

March 28, 2023

To: Rep. Mike Freiberg, Chair, House Elections, Finance and Policy
Rep. Paul Torkelson, Ranking Member
Rep. Cedric Frazier, Chief Author (HF 2486)
Speaker Melissa Hortman, co-author
Rep. Frank Hornstein, co-author
Cc: Leader Jamie Long, District 61B

From: Mark Bohnhorst, District 61B

Re: HF 1723: Omnibus Elections Bill: Frazier, and others

RE: Presidential Elections, and the Scope of the Task Force Charged with Evaluating the Feasibility of Implementing Ranked Choice Voting State-Wide

This supplements (i) my March 15, 2023 written testimony, (ii) my March 17, 2023 oral testimony, and (iii) the March 21 and 23 emails to the committee membership, which clarified the March 17 testimony and brought to the committee’s attention testimony for a March 17 hearing in the North Dakota Senate.

The prior testimony has focused on a single point—that the RCV task force scope should allow it to consider and make recommendations for use of approval voting in presidential elections, possibly as soon as 2024.

I am writing to urge the committee to consider an even simpler option—adopt actual runoff voting for presidential elections. Minnesota could combine the state-wide primary (currently in August, previously in September) with a preliminary election for presidential electors.¹ The top two slates would move on to the general election in November. There would be virtually no added cost. The change would assure that the state’s presidential electors are chosen by a majority of voters in the general election.

The task force should be empowered to consider this option. As I write, the text of HF 1723 is not available. The following clause might be added at line 54.30 of the Senate counterpart, SF 1636: “and of the feasibility of adopting other voting methods for presidential elections.” The clause would allow the task force to consider both approval voting and actual runoff voting for presidential elections.

Respectfully submitted,

Mark Bohnhorst

¹ Prof. Edward B. Foley, a leading authority on presidential election law and policy, wrote in 2020: “if a state is not enamored of instant runoff voting, it can employ an actual runoff. . . .” Presidential Elections and Majority Rule (Oxford University Press: 2020) 175. The issue is not whether Minnesota is “enamored” with RCV/IRV; it is complexity and delay.

