



# Carl (Buzz) Cummins III, chair, FairVote Minnesota, Jeanne Massey, executive director, FairVote Minnesota

Civic Caucus, 8301 Creekside Circle #920, Bloomington, MN 55437

*September 9, 2011*

**Present :** Verne Johnson, chair; David Broden, Janis Clay (phone), Paul Gilje, Dwight Johnson, Sallie Kemper, Dan Loritz (phone), and Jim Olson (phone)

**A. Welcome and introductions :** Verne and Paul welcomed and introduced **Carl (Buzz) Cummins III**, chair, FairVote Minnesota, and **Jeanne Massey**, executive director, FairVote Minnesota, an organization promoting Ranked Choice Voting (RCV)

Cummins is the President And Chief Executive Officer of the Workers Compensation Reinsurance Association. He has practiced law, served as legal counsel to Governor Al Quie and was responsible for government, regulatory and community affairs at Minnegasco. Cummins has served as Chair of the Citizens League, United Hospital, the Higher Education Coordinating Board, and numerous other non-profit and community boards. He currently serves on the board of the Coalition for Impartial Justice, which supports adoption of a system of judicial retention elections in Minnesota.

Massey led the successful Minneapolis referendum campaign for RCV in 2007 as a volunteer for FairVote Minnesota. She served ten years as the director of Bloomington-based South Hennepin Regional Planning Agency. She holds a master's degree in Regional and Community Planning from Iowa State University and a bachelor's degree in Business and Spanish from the University of Northern Iowa. Following undergraduate studies, she served in the Peace Corps in Costa Rica. She is active in her community and has served on several community and nonprofit boards, including the Kingfield Neighborhood Association, the I-35W Access Project Advisory Committee and the Resource Center of the Americas.

**B. Comments and discussion —** During Massey's and Cummins' comments and in the ensuing discussion the following points were raised:

**1 . RCV explained—**RCV is a way to assure majority support for the winning candidate in a single seat election (e.g. governor, mayor, etc.), regardless of the number of candidates for a given office. RCV, also known as Ranked Voting or Instant Run-off Voting, differs in key respects from the traditional form of voting in Minnesota state and local elections. In the traditional form, voters cast one

vote for each office and the winner is the candidate receiving the most votes, irrespective of whether the winner has a plurality or a majority.

By contrast, with RCV a winning candidate ultimately will emerge with majority support. In the polling booth voters are asked to rank candidates for each office in order of preference, first choice, second choice, third choice, and so forth. If they prefer, voters may identify only their first choice, which is just like the traditional system. But if exercised, their other preferences can become very important in the outcome of the race.

If only two candidates are in the race, additional choices are moot, because a winner will have received a majority of votes cast.

If more than two candidates are in the race, and one of them receives a majority of first choices, that candidate is the winner, just as he or she would have been in the traditional form of voting.

However, when there are three or more candidates, if no candidate receives a majority of first choices, then the RCV mechanism kicks in:

- After first choices have been counted, the candidate with the fewest first choices is dropped from consideration.
- The ballots showing a first choice for that dropped candidate are then reassigned to the remaining candidates based on those voters' second choices.
- If a candidate has a majority when those second choice ballots added in, that candidate is declared the winner.
- If not, the process continues until a majority winner emerges or until two candidates remain and the candidate with the most votes wins.

The FairVote Minnesota website offers an example of how votes are tallied: <http://bit.ly/r90kdG> .

**2. RCV adopted in some municipal elections in Minnesota .**—RCV was first adopted in Minnesota by Minneapolis voters in 2006 and implemented for the first time in city elections in 2009. The next Minneapolis city elections will be in 2013.

St. Paul voters approved RCV—officially called Ranked Voting in that city—in 2009, and the system is being implemented for the first time in the coming city elections, Nov. 8, 2011. In three of the seven council races, there will be more than two candidates on the ballot and voters will have the opportunity to rank their preferences. Since RCV had been adopted, St. Paul did not hold a city primary election this year; the RCV process essentially eliminates the need for a primary in a local nonpartisan race.

Massey said Red Wing is scheduled to hold a referendum on RCV in 2012. RCV also is under consideration in Duluth and Bloomington, she said.

### **3. RCV used in other locations.—**

Massey said RCV is also used in San Francisco, Oakland, San Leandro, and Berkeley, CA; Takoma Park, MD; and Hendersonville, NC. Cambridge, MA, Portland, ME and Telluride, CO, join St. Paul in

using RCV for the first time this year. Santa Fe, NM, Memphis, TE, and other cities are slated to implement in the near future. It's used in other countries, including Australia, New Zealand, Ireland, Northern Ireland, Scotland and London. In Ireland's 1990 three-way presidential race, the ultimate winner, Mary Robinson, would have come in second, had it not been for RCV, Massey said. Responding to a question, Massey said RCV was repealed in Burlington, VT, in 2010, five years after it had been enacted. For a list of RCV locations see: <http://bit.ly/r8PR0S> .

#### **4. Reasons in favor of RCV—**

Massey and Cummins listed these reasons favoring RCV:

**a. Assures that winning candidates receive a majority vote in single-seat races—** Too often now, they said, candidates are elected with a plurality, not a majority, of votes. The FairVote website lists 42 state and federal races in Minnesota that have been decided by less than a majority vote since 1988. RCV offers greater confidence among voters in the election system, they said.

**b. Gives a voter the opportunity to support a candidate without fear of "wasting" the vote—** When three candidates are vying for a major office it's not unusual, without RCV, for voters to fear they are wasting their ballot by voting for a third-party candidate who is less likely to win. This concern reduces the support such a candidate otherwise would receive, Cummins said. In last November's race for Governor, he pointed out, the third-party candidate had more support than the actual vote revealed. With RCV the voter's first choice never is wasted, regardless of the number of candidates, because second and third choices could be decisive in the outcome, he said.

**c. Stimulates candidates and political parties to appeal to broader constituencies—** In the traditional voting process with multiple candidates for office it is possible for a candidate to appeal to a narrow constituency and still have a chance to win, because only plurality support, not majority, would be necessary. Under RCV a candidate needs to attract a majority, meaning that the candidate might find it essential to take positions that appeal to a broader group, Massey and Cummins said. They also noted that candidates might be less inclined to speak negatively about opponents, knowing that they might need the second- or even third-choice votes from supporters of the opponents. Political parties, too, might find it valuable to adopt broader platforms and to endorse candidates supporting such platforms, they said. It has not been unusual in competitive multi-candidates races in RCV cities (e.g., San Francisco and Oakland, CA) for candidates to broaden their base of voters, openly seeking second choice votes from constituents they might otherwise have ignored.

**d. Ends the need for primary elections in non-partisan races—** With RCV, in races without party designation, which is standard for non-state elections in Minnesota, no primary election is needed, Massey and Cummins said. This saves taxpayers the expense of the primary election. Also, they added, primary elections usually attract very few voters, meaning that only a small percentage of the electorate participates in selecting the top two candidates. For example, voter turnout was about 5 percent in the most recent primary elections in Bloomington and St. Louis Park, Massey said. This low rate of turnout is not uncommon in local primaries.

**e. Could reduce negative media advertising—** Cummins suggested that campaign committees, needing to obtain broader support, might no longer resort to 30-second sound bites or other devices to discredit opposing candidates.

**5. Concerns about RCV**— In discussion with Civic Caucus members the following concerns about RCV emerged:

**a. Might RCV weaken the two-party system?** — A participant expressed concern that RCV could strengthen 3rd, 4th, and 5th political parties, leading to the kind of coalition-forming governments that are widespread in Europe. The participant suggested that the effect would be to weaken the Democratic and Republican parties at a time when they need strengthening. Cummins contended that RCV might have the opposite effect: strengthening the two top parties. Both parties today seem to attract more support from the extreme ends of the political spectrum. With RCV they'd find a need to find membership from broader segments of the population.

**b. Might the process be confusing?** — People are long accustomed to entering a voting booth and casting one vote for each office, a participant said. Might it be confusing when voters now are asked to vote for their second and third choices, and maybe more? Massey replied that a poll of Minneapolis voters after RCV was first used in 2009 revealed that 95 percent thought the system was easy to use. Transitions to RCV have gone smoothly across the country.

**c. Doesn't the process give some voters, in effect, a second vote?** — It appears that the people who choose to vote for the weaker candidates have greater influence over the outcome, because their second and third preferences are the votes that produce the necessary majority for the winner, a participant said. Every voter is treated the same, Massey said. All voters are able to list all candidates in order of preference. RCV works like a two-round runoff. Any voter's second, third and other choices come into play only when that voter's first choice candidate is eliminated. In a single seat election, the candidate with a majority of support wins. In contrast, the current effect of minor-party candidates can be to "spoil" the election for the majority preferred candidate.

**d. Can resistance of political party insiders be overcome?** — A participant noted that many political leaders, regardless of party, seem to be either unenthusiastic or opposed to RCV. These leaders have become accustomed to working within the traditional voting system and probably fear the uncertainty that would come with a change in the system. Cummins responded that RCV already has strong cross partisan support in Minnesota, including the official support of the DFL, Independence and Green Parties. Because of the political dysfunction Minnesota faces, the issue has gained support and momentum, he said.

**e. Does RCV work in at-large races where more than one candidate will be elected?** — Some persons find it difficult to understand how the RCV approach would work in at-large races, where more than one candidate will be elected. Massey said the process is fully workable. With only one person to be elected to the office, the threshold is 50 percent plus one. With two to be elected at-large, the threshold is 33 1/3 percent plus one; with three to be elected at-large, the threshold is 25 percent plus one. The process of ranking in at large-elections is no different to the voters. The difference from winner-take-all, single-seat RCV elections is that more candidates are elected in multi-seat RCV elections.

**6. Potential broader use of RCV in Minnesota**— Currently, without changes in state law, only cities with home rule charters can modify their voting systems to permit use of RCV, and then only in city elections, not for school, county, or state elections, Massey said. Legislation has been introduced by

Rep. Tim Kelly (R-Red Wing) and Sen. Ann Rest (DFL-New Hope), which would allow any local jurisdiction (cities, school boards, counties and townships) to use RCV if it wanted to do so, provides RCV guidelines, and sets RCV-capable equipment standards for the next generation of voting machines purchased in Minnesota.

**7. Appropriate for state primaries?** — Responding to an observation by a participant, Massey agreed that RCV could be particularly appropriate for contested state primary elections, in which candidates are competing only within their respective political parties, not across parties.

**8. Appropriate for precinct caucuses?** — Continuing the discussion about potential intra-party use of RCV, Massey agreed with a participant that precinct caucuses could use RCV for their nominating processes right now, without change in state law. The IP, GP and DFL party use RCV for some or all of their endorsing conventions, she said.

**9. Top 2 Primary an alternative?** — Massey and Cummins were asked about the potential of a change similar to that recently adopted in California, in which the top two vote getters in the primary election—regardless of party affiliation—advance to the general election. They said such a step is no substitute for RCV. These primaries turn out a much smaller share of voters than the general election and weed out all the candidates but the top two ahead of the November election. In such a primary, candidates receiving only a small proportion of votes cast could still advance to the general election. It is this type of system used locally in Minnesota that is being replaced by RCV.

**10. Question of impact on campaign finance** — The discussion touched briefly on whether RCV would reduce the likelihood that interest groups would continue to invest heavily in any one candidate. Massey pointed to the mayoral election in Oakland last year, in which the winner, Jean Quan, won despite being outspent 5-1 by her rival. She said RCV can diffuse the impact of money in campaigns.

**11. How FairVote Minnesota is organized**— Following initial discussions late in 1996, a group of 20 individuals formed FairVote Minnesota to seek changes in voting structures to improve the quality of democracy. Its board of directors, staff, and advisory council, along with its history may be found at: <http://bit.ly/n964Bi> .

**12. Results of St. Cloud University RCV poll in the 2010 governor's race** — Massey said that a St. Cloud University poll was conducted last fall to see, hypothetically, how a three-way Governor's race would be affected, if at all, if voters' second choices were allocated according to the RCV process. The poll showed that Mark Dayton, with a plurality lead in the poll, kept the lead even when second choices were allocated. See: <http://bit.ly/rp1uO9> .

**13. Is today's political environment particularly conducive to considering RCV?** — Massey said that the interest in reform, from across the political spectrum, is stronger than ever. Recently, FairVote Minnesota was at the state fair and was very encouraged by the number of persons coming by the FairVote state fair booth. Some 1,700 persons said they wanted to support the RCV effort. Extensive citizen dissatisfaction with and cynicism about the political process is evident today, Massey suggested. A member noted that pending legislative redistricting and new elections for all state legislators in 2012 could help create an atmosphere receptive to a different system of voting or at least the possibility of using RCV in precinct caucuses and political conventions.

**14. Thanks—** On behalf of the Civic Caucus, Verne thanked Massey and Cummins for meeting with us today.