

**House Bill 1273**  
**House Political Subdivisions Committee**  
**February 9th, 2023**

Greetings, members of the House Political Subdivisions Committee, I'm Jed Limke and I'm submitting testimony in **opposition** to House Bill 1273.

In 2015, Fargo held a special election for City Commissioner in which six candidates ran and a single winner was elected—with roughly **four out of every five** Fargo voters **NOT** voting for him.

In the next regularly scheduled election in 2016, we elected two city commissioners in a multi-seat election and, in their cases, roughly **seven out of ten voters did NOT vote for the first place finisher**—and it was even *worse* for the runner up.

Later that year, the City formed an Elections and Governance Task Force, of which I was a member. After study and deliberation for nearly six months, the task force recommended approval voting be put to a public vote as a better election method for our city. While the City Commission did not forward the issue to the public, we, the people, *did* via ballot initiative, and, in the November 2018 general election, Fargo voters adopted approval voting nearly **two-to-one in favor... over 30,000 voters approved the measure...** and we've used it for our City elections ever since.

Approval voting gives voters the freedom to say "yes" or "no" to every candidate instead of just one or two.

If you only like one, you only have to vote for one. If you like more than one, you can approve them all. If you're worried your favorite doesn't have a chance, you can safely still vote for him or her—plus a couple more, if you'd like. In the end, the person with the most votes wins, as he or she should.

With approval voting, voters can always freely support as many or as few candidates as they wish and focus on their own **individual preferences** without worrying about group think or "electability." There's no need to go through several rounds of counting or several rounds of voting to determine the winners, either—it's just simple. So simple, in fact, it's compatible with every piece of election equipment across the state.

In addition to being good for voters, approval voting also helps candidates and officials. Ask Fargo Mayor Mahoney how it felt in 2022 to know 64% of the voters on election day showed him support. Think about being able to run for office without worrying that your presence will "split the vote" with an allied or similar candidate and potentially hand a victory to a political rival. Approval voting addresses these concerns and more—and does so with ease.

I strongly oppose HB 1273 and humbly urge this committee to make a **DO NOT PASS** recommendation.

Sincerely,

Jed Limke

### **What about “one person, one-vote?”**

*One person, one vote* pertains to the power a voter holds when voting, not the election method they use, so long as all voters are treated equally. Courts have consistently upheld that alternative election methods do not violate this principle. Every voter still gets one *ballot* and, therefore, one *vote* in that sense.

### **What’s “plurality?” What’s “majority?”**

A *plurality* is the largest group of unified voters in an electorate. The plurality *may* be a *majority* (i.e. over 50% of the electorate) but not necessary. All majorities are pluralities, but not all pluralities are majorities. In fact, a *majority* may not even exist in an electorate. Imagine rock, paper, and scissors voters. None of the groups represents a majority of the electorate and, therefore, a majority would not exist in that case. *No voting method can guarantee a majority winner where there are more than two candidates*—not plurality, not approval, not RCV.

### **What is “vote-splitting?”**

*Vote-splitting* is an electoral effect in which the distribution of votes among multiple similar candidates reduces the chance of winning for any of those candidates, increasing the chance of winning for a dissimilar candidate. It is also sometimes referred to as the “spoiler effect.” Consider famous races like Clinton v. Bush, Sr. v. Perot in 1992 or Bush, Jr. v. Gore v. Nader in 2000—these are oft-cited examples of *vote-splitting*.

### **What about the recent Alaskan election?**

I would tend to agree that ranked-choice voting failed to find the most likely preferred candidate in that election. Ranked choice is ‘*non-monotonic*’ and can suffer issues such as what occurred there: where Republicans showing honest support for their preferred candidates caused their least-preferred candidate, a Democrat, to win.

Approval voting does not suffer this problem which is yet another reason why, after extensive study, I worked diligently to bring approval voting to Fargo.

### **What does it mean if an election method is non-monotonic?**

*Non-monotonicity* is a property of some voting systems (like ranked choice voting, traditional runoffs, traditional primary-generals, etc.) that can lead to surprising and counterintuitive results.

In layman's terms, non-monotonicity means that when voters rank the candidates in a certain order (or vote in the primary of a primary-general election), showing more support to a preferred candidate can actually cause that candidate to lose the election (and the voter to get a worse outcome), even if the total number of votes for that candidate stays the same or even increases. This is because the election result is influenced by the order in which the votes are counted.