Ranked Choice Voting should not be transferred to the pockets of Marylanders.** Takoma Park is an outlier to the election process in Maryland. A 2018 MIT study concluded that jurisdictions that use RCV were found to spend significantly more on elections overall. The cost was five standard deviations greater than would have otherwise been expected. Link to the study: <https://electionlab.mit.edu/articles/cost-ranked-choice-voting>. Why should Marylanders pay the cost of this expensive, costly and illogical method of voting? It makes no sense why Maryland residents should cover the costs for Takoma Park's overly excessive processes in their municipal elections. In addition, the fiscal notes say that there is uncertainty to the cost in future years. The fiscal notes also say that the number of vendor options would be reduced, which would make it more likely that the overall cost of the vendor chosen could be greater.
- 2. Non-citizens who are allowed to vote in Takoma Park as well as 16 and 17 year old teen voters, would add to the cost to Maryland taxpayers.** Besides U.S. Citizens, Takoma Park allows non-citizens and teens who are 16 and 17 to vote. So, let Takoma Park pay for their damaging choices. The residents of Takoma Park are choosing to dilute the voices of U.S. citizens and that is what they want to do, but why should Marylanders share in the cost of this?
- 3. Tabulating votes could be tricky:** The 26th amendment to the U.S. Constitution says citizens must be 18 years old to vote. Does it make sense to tabulate federal and state votes with Takoma Park's municipal ballots when these ballots include voters who are not eligible to vote in federal and state elections?
- 4. Timing of vote tabulation could take longer:** Remember how much longer it took to count the votes last November? When RCV votes are included in the vote tabulation process at the state level, it would surely add to the time it takes to tabulate the votes. Do you think this is something your constituents would welcome?

While this is a county bill, it does affect Marylanders financially and it could cause other municipalities in our state to follow Takoma Park's lead.

Ranked Choice Voting Comments HB0334.pdf

Uploaded by: Michael Fletcher

Position: UNF

Ranked Choice Voting – HB0334

My name is Michael Fletcher. I have been a resident of Montgomery County for 47 years. During this time, I have noticed the changes made to our election system tend to diminish control of elections by local precincts and counties in favor of organizations with no accountability to the voters and whose methods are inscrutable to the voters. Examples are placing the responsibility for maintaining clean voter rolls with a third-party organization, ERIC, and counting our votes with programmable machines that nobody but the machine vendor can examine. The most recent example is the trend towards using Ranked Choice Voting (RCV) in our elections. RCV is a convoluted way to count votes that will require additional machines and software; and, once again, this will involve third party machine and software developers taking further control of our voting operations. Election outcomes would be determined by yet another algorithm under the control of third-party organizations. If you truly represent the voters of Maryland, you will oppose RCV. What you should be doing is returning to the voting system we used when I moved to Montgomery County in 1975, i.e., local control of the voting system. That system was believed by the voters to be fair and accurate. Under the current system, an increasing number of voters are not sure if their votes are accurately counted.

HB0334 would require the State BOE (SBE) to purchase voting machines and software capable of processing RCV results if the SBE approves placing the Takoma Park municipal elections on a state-wide ballot. This seems to be a convoluted way to get RCV approved state-wide because Takoma Park already uses RCV. (And the door will be opened to RCV in Montgomery County if [HB0344](#) is approved.) As I read HB0334, if it is enacted, the voting systems we now use could not be certified unless they could process RCV. Ostensibly, HB0334 would allow the SBE to take an action requiring Maryland and its counties to spend hundreds of thousands, if not millions, of dollars on a new voting system. (I doubt the SBE has that budgetary authority.) It is also unreasonable that the voting choices in Takoma Park should have such a profound effect on the voting system in the entire state.

This is a specific comment on the draft bill stored – 10/25/22: The exception “if the City of Takoma Park’s municipal elections are approved by the SBE to appear on the State ballot.” should be added to paragraph VIII under Article - Election Law.

As of today, there is no fiscal analysis shown on the General Assembly website for this bill, so the costs to be incurred by the state and Montgomery County are unknown. However, if our current system cannot be certified, it will cost millions to upgrade or purchase new equipment. The document entitled “The Legislative Process”, available on the General Assembly website, states that the Department of Legislative Services prepares a fiscal analysis for each bill at the “Referral to Committee” stage. And Maryland State Government Code Ann. § 2-1505 prohibits voting on a bill without the analysis. It would appear that the Committee should await this fiscal analysis and evaluate it before voting on HB0334.

Ranked Choice Voting submitted 2.pdf

Uploaded by: Richard Jurgena

Position: UNF

Ranked Choice Voting submitted 2/3/2023 by Richard Jurgena

In 1912 Maryland , one of 4 states to try Ranked choice Voting . After a few years all cities and states who tried it repealed it. The primary reason for repeal – It was a solution without a problem.