



Summary of Meeting with Mark Ritchie, Minnesota Secretary of State

Civic Caucus, 8301 Creekside Circle, Bloomington, MN 55437

Friday, January 2, 2009

Guest speaker: Mark Ritchie , Minnesota Secretary of State

Present : Verne C. Johnson, chair; David Broden, Paul Gilje, Jim Hetland, Dan Lortiz, and Jim Olson (by phone)

A. Context of the meeting : During several meetings over the past year or more the Civic Caucus has been asking questions about the structure of elections in Minnesota. The meeting today with Mark Ritchie, Minnesota Secretary of State, will focus on several of these questions.

B. Gladys Brooks death —Verne noted the death this week of Gladys Brooks. Brooks was involved in a very interesting election development in Minnesota in 1952. At that time Minnesota conducted a presidential preference primary. Brooks was among a group of Republicans who wanted Dwight Eisenhower to be nominated, not Robert Taft or Harold Stassen, who were on the ballot. Brooks and a number of others organized a write-in vote for Eisenhower—despite Eisenhower's opposition. Stassen was also regarded as a stand-in for Eisenhower. Stassen won first place in the state, followed by Eisenhower, with his write-in votes, and with Taft in third place. Eisenhower carried the Twin Cities metro area. Brooks became a Minnesota delegate to the national Republican Convention. The Eisenhower write-in effort was seen as a key action in his ultimate election as President.

C. Welcome and Introductions —Verne and Paul welcomed and introduced **Mark Ritchie**, Minnesota Secretary of State, who has been faithfully following Civic Caucus activities from week to week. Ritchie was elected Minnesota Secretary of State in November 2006. Immediately preceding his running for office, Ritchie had been leading National Voice, a coalition of more than 2,000 organizations across the nation working to increase participation in elections. Previously he had served, from 1986 to 2005, as president of the Minneapolis-based Institute for Agriculture and Trade Policy that fosters long-term sustainability for Minnesota's rural communities. He has been a resident of Minneapolis for more than 25 years.

D. Comments and discussion —During Ritchie's comments and in discussion with the Civic Caucus the following points were raised:

1. Constitutional basis for the State Canvassing Board —Ritchie noted that the assignment for declaring winners in state elections has been assigned to a special panel since statehood in 1858.

The state constitution originally assigned the job to the House of Representatives. An amendment in 1877 provided for a State Canvassing Board made up of two judges of the Supreme Court, two district court judges, and the Secretary of State, which still is in effect. Minnesota is fortunate, he said, to have that body helps insure integrity of elections. In most elections the Canvassing Board wraps up its job in minutes. But in 2008, with a statute-mandated recount for the Coleman-Franken race for U.S. Senate, it has taken almost two months for the Board to certify a winner.

2. Minnesota recount for presidential electors could hit impossible deadline —One learning experience from the senatorial recount is that a recount in Minnesota of votes for President could not be completed in time for the federally-prescribed date (December 10) for the counting of presidential electoral votes, Ritchie said. He called that situation a "fatal flaw" in the rules for the electoral college. In a related matter, Ritchie clarified that Minnesota electors are required to cast their votes consistent with the popular vote winner in the state.

3. Increase in absentee voting —Between 2006 and 2008 the number of people voting absentee in Minnesota was doubled, Ritchie said, with overseas absentees increasing four-fold.

4. Minnesota's absentee approach needs updating —Minnesota's procedures on absentee voting need to be updated, Ritchie said. For example, a person voting absentee must indicate why from among very narrow choices. Many other states allow absentee voting without giving a reason. See: <http://www.ncsl.org/programs/legismgt/elect/absentearly.htm>. Many other states also allow early voting, which, according to the National Conference of State Legislatures, "differs from absentee voting in that voters may visit an election official's office or, in some states, other satellite voting locations, and cast a vote in person without offering an excuse for not being able to vote on election day."

In discussion it was noted that no one in Minnesota checks up on whether a person's reason for voting absentee is valid, so anyone can vote absentee in the state by simply checking any reason. However, some people's ballots are thrown out because they refuse to lie, and, according to state law, without a reason being given, ballots are invalidated.

Some 12,000 absentee ballots were thrown out, although the Canvassing Board ruled that some were rejected improperly. Ultimately, about 900 of those ballots were accepted for recount.

5. Move state primary back? —Ritchie said that moving the primary date to August or earlier is a challenge, even if it means that the state could get absentee ballots for the general election distributed earlier. Many legislators don't want an earlier primary, he said. Ritchie would favor an August date. State law requires that absentee ballots be received by county election officials by election day. It's not sufficient that absentee ballots be postmarked by then.

6. Other possible changes in election laws —In addition to changing the rules on absentee voting and moving the date of the state primary, Ritchie said other changes the Legislature might consider include:

—Clarifying the power of county canvassing boards over wrongly rejected absentee ballots.

—Allowing on-the-spot corrections of absentee ballot applications.

—Expanding existing mail vote options (limited now to cities with fewer than 400 population).

—Making some changes in training of election officials.

—Improving public education for citizens.

7. Involving younger people as election judges? —A Civic Caucus member observed that election judges seem to be mainly retired individuals. Ritchie said that efforts are being made to recruit 16- and 17-year-olds, who can be trained as judges and, thereby, be prepared for longer term service as judges. It would be helpful, he said, if election day could be declared a service day in schools, because schools are widely used as polling places.

8. Wall Street Journal editorial December 31, 2008 —A Civic Caucus member noted a *Wall Street Journal*/editorial, December 31, 2008, that questioned certain aspects of recounts for a Washington state governor's race in 2004, and also made mention of the Minnesota recount in 2008, and the fact that Ritchie was backed by ACORN, a controversial voter-registration organization. Ritchie said he is puzzled by the editorial because the chief elections officer in Washington, Sam Reed, a Republican, is the Washington Secretary of State, is past president of the National Association of Secretaries of State, and is widely regarded as one of the most respected secretaries of state across the nation.

Ritchie said he is focusing on Minnesota elections and won't be distracted by outside criticism. He said he's even been subject to death threats.

9. Precinct caucuses and presidential preference polls —Precinct caucuses in Minnesota were widely confused with presidential preference primaries this year. It is important to recognize, Ritchie said, that precinct caucuses are organized, financed and run by political parties. The Minnesota Secretary of State plays only an incidental role, required to inform voters of the location of their caucuses and reporting the results. The Secretary of State plays no role in the process by which the presidential preference straw votes take place - that is up to the political parties. The state provides no financing but does bear the cost of the publicity and caucus night reporting via the Internet of the results.

Ritchie said he believes that many voters don't understand the difference between the precinct caucuses and the presidential preference polls. Thus last February, the caucuses were overrun with voters who showed up, cast their straw ballots, and left.

Ritchie said that in response to a legislative request, he has estimated that a presidential preference primary, similar to that in other states, would cost the taxpayers between 3.5 and 5 million dollars, or about 25 cents per voter per year.

The National Association of Secretaries of State, of which he is a member, is lobbying for a national system of regional primaries that would rotate in time every four years.

In terms of the location, time, and length of precinct caucuses, Ritchie said those decisions can be made by the individual political parties, since the caucuses, while open to the public, are political gatherings.

10. Whether top two primary election vote-getters, regardless of party, should advance to the general election —A Civic Caucus member noted that a proposal has surfaced recently by which only two candidates (the top vote-getters) would advance from the primary to the general election, irrespective of party. Such an approach would guarantee that the general election winner would have a majority of voters, because there'd not be more than two candidates for each office. However, it also would mean that two top vote getters in the primary could be from the same party. Ritchie said he's not familiar with this idea being proposed in Minnesota.

11. Possibility of ranked choice voting— Asked about ranked choice voting, more popularly known as Instant Runoff Voting (IRV), Ritchie said he has supported the effort in Minneapolis and looks forward to seeing its results there. One should not expect that IRV is a replacement for a recount, he said. We always need to anticipate the possibility of close elections, which could be as likely with IRV as with the existing system.

12. Support for changes in judicial selection —Ritchie said he favors a new system for selection of judges as recommended by a commission headed by former Gov. Al Quie. The Quie commission favors merit-based appointment, with periodic retention elections, where voters decide whether a sitting judge continues in office. Any replacement would be named by the Governor in a merit-based appointment approach.

13. No position on changing redistricting process —Ritchie says he takes no position on whether legislative redistricting should continue to be a responsibility of the Legislature or be shifted to a commission.

14. Thanks— On behalf of the Civic Caucus, Verne thanked Ritchie for meeting with us today.