

# HB 1273

## Rep. Ben Koppelman- Testimony

Madame. Chairman and Members of the Committee,

Thank You for the opportunity to introduce HB1273 to you today.

I introduced this bill with the intent of honoring the time-tested method of voting in our state by ensuring that all of our citizens have an equal vote in our elections.

North Dakota uses a voting method known as **plurality voting**. This method is also used in nearly all the political subdivisions in our state. In fact, this system is the traditional way of voting in the United States for nearly all elections. Under the **plurality voting** system, the top vote getter wins the election, regardless of if they achieve a majority or merely a plurality of the votes. This system is sometimes augmented with primary elections if the desire is to narrow the field and try to ensure the winner is more likely to receive a majority of votes. It can also be augmented by adding a run-off election provision to ensure the winner gets a majority of the votes. The combination of **plurality voting**, and the run-off provision is sometimes known as **majority voting**.

Other systems of voting have been tried in other parts of the country with various outcomes in mind. Probably the most common and controversial alternative is known as **ranked-choice voting**. This method is also sometimes known as instant-runoff voting. The way this system works is that you vote for as many candidates for a given office as you wish by ranking them in priority order, and since this system is often used without being prefaced by a primary election, the field of candidates is often crowded. On the first round of counting votes, every voter's first choice is counted, and if a candidate receives a majority of the votes, then that candidate wins. This system works the same as **plurality voting** if a candidate received a majority in the first round. If a candidate fails to receive a majority in the first round is when it gets interesting. To conduct the second round of counting votes, the candidate who received the lowest number of votes is eliminated from contention, and the ballots cast for that candidate are reassigned to the second ranked choice candidate on each of those voters. If after the second-round votes are tallied there is still not a majority winner, the counting goes on to additional rounds of eliminating candidates and reassigning votes until

a winner is chosen. Thus far, I am not aware of any political subdivisions using **ranked-choice voting** in North Dakota.

Another alternative voting method that had been around for some time, but is rarely used, is known as **approval voting**. This method of voting allows a voter to vote for as many candidates as the voter chooses to without any preference to the desirability of one candidate over another. Since there is no ranking of the voter's preferences on the ballot, each of the selections are given the same weight and counted equally in the election. Like **ranked choice voting**, this system is often not prefaced by a primary election either, and thus often has a crowded field of candidates. Thus, the result is often that the voter's most desirable candidate does not win, but neither does that voter's least desirable choice. In most places where this method has been implemented or considered, which are very few, the **approval voting** method is used to narrow the field to two candidates, and then a run-off election follows.

In North Dakota, I am only aware of one political subdivision that uses this method. In 2018, the City of Fargo amended their home-rule charter to change the voting method to **approval voting** for local elections. The reason proponents offered as a need for the change was the desirability to have candidates have a larger percentage of the vote compared to a candidate that received around 20% of the vote in a previous election. It is worth noting, that the Fargo version of **approval voting** does not include the run-off provision. The first election held in Fargo under this new system was in 2020 when only mail-in voting was allowed. The method was also used in 2022.

The problem with both **ranked choice** voting and **approval voting** is that they both have the potential to dilute the vote of a voter's chosen candidate. The second problem is that these methods don't necessarily narrow the field prior to the final election to offer voters the opportunity to get to know the remaining candidates if their first choice candidate is eliminated. The third problem is that this method has the effect of candidates either encouraging "bullet voting", which is voting for only one candidate even though it is allowed to vote for multiple, or not actually campaigning honestly on their positions for fear that they won't be someone's second or third choice. The result is that the voter ends up electing a less principled or less candid candidate to represent them. I believe the **plurality voting** system best encourages open debate on issues and creates the best forum

for the voter to learn about the candidates. If it is desirable to narrow the field of candidates, a primary can be used as it is now for statewide and some political subdivision elections. If there is a desire to achieve a **majority voting** system, a run-off election can be added to augment the **plurality voting** system.

Please join me in respecting our right to a fair and equitable election by banning alternative systems that dilute the value of one-man-one-vote and the ability of each voter to cast a single vote for a single office.

Madame Chairman and members of the committee, I request that you give this bill a Do-Pass recommendation. I would be happy to attempt to answer any questions that you may have.