

Testimony Against HB1094

Honorable Delegates

Please enter an unfavorable report against HB1094.

I am against Authorizing the Montgomery County Council to adopt, by law, a ranked-choice voting method or an approval voting method for elections for certain local offices.

Rather than rush to adopt the newest voting fad of ranked choice voting (RCV), I urge you to wait until more studies are done to see if it is as effective as its proponents claim.

This bill, if approved, would only provide a shell for the Montgomery County Council to determine the ballot format and tabulating procedures.

In a County where one major party dominates, I am concerned that the major minority party and the other much smaller political parties could be placed at a disadvantage, especially if the Council decides to eliminate the primaries and just hold a general election of all the candidates.

This bill totally leaves it up to the County to decide and does not provide a desired RCV process based on any lessons learned from other jurisdictions using RCV as to the most effective tabulating process.

Should the election be based on (1) total first place votes with elimination of the one coming in last until a majority is achieved or (2) a combined score where the lowest or highest total wins (depending on how points are assigned)?

The first tabulation process is more complicated. If no candidate has a majority of the first place votes, the candidate with the least first place votes is eliminated and his/her voters' second choices are allocated to the remaining candidates. If a majority is still not achieved, the new last place candidate is eliminated and his/her voters' second place choices are allocated to the remaining candidates. This iterative process continues until a candidate achieves a majority.

This process would be difficult to program and in a political climate where many are unsure how valid the current, less complicated system accurately tabulates votes, this new system could result in numerous legal challenges.

If based on total score, should the candidate get 1 point for first, 2 for second and so on, such that the one with overall lowest score wins the election? One advantage would be only one tabulation in this type of RCV.

To make a first or second place designation more important, should weighting be involved?

For example, I believe the vote for baseball's most valuable player involves 5 points for first, 3 for second and 1 for third with the highest score getting the award.

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Some flaws in the RCV process to consider are:

- An incomplete ballot (not ranking every candidate) leads to the ballot being rejected. Currently, we sometimes have a list of candidates that begins on one page and continues to the next. If voters are not careful they may not notice the continuation and not rank all candidates, resulting in their ballot not being counted.
- Is finding the candidate with the largest consensus is the goal, eliminating someone with the least first place votes, but the most second place votes could occur. Under the point system, this person might win, but with the elimination method this person loses.
- How does RCV handle write-in votes? For example, President Biden was not on the primary ballot in New Hampshire, yet he won via write-in votes.

I have uploaded 3 PDF articles with my testimony for your consideration. One shows that ranked choice voting (RCV) has not met its purported advantages. The other two list the pros and cons of RCV

So please enter an unfavorable report against HB1094.

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