Date: Thursday, February 1, 2024
Bill number: SB 368
Indicate Disposition: I am an Opponent of this Bill. I am testifying on behalf of myself as a subject matter expert on Ranked Choice Voting. I am Larry R. Bradley, a retired U.S. Army Infantry Officer. I am currently an activist on behalf of local, regional and national efforts to use Ranked Choice Voting in American elections. Some of the groups I am involved with include FairVote.org, Rank the Vote Nebraska and Better Ballot KC.

Chairman Thompson and Members of the Committee,

I have recently had an OpEd published in the Wichita Eagle and several other newspapers about Ranked Choice Voting (RCV) and I will focus my remarks from that OpEd. Here is a link to the OpEd.
https://www.kansas.com/opinion/article284175523.html

As I point out there, the ballot we use now in our elections has two flaws that cannot be fixed. First, we cannot guarantee a majority (50% plus one or better) winner with this ballot when there are multiple candidates for a single office.

A key phrase in the Declaration of Independence is "the consent of the governed". How do you have the consent of the governed when candidates are allowed to gain nominations and win elections with less than a majority of the vote? Answer: You do not have the consent of the governed. We need a ballot that will guarantee a majority winner. The ballot we use now will not give us that guarantee. RCV will. Therefore, we should be looking to adopt RCV, not ban it.

The second major flaw of our current ballot is that it creates the phenomenon of the "spoiler scenario." To quote directly from my OpEd—

        Imagine you go to vote on Election Day and on the ballot there is one candidate you are totally opposed to, one you normally favor but aren't satisfied with, and one you would like to vote for, but are afraid to — afraid because you know from bitter experience that doing so could enable the victory of the candidate you're most opposed to with only a plurality of the vote.

Let's look at a real live example of this phenomenon. In the 2018 Republican Primary election for Governor, both Mr. Kobach and Mr. Colyer got 40.6% of the vote. The source I consulted said there were only 110 votes separating the two. Meanwhile, there were 59,128 votes for a total of 6 other candidates. With the ballot we use now, those votes were left twisting in the wind without the ability to weigh in on the final choice. If Kansas were using RCV, then those voters could have expressed a secondary choice. They could have, in essence, asked themselves this. "I don't want Kobach or Colyer, but if it's a choice between one of those two, which do I prefer?" And the state's Republican Party would have had a consensus, majority choice to go forward to the General Election.

Let me quickly address three misconceptions about RCV.

Voters are not obligated to rank. Voters have the option to rank.

Voters are only able to vote for one candidate in each round of voting. If rounds of voting are required in order to determine a majority winner, then in every round of voting the majority defeats the minority.

Elections are hiring decisions, not horse races. We need a process that gives us majority, consensus results.

The process is not confusing. Exit poll after exit poll where RCV is used have substantial majorities say that RCV is easy, that voters like RCV and they want to continue with RCV.

Finally, I will say that RCV is the path to political peace for all of us. That's because when the final result is in, the majority of voters will be able to say one of two things. Either, so and so was my first choice and I'm glad they won. Or, so and so was not my first choice, but they were one of my choices and I'm glad they won. The losers will know without a doubt that they lost and that will have a calming effect on us as a society because the losers will know, like it or not, that they were in the minority.

Thank you for the opportunity to testify. What are your questions?