

From: [REDACTED]
To: [Statewide Initiatives](#)
Cc: [Celeste Landry](#)
Subject: [EXTERNAL] Use of "majority support" in Initiatives #98, 99, and 100
Date: Tuesday, December 19, 2023 4:06:02 PM

Dear Colorado Title Board,

Thank you for this opportunity to comment on the language in Initiatives #98, 99, and 100. We quote from the [Title Board website](#) that "When finalizing the language for an initiative, the Title Board considers whether the language in the question adequately represents the changes to law and whether the language in the question would be understandable to voters."

The League of Women Voters of Colorado (LWVCO) is very concerned about the use of "majority support" and "majority" in Initiatives #98, 99, and 100, including in the name of Initiative 100: "Majority Support Requirement for Colorado Elections."

LWVCO believes that "majority support" does not adequately represent the proposed changes to law because Colorado cannot guarantee a majority-support winner; doing so is mathematically impossible.

Nor is "majority" understandable to voters because a "majority" can be measured in a variety of ways. "Majority" may refer to a "majority" of the ballots cast, a "majority" of the votes cast in the contest, or a "majority" of the active votes in the final round. Most voters have not thought much about how to measure majority, so clear, unambiguous language is needed, especially if CO will impose a "Majority Support Requirement for Colorado Elections."

In early 2020 LWVCO made the following relevant points to other State Leagues as each State League considered a national position statement:

- *It's impossible to guarantee a majority* when there are more than two candidates vying for a seat. An instant-runoff election only guarantees a majority of the non-exhausted ballots in the final round, but ballots with limited rankings or voters' choosing to rank fewer candidates than the allowed number of rankings result in exhausted ballots and possibly a "false majority." The "majority" bullet point appears to limit Leagues to supporting separate two-candidate elections to determine a final winner.
- The gold-standard winner is the candidate who beats every other candidate in head-to-head contests. A "*majority requirement may conceal information*" when conducting sequential plurality elections and thereby prevent the election of a gold-standard winner. For instance, with candidates R, U and D, candidate U may beat candidate D and also beat candidate R in pairwise contests, but in a 3-candidate plurality or instant-runoff contest, U could get only 30% of the vote and R and D could each get 35% of the vote. U – the best candidate – would lose!

Please note that Sections 1-7-1001 through 1-7-1004 of the Colorado Revised Statutes (known collectively as the Voter Choice Act) do not use the word "majority." Also note that Rule 26. Ranked Voting Method of the Colorado Election Rules posted [online](#) by the Secretary of State does not use the word "majority" either.

Please do not allow Initiatives #98, 99, and 100 to use the term "majority" or "majority support." The terms sound good, but are not achievable and are not well-defined.

Thank you for your consideration of our comments.

Karen Sheek and Celeste Landry for the League of Women Voters of Colorado (LWVCO)

~ Karen Sheek, LWVCO Elections Task Force Chair
~ Celeste Landry, LWVCO Alternative Voting Methods Task Force Chair