

From: [REDACTED]
To: [Statewide Initiatives](#)
Subject: [EXTERNAL] 2023-2024 #118 Testimony: objections
Date: Wednesday, January 17, 2024 12:26:16 PM

To: Title Board
From Linda Templin, MPA, Executive Director, RCV for Colorado

Re: 2023-2024 #118 – “Concerning the Conduct of Elections”

REJECT as multi-subject

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RCV for Colorado is a non-partisan organization devoted to expanding political choice for voters. This proposed measure unreasonably limits ballot access and thus reduces the political options available to voters.

This measure seeks to conglomerate multiple elections issues

First Subject: Open Primaries

Voter should understand that the measure is an all-party primary. It obscures the fact that it limits the number of candidates proceeding to the general election in a way that:

Second Subject: Revoke Ballot Access.

The measure would eliminate automatic ballot access for parties in the general election. Further the fact that the number of candidates is inflexibly set at four removes the possibility of all minor parties from participating in the general election on an equal basis.

Third Subject: Limit Freedom of Association

The measure eliminates the ability of parties to designate which candidates represent the party platform.

Fourth Subject: Mixing Pick-One Voting with Ranked Choice Voting

The measure as written mixes the voting and tally methods, which will mislead voters. The measure will claim to be for Ranked Choice Voting (RCV) while obscuring that the primaries would be Pick-One Voting. The reality of Pick-one Voting is sufficiently different from Ranked Choice Voting that the voting and tally methods do not belong in the same measure.

Fifth Subject: Mixing Ranked Choice Ballots with Plurality Tallies

The measure is worded that the winner is the candidate with “a majority of the top-ranked votes”. That puts forth that the tally is only of the first rankings. This is not a tally method that is different from pick-one plurality voting. As such, any title that refers to this tally as “Ranked Choice Voting” is misleading.

The methods of tallying Ranked Choice Voting ballots are designated by the number of winners. The tally for single-winner races is a truncation of the multiple-winner races because once one winner has been identified, the tally does not proceed. Tally for single-winner races is called Instant Runoff Voting (IRV). The tally process for RCV ballots are set forth in

Secretary of State Election Rules [8 CCR 1505-1] Rule 26. Ranked Voting Method.

26.5 Tabulation of instant-run-off elections

26.5.1 In any ranked voting election in which only one candidate will be elected to office, the designated election official must follow the tabulation procedures described in this rule.

26.5.2 During the first round of tabulation, the designated election official must tabulate the first-choice ranks on each ballot. (a) A candidate who receives over 50 percent of the first-choice ranks for a contest across all ballots tabulated is the winning candidate and no further rounds of tabulation will take place. (b) If no candidate receives over 50 percent of the first-choice ranks for a contest across all ballots tabulated, the designated election official must continue to the next round of tabulation.

26.5.3 At the beginning of the next round of tabulation, the candidate with the fewest first-choice ranks in the prior round is eliminated and the eliminated candidate's votes are transferred to each ballot's next-ranked continuing candidate and tabulated.

(a) If, after receiving the transferred votes, a continuing candidate receives over 50 percent of the votes cast on active ballots, that candidate is the winning candidate and no further rounds will take place.

(b) If no candidate has over 50 percent of the votes cast on active ballots after the second round, the designated election official must repeat additional rounds of tabulation as described in this Rule, until there is a winning candidate.

The language suggested for other iterations of this RCV portion of any proposal is:

"To require the general election for candidates for covered offices to be conducted by ranked choice voting, whereby registered electors rank the candidates in order of preference, and the candidate for each office who receives support by the consensus of a majority wins the general election for that office"

Fifth Subject: Creation of Special Elections

The creation of a new category of elections should be a separate issue considered by voters.

The language suggested for other iterations of this RCV portion of the special elections proposal is:

"To require the general election for candidates for covered offices to be conducted by ranked choice voting, whereby registered electors rank the candidates in order of preference, and the candidate for each office who receives support by the consensus of a majority wins the general election for that office"

Conclusion: Please REJECT due to multiple subjects

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