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Seeking the Green Party nomination for Governor
HB 1289
FWA

In 2022 the Maryland House of Delegates elections showed how unhealthy our electoral system is: 27 of 71 races had no two-party general election at all. Of the 44 that did, only a handful were competitive by any reasonable measure. Of the 47 full delegations, 39 were swept by a single party. Not one of the 41 multi-member races produced a cross-party result. And 11 of 71 races had no contested election at any stage, primary or general — 21 delegates, 15 percent of the House, who faced no competition at all. Those delegates were selected as much by the map and the electoral process as by voters.

I support this bill. Delegate Terrasa has put forward a serious proposal, and studying alternative voting methods is the right direction. But HB 1289 as written limits the task force to approval voting and ranked choice voting. Both are *voting* reforms that change how we count votes. I support this bill with amendments that expand the scope of the task force to include an *electoral* reform option as well, proportional representation.

MY AMENDMENT REQUEST: ADD PROPORTIONAL REPRESENTATION TO THE TASK FORCE'S STUDY MANDATE. In practice, this is a three-word addition wherever "approval voting and ranked-choice voting" appears. For example, lines 9–10 would read:

(a) There is a Task Force on the Implementation of Approval Voting [and], Ranked-Choice Voting, AND PROPORTIONAL REPRESENTATION.

The same pattern applies to the title, purpose clause, and subsection (f) duties.

Voting reform is not the same as electoral reform

Political scientist Jack Santucci, author of *More Parties or No Parties: The Politics of Electoral Reform in America*, draws a distinction that matters for this task force. A voting system is a ballot format and a counting method. An electoral system is the full institutional framework that determines who gets represented. Approval voting and ranked choice voting are voting system reforms. They change how ballots are marked and counted. Proportional representation is an electoral system reform. It changes how the seats are allocated.

The bill's title is "Task Force on the Implementation of Approval Voting and Ranked-Choice Voting." Implementation assumes a conclusion. A task force charged with studying whether and how to reform Maryland's elections should be free to ask the broader question: not just how we count votes, but how we elect a legislature.

Why scope matters

Approval voting and ranked choice voting improve how we count votes in a given race. They are real reforms. I testified in favor of HB 580 last week, giving Montgomery County authority to adopt RCV, because changing the counting method changes candidate incentives, and usually in a good way for voters. However, in a delegate district where 70 percent of voters belong to one party, a better counting method might change the primary outcome, but is highly unlikely to change the general election outcome. The minority remains shut out.

Proportional representation changes the structure. In a proportional system with multi-member districts, 30 percent of voters elect roughly 30 percent of the seats. It is the only reform that converts political minorities into represented constituencies rather than permanent losers. A task force limited to approval voting and ranked choice voting can only recommend approval voting or ranked choice voting. If the General Assembly wants genuine analysis of why a majority of Maryland delegate districts have no competition, the study mandate has to be broad enough to include the one category of reform that actually addresses the problem.

What happens when you give a task force real latitude

In 1984, New Zealand appointed a Royal Commission on the Electoral System to study voting reform. The commission had a broad mandate and no predetermined conclusion. Its members were not initially advocates of proportional representation. But after studying the full range of alternatives, as political scientist Jack Nagel documented, they "did not hesitate to draw a radical conclusion." They recommended replacing the existing first-past-the-post system with mixed-member proportional representation.

That commission's work produced results. Through two rounds of referendum in 1992 and 1993, voters rejected the existing system and approved proportional representation. The reform happened because the commission had been given broad enough scope to follow the evidence. If New Zealand had limited its study to minor modifications of the existing voting system, the conclusion would have been predetermined and voters would never have been offered the option that a majority ultimately chose.

Nagel wrote that "changing the rules of the game through existing democratic institutions normally requires the assent of politicians who have already won under those rules." That observation applies directly to this committee. You are being asked to create a body that will study alternatives to the system under which every member of this committee was elected. The best way to approach it is to let the task force study the full range of alternatives.

The American picture

The competition problem is not unique to Maryland — over 40 percent of state legislative races nationally were uncontested in 2022 — but the consequences run deeper than representation. Steven Rogers, in *Accountability in State Legislatures*, found that over a third of state legislative incumbents nationally run unchallenged in both primary and general elections, and rarely do more than 60 percent face major-party opposition. Without competition, accountability disappears. Rogers

found that a full standard deviation change in how well a legislator represents their district changes their vote share by less than one percent. Legislators face essentially no electoral price for poor representation.

Nagel documented that the New Zealand commission's success owed much to the political scientists embedded in the process, serving as commissioners, researchers, and public educators. Maryland does not need to import that expertise. Lee Drutman, author of *Breaking the Two-Party Doom Loop*, lectures at Johns Hopkins. Maxwell Stearns, author of *Parliamentary America*, teaches at the University of Maryland Carey School of Law. Steven Rogers, whose accountability research I cited above, has been interviewed on these issues by Sunil Dasgupta at UMBC. The scholars who study proportional representation in the American context are already here. A task force with a broad enough mandate could draw on them, or even include them as members.

The Maryland picture

Maryland is not starting from scratch on multi-member elections. The House of Delegates already uses three-member districts. Many county councils elect members at-large from multi-member districts. The infrastructure for multi-member representation exists in Maryland law and practice. What does not yet exist is the proportional counting method that would make those multi-member districts produce proportional results.

Consider what that would mean. In a three-member delegate district where one party holds 60 percent support, a proportional method might produce two seats for the majority and one for the minority. Under the current system, the majority wins all three. The minority gets nothing. That is the difference between a voting reform and an electoral reform. The task force should be studying both.

Why this is a friendly amendment

This amendment does not ask the task force to set ranked choice voting aside. It asks the task force to study (among other things) what happens when you apply ranked choice voting proportionally. Single transferable vote is a method of proportional representation that uses ranked ballots. Voters rank candidates in order of preference, the same way they would under RCV. The difference is structural: instead of one winner taking a majority, several candidates win in proportion to the votes cast. In a three-member district, any candidate who crosses 25 percent of the first round vote earns a seat. Surplus votes transfer to second choices. The lowest-vote candidate is eliminated and those votes transfer. The process continues until all seats are filled.

FairVote, the national organization most associated with ranked choice voting advocacy, calls proportional RCV "the gold standard for legislative elections in the United States." Their flagship proposal, the Fair Representation Act, would establish proportional RCV for U.S. House elections. Six state voting rights acts already recognize proportional RCV as a remedy to discriminatory voting methods. Adding proportional representation to this task force's mandate does not pull it away from ranked choice voting. It asks the task force to study all versions of it.

I raised this scope question directly with Delegate Terrasa last week. HB 1289 is the bill that could look at the whole picture, if the scope is expanded.

Conclusion

I want to be direct about the Green Party's interest: we are structurally excluded by single-winner districts regardless of the counting method. RCV helps at the margins. Approval voting helps at the margins. But in a state where 38 percent of delegate races had no two-party election at all in 2022, changing the counting method does not create competition where there is none. Proportional representation does.

The case does not rest on what helps one party. There are Republican voters in Montgomery County and Democratic voters in Garrett County who have no meaningful representation in their state Senate districts. In a proportional system, they would. That is the standard the task force should apply: not which method advantages one party, but which methods give the most voters a meaningful voice.

I encourage this committee to amend HB 1289, and provide a favorable report.

Campaign tags: multiparty-democracy, democracy-voting Bill: HB1289 | Sponsor: Delegate Terrasa | Cross-filed: SB0800 | Session: 2026RS

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