

Chairs Kiffmeyer, Nelson and members of the Conference Committee,

My name is Shawn Towle and I am mainly known in Minnesota politics as the Publisher of Checks & Balances, MN's first digital political magazine (1995). I have always considered our work to be an advocacy platform and have regularly called balls and strikes on different pieces of legislation and issues we find ourselves concerned with in our state.

Ranked Choice Voting is the Minnesota Big Lie.

I have personally objected to Ranked Choice Voting (RCV), Instant Run-off Voting (IRV) or any system that is a single transferable vote. Why because it unfairly advantages one voter with more influence over another, this is a violation of my understanding of one-person one-vote provision in the 14th Amendment of the US Constitution. And yes, my sentiments are in direct opposition to the position taken by the State Supreme Court in the case [MINNESOTA VOTERS ALLIANCE v. FairVote Minnesota, Inc \(2009\)](#).

I may not be a lawyer, but if I pick one person and one person only and that person, is one of the last two on the ballot, my vote is a constant. It is not redistributed and counted each round only the votes of the people whose prior choice was dropped from the ballot are applied to another person and counted again. In St Paul, where I reside currently, you are allowed to choose up to 6 candidates for a specific office, I only vote for one as a protest against the system, but my ballot is not seen this way.

So, the lesser candidates supporters determine the outcome. This is a system ripe for candidates to collude, cross endorse and game the system. In fact, FairVoteMN is now doing training and suggesting such practices. Allowing a vote to continue when mine is held fast is direct example in opposition to one person one vote. this question has never been truly tested in court. Also, the concept of voting for multiple people while other voters vote for a single person is also a violation of the same amendment in the Equal Protection Clause, which intends for the weight of one voter not to be greater or lesser that of other voters.

One lie told by FairVoteMN and its supporters is the Minnesota Supreme Court vetted these constitutional questions they clearly did not because they asserted the point a city has the right to move forward because of the passage of IRV by referendum. To this I will say, the fact a referendum on an issue of elections is something specifically this committee should cast a disparaging eye toward. Election Law at all levels should rest solely in the hands of the state legislature and not a locality.

Why because you are allowing the fox to guard the hen house. When city council or county board acts on the system that selects them, even putting the issue up before the people, they are still the ones to change the charter by fiat. In St Louis Park they didn't even hold a referendum the city council passed the matter unanimously and it became the order of the day for the next election, they the same council set the parameters for the election.

Now, in Minneapolis you have three votes, as I said in St Paul six votes, in the two newest RCV communities Bloomington I'm not sure, but I have heard they will have six votes, and Minnetonka I don't know. But these inconsistencies, the ability to stack the deck and for the reasons I explain later this system should go the way of the Dodo bird, because it is a bird-brained system. Its full concept is to

fractionalize single seats and apportion them to the percentages in an election so if you get 62% in your election you only have 62% of representation and your opponent's their percentages. Try caucusing with that.

In the aforementioned case the City asserts(ed) that IRV serves the following interests:

- (1) Because the citizens of Minneapolis adopted IRV by referendum, IRV serves the purpose of respecting the democratic process;
- (2) Because IRV requires only one election, rather than separate primary and general elections, IRV reduces the inconvenience and costs to voters, candidates, and taxpayers;
- (3) IRV will increase voter turnout; and
- (4) IRV encourages less divisive campaigns as candidates seek support for second- and subsequent-choice votes.

Respondent FairVote argues that IRV serves the following interests in addition to those identified by the City:

- (1) IRV promotes the election of candidates with majority mandates, eliminating plurality winners in one-seat races;
- (2) IRV eliminates the "spoiler" effect of third-party candidacies; and
- (3) IRV helps insure more diverse representation by promoting minority representation in multiple-seat races.

Well, Item 1) is true, 2) is not. The thought voting is an inconvenience when it is a right and a privilege is as a veteran something I take serious offense to. Also, it is not cheaper because the machinery to tabulate is more expensive, there is not and should be an ongoing training of the use of this system every election and in Ramsey County FairVoteMN was paid to do the training again a fox on duty. Additionally, until the machinery is approved everywhere has to hand tabulate, which is very costly in man hours, and just wait until it's in effect for all race in all counties the costs will mushroom. Oh, and waiting 2-3 weeks for a result will become the rule and not the exception.

There are many aspects of this system that fail to meet it's promise, 3) turnout has not increased since inception, with one exception, in St Paul in 2017 I will argue an open mayoral seat had more to do with turnout than the voting system.

4) It does not stop negative campaign it only shifts it to outside groups like PAC's and independent expenditure groups just ask Mayor Melvin Carter about the gun letter.

Now to FairVoteMN's claims which are all false.

Items 1 & 2, The number of times a majority has occurred in Ranked Choice Voting has been less than 40% and in a majority of instances and when it does happen it's the incumbent who receives such and this doesn't foster third-party benefits in the system. 3) Misguided supporters have claimed its advances diversity especially on the Minneapolis City Council, frankly, this is unequivocally untrue. A system does

not determine qualitative aspects of an election and decide the diversity of representation, the voters do.

This issue may seem appealing because it offers a variety of choices, but if many choices are the goal then next time you go to a restaurant order every item on the menu, because making a choice is not necessary and something we should support parenthetically. Note the sarcasm for effect.

Being able to discern the qualities of one candidate from another and sometimes we might not get it right, but with Ranked Choice Voting, its everyone in the pool and only two eventually emerge or at least only two we know. To me this is the greatest injustice, it is the fact as many as 23% of the electorate have been disenfranchised through this system. If you are not wise enough to predict the two eventual emergents, in Minneapolis your vote is logged as *Exhausted* in St Paul it is *Unassigned*, this means these votes have no value to the final outcome and effectively need not have been cast at all. Now talk about inconveniencing the voter.

Viewing this system in a partisan lens, and I am a proud DFLer, this system has not seen an endorsed candidate for mayor in either Minneapolis or St Paul since its inception. It structurally, places candidates on the general election ballot who could not find support for their candidacies except they have the means to pay the filing fee. This means high qualified candidates have to wade through the muck and mire attending debates that give equal time to people who clearly distract from the publics interest and offer a huge number of voices from whom to decide. In the first contested election in Minneapolis there were 35 candidates for mayor and the ability for voters to discern is complicated overly much.

Additionally, legislators are often admonished for challenging the motivations of their colleagues, but in this case, people should seek to understand the motivations of FairVoteMN and the principal funder John Arnold, which created the John and Laura Arnold Foundation, John is a past ENRON Executive and made his money bilking utility rate payers in Texas and California. Why is this information offered because FairVoteMN and FairVote nationally are recipients of dark money contributions [John Arnold: The Most Hated Man in Pensionland](#) to this end he contributed over 9 million to the [U of MN's Heller-Hurwicz Economics Institute at the University of Minnesota's Carlson School of Management](#)

Arnold wants to privatize public pensions and destabilize local government to make this possible. Any endorsed DFLer should rescind their party endorsement if they fail to see this as anything short of their support facilitates threats to public pensions.

Finally, I will close with this article from the Late Great Minnesotan, Vice-President Walter Mondale, who said in the Duluth News Tribune in 2015 the following in an Op/Ed piece.

[Ranked Choice Voting Will Not Improve Democracy.](#)

"I hope Duluth voters reject the effort to change their city's charter. Please vote "no" on the ranked choice voting amendment.

Voting in America should be plain and simple. Ranked-choice voting is neither. It is confusing and complex.

Academic study after academic study shows that while affluent and well-educated voters do well with ranked-choice voting, it often disadvantages others, particularly older voters.

If you think our American voting system should be transparent for all, then vote “no” on ranked-choice voting.

Mayor Don Ness has said that when he first ran with 11 opponents, a ranked-choice voting format would not have allowed a real debate to take place about Duluth’s future.

He is absolutely right. In the 2013 Minneapolis city election, 20 percent of the voters who came out and voted did not get their vote counted in the final round of counting in the mayor’s race.

That’s the very definition of disenfranchisement. Supporters of ranked-choice voting say their system guarantees a majority winner. But there was no majority winner under ranked-choice voting in the Minneapolis mayor’s race, and there was no majority winner in two City Council races.

Ranked-choice voting will not bring us more democracy. It favors elites who know how to work the new and complex system.

Finally, you should know that nearly a third of the cities that have adopted ranked-choice voting have repealed it. Duluthians always have been common-sense people.

I hope you demonstrate that same common sense Tuesday and vote “no” on ranked-choice voting.

Walter F. Mondale

Minneapolis

I thank the members of the committee for your time and attention to this significant matter,

Shawn Towle