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Subject: Titles for Initiatives 2023-2024 #117 - #134 must not mislead voters about ensuring "majority support"

Date: 2024-01-17

I would like to see primary reform, and many of the proposed policies in proposals #117 - #134 would be very helpful.

I want to be able to support them, on balance.

But the proposals are littered with misinformation saying that they "ensure" or "require" "majority support". The titles set for these proposals must not include that misleading language. I also advise the proponents to drop that problematic language from their proposals.

C.R.S. 1-40-106 (3)(b) requires that the title set by the title board "*shall correctly and fairly express the true intent and meaning*" of the proposal, and requires that the title "*shall unambiguously state the principle of the provision*".

It also tells the title board to '*avoid titles for which the general understanding of the effect of a "yes/for" or "no/against" vote will be unclear*'.

The use of the term "majority" in the proposals confuses voters into thinking that this initiative would accomplish something that sounds very appealing but is in fact impossible.

More specifically, the use of the term "majority" does not **correctly** or **unambiguously** describe what an instant-runoff election guarantees. It is **unclear** about what the majority refers to, and about when it **fails** to elect the candidate who would win by a majority against each other candidate. And it also places the proposals in legal limbo, distracts from their other benefits, and constitutes either misinformation or disinformation.

The common understanding of the terms "majority support" and "majority" are "more than half the votes cast".

The title board and the proponents have already seen three very well documented comments submitted on various versions of these titles, two from Landry and one from Sheek, with explanations of one aspect of the problem. It boils down to the fact that no one can force more than half of voters to support anything, so in fact the notion of requiring a majority as a goal is a mistake. A popular article on the topic can be found at [The Majority Illusion: What Voting Methods Can and Cannot Do.](#)

But there is another even more problematic way that instant-runoff voting (IRV) can fail to yield a majority winner. As noted in the comments previously submitted, IRV can produce a majority for one candidate, **if** you consider **just** those ballots which are not exhausted and make it to the final IRV round.

But this can be highly misleading. For example, as documented in separate papers by Graham-Squire (<https://arxiv.org/abs/2209.04764>) and Clelland (<https://arxiv.org/abs/2303.00108>), in the 2022 Special Election in Alaska, candidate Begich was eliminated before the final round. But this can be seen as a mistake, since if you look at the ballots, voters demonstrably preferred Begich to both Peltola and Palin. So the fact that Peltola had a "majority" of non-exhausted votes in a final round with

Palin, belies the fact that Begich had a majority of votes when you instead look at his head-to-head contest against Peltola, using the same ballots. Begich also wins a head-to-head contest against Palin, and is thus clearly the favorite of the voters. Suggesting that Peltola achieved "majority support" is a gross misinterpretation of the voter's ballots.

Furthermore, requiring the Secretary of State to "*promulgate rules... consistent with this section*" which always guarantee "majority support" as commonly understood is not mathematically possible. There simply may not be a majority of voters who support any particular candidate, and IRV may not find the right winner even if there is such a winner.

The remedy I suggest is to avoid the word majority in the title, describing it factually with plain words like blanket primary and top-four instant-runoff general election. The text can cover the other ways in which instant-runoff voting is a major improvement over the plurality voting method that we normally use. My actual advice to the proponents is to use either Approval Voting or STAR voting instead, which would avoid the problem we saw in Alaska. But my point in talking to the title board is to *ensure that the word "majority" is not allowed to mislead and misinform the voters of Colorado.*