

From: [REDACTED]
To: [Statewide Initiatives](#)
Subject: [EXTERNAL] 2023-2024 #117 Testimony
Date: Wednesday, January 17, 2024 11:35:58 AM

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

Re: 2023-2024 #117 – “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 change different aspects of multiple areas of elections. It is over-broad in its interpretation of elections.

AREA 1: Final Four Primaries
Second Subject: Revoking Ballot Access

The language proposed measure states that it is merely concerning the process of conducting elections. In effect the measure would remove ballot access for minor parties in the most competitive races. For instance, in Alaska’s 2022 Governor’s race, a minor party was kept off of the ballot altogether. In a more competitive state like Colorado it is reasonable to foresee that minor parties would also be kept from having a ballot line in the general election. It also opens the possibility that a major party could be kept off of the ballot altogether in the general election.

The argument that a write-in ballot line is equal to a printed ballot line begs incredulity. It relies on the voters to correctly and legibly name the candidate they are voting for. This places a disadvantage on such candidates who do not have partisan access to the ballot in the general election.

Functionally revoking ballot access for minor parties would encounter litigation in every election cycle. Asking the state to take on the burden to argue the merits would at a minimum require the voters to understand that they are voting on the topic of reducing partisan access to the general election.

Third Subject: Revoking Party Power to Identify Candidates

The fourth subject impacted by the proposed measure is that the parties would lose the ability to determine which candidates have access to the party endorsement and resources. For instance, a candidate in opposition to the entire party platform could identify themselves with whichever party is most likely to win in the general election. The parties would not have the ability to deny opponents their resources. It appears that this oversteps part of the federal freedom of association, the freedom to disassociate.

Revoking ballot access for all parties would encounter litigation in every election cycle. Asking the state to take on the burden to argue the merits would at a minimum require the voters to understand that they are voting on the topic of reducing partisan access to the general election.

AREA 2:

Fourth Subject: Special Elections for Vacancies

The title of the above-captioned proposed measure is misleading to the voters in that it does not state that special elections will be held. The language proposed measure states that it is merely concerning the process of conducting elections. The measure would create special elections

Conclusion: Please REJECT due to multiple subjects

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