

Testimony of Linda Templin, MPA

Initiatives 2023-2024 #186-191, 209-213, 215-216, & 219 Concerning the Conduct of Elections

Potential Single Subject Violations

Measure contains multiple subjects: All-candidate primaries could be enacted with other means of voting. Ranked Choice Voting (RCV) is the “shiny” object.

At the time of prior hearing, I incidentally understated an important fact when explaining that RCV does not need all-candidate primaries to function. My error was using the word “should” rather than “could” when discussing the combination of RCV with an all-candidate, four-winner primaries in combination with an RCV general election. To my understanding, the Title Board is neutral on issues of policy preference leaving matters of “should” up to the voters.

All-candidate primaries can be a stand-alone measure. Blanket primaries can be implemented in non-RCV scenarios including the current pick-one voting with a plurality tally. Whether it should contain an implementation clause triggered is up to the proponents.

RCV has been implemented in Maine without all-candidate primaries, so it is demonstrated to be a stand-alone measure.

Noteworthy leaders such as the Independence Institute’s Jon Caldera oppose RCV, but support all-candidate primaries. If the general election maintains the current voting method, or moves to another one is a matter for the consent of the voters.

Partisan leaders in Colorado support RCV, but oppose all-candidate primaries. There is no public interest in limiting the number of candidates in the general election to the arbitrary number of four. RCV ballot usability studies (Lee Drutman et al) show that voters prefer to rank their favorites among the 6-12 candidates appearing on an RCV ballot.

For changes of the great magnitude to elections in Colorado combining all-candidate primaries with RCV would yield a meaningless result:

- Supporters of all-candidate primaries would vote **against it because** it contains RCV.
- Supporters of all-candidate primaries would vote **for it despite that** it contains RCV.
- Supporters of RCV would vote **against it because** it contains all-candidate primaries.
- Supporters of RCV would vote **for it despite that** it contains all-candidate primaries.

It would be impossible to determine the actual voter intent. Even post-election polls would not accurately reflect voter thinking on election day.

Colorado conducts the best-in-nation elections because it has higher standards than other states like Alaska and Nevada. In Alaska, elections administrators themselves were surprised in the summer of 2022 to learn that they were to run RCV elections. That proponents’ combination was considered single-subject there is not a good reason for Colorado to do it.

Potential Single Subject Violations

Measure contains multiple subjects: Limit general election ballot access to four candidates and RCV

The bright line between all-candidate primaries and RCV is the narrow opening of ballot access. All references to four candidates belong squarely with the all-candidate primary because there is no public interest in limiting ballot access beyond the current requirements.

Voters who support RCV are already clamoring to assist in gathering signatures. Voter enthusiasm for being free to fearlessly rank their values on election day will blind voters to the likely outcome of the all-candidate primaries in that there would be no minor party options on the general election ballot.