EXECUTIVE SUMMARY

Since its founding in 1920, the League of Women Voters (“LWV”) has been a leader in the fight for fair and transparent elections and good governance. As part of that effort, its chapters have taken positions on legislation and ballot initiatives across the country on a range of reforms.

In June of 2020, LWV held a vote of concurrence on a position regarding “Voter Representation and Electoral Systems.” This action established eight criteria for assessing whether a proposed electoral reform should be endorsed by local LWV chapters. Those criteria are:

- **Whether for single or multiple winner contests, the League supports electoral methods that:**
  - Encourage voter participation and voter engagement
  - Encourage those with minority opinions to participate, including under-represented communities
  - Are verifiable and auditable
  - Promote access to voting
  - Maximize effective votes/minimize wasted votes
  - Promote sincere voting over strategic voting
  - Implement alternatives to plurality voting
  - Are compatible with acceptable ballot-casting methods, including vote-by-mail

The 2020 vote of concurrence was taken by 1,400 delegates from LWV Chapters from across the country and was approved by 93% of delegates, far exceeding the two-thirds threshold required to establish a position of concurrence.

This document seeks to demonstrate that Alaska Ballot Measure 2 is fully aligned with the eight criteria established in June. We reviewed 30 studies, statements and positions from LWV chapters along with supporting academic studies and research from organizations like Represent Women, Representation2020, Fairvote, and others.
I: ENCOURAGE VOTER PARTICIPATION AND VOTER ENGAGEMENT
EXPANDING VOTER ACCESS

LWVUS’s Mission Statement Regarding Voter Access:
“We fight to increase voters’ access to the polls, including expanding early voting, automatic and online voter registration.”

Reasoning
“The right to vote is a fundamental principle of our democracy. When more Americans can participate in our elections, the outcome better reflects who we are as a country. We work year-round at the state and local level to enact voting reforms that best increase turnout and help new communities participate in the process, making our elections more free, fair and accessible.” - LWVUS

What does this look like?
1) Patricia Brigham, the president of the LWV Florida said, “We believe in open primaries. We did a study in 2015 that went on for two years and it found voter participation in primaries was 23%, while the national average was 37%.” - Clickorlando.com – 2019
   a) This statement was said in support of a constitutional amendment in Florida which would give all voters the right to vote for a candidate of any party, in a top-two nonpartisan primary.
2) “LWVMI supports: VII. An open primary system for state and local candidates for office, whereby a voter declares political party affiliation only in the privacy of the voting booth.”
   a) LWV of Michigan Positions
3) The League of Women Voters of Maryland found the following of Top Four Non-Partisan Primaries and their relation to Voter turnout (Page 22 of this Study):
   a) More Choices. Top Four gives voters more candidate choices in the general election. This should give more diverse issue opinions from which voters can choose.
   b) More Competition. Top four allows a better chance for both principal and “third” party candidates, and possibly a nonpartisan, to move to the general election ballot.
   c) A more representative Electorate.
   d) Avoids “Vote Splitting.”
4) “The League of Women Voters of Pennsylvania applauds State Senate Pro Tempore Joe Scarnati’s (R-25) proposal to make Pennsylvania’s elections fairer, and we encourage his fellow senators, Republicans and Democrats alike, to support SB 300…. All Voters deserve the chance to have their voices heard in every election. Granting some voters privileges that are denied to other voters is unfair, undemocratic, and un-American. . . Whether you’re a Republican, a Libertarian, a Democrat, a Green, or non-affiliated, if you value fair play and you believe that every vote should count, lend your voice to this effort.”
   a) Jill Greene, Executive Director, League of Women Voters of Pennsylvania, authors a Guest Editorial in the Sentinel.

VOTER ENGAGEMENT
1) When a candidate can’t win without a true majority (50%+) of the electorate, they have no choice but to campaign to people outside of their party.
   a) Alaska Voting Demographic as of 07/03/2020
Republican Party: 139,821/588,553 - 23.76%
Democratic Party: 76,779/588,533 - 13.05%
AIP: 17,111/588,533 - 2.9%
Political Groups: 10,968/588,533 - 1.8%
NP/U: 343,874/588,533 - 58.43%

**b) Pro’s of IRV/RCV According to LWV-VT Member Betty Keller**

i) “Discourages negative campaigning - Candidates who use negative campaigning may lose the second choice vote of those whose first choice was treated poorly.”

ii) “Provides an outcome more reflective of the majority of voters than either primaries (get extreme candidates “playing to their base”) or run-off elections (far lower turnout for run-off elections, typically).”

iii) “Provides more choice for voters - Voters can vote for the candidate they truly feel is best, without concern about the spoiler effect.”

**c) LWVOK - Position in Brief: Instant Runoff Voting (IRV) or Ranked Choice Voting (RCV)**

i) “The system raises the level of political campaigns/focus on the issues”

**d) LWVCO - Boulder County: “Problem with Plurality Voting in Single-Winner Elections with 3 or More Candidates”**

i) “You can’t express your preference as clearly as in other methods.”

ii) “You might be inclined to vote for a candidate who is not your favorite, or you might be discouraged and not vote at all.”

iii) “Two similar candidates may split the vote, resulting in the election of a third less desirable candidate.”

**e) LWVFL - Study of Open Primaries**

i) “Truly open primaries are non-partisan in that they place all candidates on a single ballot that all voters (regardless of party affiliation or lack of) access to vote. . . Florida’s closed primary only allows voters registered with a major party vote unless it is a nonpartisan race.”

ii) “The Center for Election Science states partially open primaries don’t get at the issue, which is voters don’t have real choices in the general election, and they don’t have an effective means of voting because we use plurality voting.”

iii) “34% of Millennials that responded to why they selected NPA said they didn’t want to join a party. 54% said they wanted to choose any candidate.”

**II: ENCOURAGE THOSE WITH MINORITY OPINIONS TO PARTICIPATE, INCLUDING UNDER REPRESENTED COMMUNITIES**

**FIGHTING VOTER SUPPRESSION**

**LWVUS’s Mission Statement Regarding Voter Suppression:**

“We challenge all efforts and tactics that threaten our democracy and limit the ability of voters to exercise their right to vote.”

Reasoning: “We are at the forefront of the most important federal and state voting rights cases around the country.”
What does this look like?:

1. “The League of Women Voters of Maine endorsed Ranked Choice Voting in 2011 because it puts more power in the hands of voters, ensures those elected to office have the broadest support, promotes civility in campaigns, and may serve to reduce voter cynicism and increase voter participation. These are values we support and believe would improve our election system and stand ready to defend them.”

2. “Allowing voters to rank their candidates will be good for democracy and the city budget.”
   a. League of Women Voters of the City of New York, 2019 *NYC Ballot Proposals Voter Guide*

**MAKING ELECTED OFFICIALS MORE REPRESENTATIVE OF THE REPRESENTED**

1) Looking at three cities in California who have all instituted Ranked Choice Voting, 62% of the individuals elected before RCV implementation were white; after the implementation of RCV 61% of the individuals elected have been people of color.

Source: [Fairvote](http://fairvote.org)

   a) Minneapolis elected two transgender people of color to council in 2017 post RCV.
   b) St. Paul elected its first African-American mayor post RCV
   c) San Francisco elected its first Asian-American Mayor, African-American woman mayor, and 11 of their 18 current council members who are people of color all post RCV
   d) *In California, it was found* that a woman running for office was 15% more likely to win if RCV was the election method used.
   e) *Women of color were close to 9% more likely to win* if RCV was the election method used.

2) Source: [Study](http://representwomen.org) done by [Represent Women](http://representwomen.org)

   a) 36% of cities with RCV have Women mayors vs. the average of 23% in the 100 most populous cities in the US the Center for American Women and Politics Found

   b) **Women hold an average of 49% of city council seats in RCV cities, compared to 25% in the 100 most populous cities in the US, according to Represent Women.**

   c) The percentage of women of color winning office increased 9% points in California cities where RCV was the system used.

3) White vs. POC representation across 4 cities in California after RCV passage-- [Fairvote](http://fairvote.org)

   a) White Representation: 62% -> 39%
      i) Hispanic: 7% -> 20%
      ii) Asian 13% -> 21%
   b) Oakland
      i) Black: 24% -> 33%
   c) San Francisco
      i) Hispanic: 7->24%
   d) San Leandro
      i) Asian: 0->14%
4) **Key Findings of RCV and Women and People of Color from a study Commissioned by Representation2020**
   a) “More Women and people of color in elected office.”
   b) “More women and people of color are running and winning.”
   c) “Increase in the proportion of women in elected office.”
   d) “Increase in the percentage of people of color and women of color.”

### III: MAXIMIZE EFFECTIVE VOTES/MINIMIZE WASTED VOTES/PROMOTE SINCERE VOTING OVER STRATEGIC VOTING

#### PLURALITY VS. MAJORITY

1) **LWV Opinion on Plurality:**
   a) **LWVWA - Best Voting Method Study** - 2000
      i) “Because of the exaggerated results plurality elections can cause, this election method can be unresponsive to modest shifts in Public opinion. Unresponsiveness further increases public disenchantment with government.”
      ii) “Instant Runoff Voting simulates a series of runoff elections all in one, saving money and encouraging voter turnout. **It enables a broader number of people to have their votes counted by giving them more initial choices. It preserves majority rule but encourages participation and diversity.**”

2) **LWV Opinion of a Majority System/RCV/IRV**
   a) **LWVNY - 2014 Study**
      i) “IRV would allow better protection of the majority principle because with a 40% or less plurality, the winning candidate can be the last choice of a majority of the voters.”

#### MINIMIZE WASTED VOTES AND PROMOTING SINCERE VOTING OVER STRATEGIC VOTING

3) **LWVAZ and Fairvote: Support Ranked Choice Voting**
   a) “In 2005, the Arizona League of Women Voters adopted a position that supports ranked choice voting systems to provide a stronger voice for the greatest number of voters.”
   b) “We believe that ranked voting methods would have a positive effect on voter participation and have great potential to reduce many of today’s electoral problems, including low turnout, negative campaigning, limited voter choice, under-representation of women and communities of color, wasted votes, uncompetitive elections, and ‘spoiler’ problems.”

4) **A Study by Sightline**
   a) “Though ballot exhaustion can happen in ranked-choice elections, it’s far less common than voter drop-off in two-round elections. Ranked-choice ballots are one of the most powerful tools available for anyone who cares about voting rights and increasing voter participation.”
   b) “They can streamline the elections process and do away with one of the biggest sources of voter disenfranchisement: low-turnout elections.”
IV: IMPLEMENT ALTERNATIVE TO PLURALITY VOTING

1) Under Ballot Measure 2:
   a) **A candidate CANNOT win with under 50% of the vote:**
      i) **“Sec. 27. AS 15.15.450 is amended to read:”**
         (1) **“Sec. 15.15.450. Certification of state ballot counting review.** Upon completion of the state ballot counting review, the director shall certify the person receiving the largest number of votes for the office for which that person was **nominated or elected, as applicable,** [A CANDIDATE AS ELECTED TO THAT OFFICE] and shall certify the approval of a justice or judge not rejected by a majority of the voters voting on the question.”
      ii) **“BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:”**
         (1) **“Section 1. The uncodified law of the State of Alaska is amended by adding a section to read: FINDINGS AND INTENT. The People of the State of Alaska find:”**
            (a) “(1) It is in the public interest of Alaska to improve the electoral process by increasing transparency, participation, access, and choice.”
            (b) “(2) The people of Alaska hold that political power and influence should not be allocated based on wealth.”
            (c) “(4) It is in the public interest of Alaska to adopt a primary election system that is open and nonpartisan, which will generate more qualified and competitive candidates for elected office, boost voter turnout, better reflect the will of the electorate, reward cooperation, and reduce partisanship among elected officials.”
            (d) “(5) It is in the public interest of Alaska to adopt a general election system that reflects the core democratic principle of majority rule. A ranked-choice voting system will help ensure that the values of elected officials more broadly reflect the values of the electorate, mitigate the likelihood that a candidate who is disapproved by a majority of voters will get elected, encourage candidates to appeal to a
broader section of the electorate, allow Alaskans to vote for the candidates that most accurately reflect their values without risking the election of those candidates that least accurately reflect their values, encourage greater third-party and independent participation in elections, and provide a stronger mandate for winning candidates.”

V: ARE COMPATIBLE WITH ACCEPTABLE BALLOT-CASTING METHODS, INCLUDING VOTE-BY-MAIL

1) There are problems with implementing the Vote-By-Mail option for the Primary elections in the State of Alaska, under its current two primary ballot format:
   a) 62% of registered voters in Alaska would be forced to designate which ballot they want due to the fact that they can vote on either Primary ballot under our current structure.
   b) The State would NOT be able to automatically send a primary ballot to every registered voter, because of the 1.a of this section.

2) **Ballot Measure 2 solves this problem:**
   a) The Alaska Division of Elections would be able to automatically send every registered voter in the State a Primary ballot without voters having to take extra steps to vote based on which party they do, or do not, belong to.

VI: ARE VERIFIABLE AND AUDITABLE

7. League of Women Voters Maryland Source: https://d3n8a8pro7vhmx.cloudfront.net/lwvmaryland/pages/127/attachments/original/1505509988/Primary_Study_Background_Materials.pdf?1505509988
11. League of Women Voters San Jose/Santa Clara: https://www.lwvsjsc.org/election-processes
15. Voter Confusion/Participation:
   a. A 2016 study by Professor David Kimball at the University of Missouri-St. Louis, and Ph.D. candidate Joseph Anthony http://www.umsl.edu/~kimballd/KimballRCV.pdf
   b. 2015 study by Francis Neely and Jason McDaniel https://escholarship.org/uc/item/8tm3s6hz
   c. 2015 study by Craig Burnett and Vladimir Kogan https://cpb-us-w2.wpmucdn.com/u.osu.edu/dist/e/1083/files/2014/12/ElectoralStudies-2fupfhd.pdf
16. Data on Ranked Choice Voting: https://www.fairvote.org/data_on_rcv#links_to_research

VII: **GLOSSARY FROM THE LWVUS**

**Approval Voting**

Approval voting allows a voter to vote for as many candidates as she supports regardless of the number of seats to be filled. Fargo, ND, will use approval voting beginning in November of 2020, with the candidate in a single-winner contest or candidates in a multi-winner contest who get the most votes winning. Approval Voting has (less common) multi-winner versions; most – but not all – promote proportional representation.

**At-Large**
A type of electoral jurisdiction where representatives are elected from the whole political region. Voters are not divided into districts. Common in cities and counties. Plurality/Winner-Take-All at-large systems allow 51% of voters to control 100 percent of seats.

**Auditabe**

Transparent procedures to verify (either by hand count or technology) the accuracy of an election outcome.

**Delayed Runoff**

– see Two-Round Runoff

**Effective Vote**

Opposite of “wasted votes” (see elsewhere). Effective votes are those that were useful in successfully electing (or in determining) a winner.

**Electoral System**

Rules and procedures governing the election of public officials by specifying ballot structure, district magnitude and the way that votes are translated into seats.

**First-Past-The-Post (FPTP) Same as Plurality Voting**
In a horse race, the first horse to pass the finish line (the post) wins. The same is true for a FPTP electoral, a system that came with the British, which we still use and call Plurality voting.

In an election, the candidate with the most votes wins. However, the candidate may not have received a majority if more than 2 candidates in the race, due to vote splitting.

Vote splitting can result in electing the candidate least preferred by voters.

Gerrymandering

Different from “apportionment” which is the allotment of representatives based on an area’s population. Gerrymandering is a political manipulation. Specifically, “gerrymandering” is the manipulation of boundary lines in a district with the intent to advantage or disadvantage a candidate or political party in order to gain more seats than its proportion of the vote. Gerrymandering can be used to disenfranchise a group of voters by racial gerrymandering or disenfranchise members of the opposite party by partisan gerrymandering. [Redistricting is the term used for fair ‘line drawing,’ the goal of an Independent Redistricting Commission.]

Multi-Member District

An area (electoral jurisdiction) from which more than one candidate is elected. Many, but not all, multi-member districts (MMD) hold multi-winner elections, however, some MMD stagger elections over time so that members are essentially elected in single-winner contests.

Multi-Winner Contest
A single race on a ballot in which multiple candidates vie to fill two or more seats.

**Plurality**

The most common electoral system in the US, in which the candidate with the most votes wins, without necessarily receiving a majority of votes. At times, it is coupled with a second, runoff election if a jurisdiction has required that the final winner receives a majority vote. (See above “First Past the Post”). In a multi-winner election i.e. City Council (not divided into districts) the plurality winners are the candidates that receive the most votes. (See “winner-take-all” below.)

**Proportional Result**

40% of the vote gets 40% of the seats (representation) in a legislative body…not Zero.

60% of the vote gets 60% of the seats (representation) in a legislative body…not 100%

Majority Rule with representation for the Minority (in this example 40%)

(i.e. Cambridge, MA. City Council and School Board proportionally reflect the voters in the community). (Compare this to Winner-Take-All last page)

LWV founder, Carrie Chapman Catt, served on the Advisory Council of the Proportional Representation League from 1919 until the time of her death at age 88. Believing P.R. to be a natural extension of the suffrage movement, she thought it “was important not only to get the vote but to make the vote effective in securing representation.”
Ranked Choice Voting (RCV) – Single-Winner and Multi Winner Versions

[While this proposed concurrence does not oppose or support any one system, Ranked Choice Voting is being explained due to its common use]

With Ranked Choice Voting, voters are able to rank candidates by preference, indicating “back-up” candidate-choices when appropriate. RCV is a ranking, not weighting, method.

The two traditional forms of RCV are:

1. Single-winner – also known as Instant Runoff Voting (IRV), Preference Voting, Alternative voting
2. Multi-winner – aka single transferable vote (STV)

Single-winner types of electoral systems (including RCV) are always Winner-Take-All. When voting in a single-winner IRV election, if the voter’s first choice does not have enough support to get elected, their ‘back up’ candidate(s) will be counted. The voter’s highest favorite remains their vote if still in the race. Voters don’t have to go back for a second (delayed) election. RCV can be used to achieve a majority single winner in the final round (of remaining votes) without a second election.

Examples of some places where single-seat RCV is now used include St Paul and Minneapolis; MN, Santa Fe, NM; Carbondale, Basalt and Telluride, CO; Takoma Park, MD; San Francisco, Oakland, Berkeley, and San Leandro CA, and the state of Maine for federal offices.

Multiple winners. STV, or RCV for multiple seats, is a proportional representation system, a key principle of voter representation. Nontraditional forms of RCV may be adopted, but the details of those systems would define their levels of representation. The multi-winner form of RCV (Single Transferable Vote) is used when electing multiple winners to achieve a proportional result (i.e.40% of the voters gets 40% of the seats) in a legislative body.
Examples of usage: Cambridge, MA City Council and School Board for over 65 years, in 2019, Eastpointe Michigan, and in many other countries.

**Sincere Voting**

A term used when a voter chooses to cast her ballot for her most preferred candidate regardless of the candidate's chances to win. [This is the opposite of "strategic" voting described elsewhere.] In electoral systems that encourage sincere voting, the voter can vote for a preferred candidate and not worry about "wasting" their vote.

**Single-Member District**

An area (electoral jurisdiction) from which only one candidate is elected.

**Spoiler Effect or “Spoiler Candidate”**

Generally derogatory terms used to describe the phenomenon in which candidates split the vote. The terms can also apply to same-party candidates in relationship to weaker and stronger support. The most well-known examples of a candidate being labeled a 'spoiler' was during the 1992 election when Ross Perot split the vote with George Bush Sr. and helped elect Bill Clinton with 43% of the vote, and in 2000 when Ralph Nader split the vote with Al Gore helping to elect George W. Bush. Those votes for Ross Perot and Ralph Nader are considered "wasted votes" (see wasted votes).

**Strategic Voting (aka Tactical Voting)**

A voter chooses to vote for a candidate other than her 'sincere' choice. This is done in hopes of preventing a less-than-desirable outcome. This is most
common when, despite the fact that the voter may prefer an independent, 3rd-party or weaker candidate, she believes she would be ‘throwing her vote away’ and instead votes for a candidate presumed to have a greater chance of victory.

In primaries, or Top-Two systems (as in Washington and California), the strategic voters choose the candidate they believe is most likely to advance to, or win, the general election, as opposed to sincerely voting for their most preferred candidate. Where allowed (as in Top-Two), they may also decide to tactically vote for the opposite-party candidate they would most like to see run against their preferred candidate.

Two-Round Runoff

This is an election type used in a winner-take-all (WTA) system, in which a ‘delayed’ or second election is held if no candidate achieves a majority of votes in the first election (or first round). Common in many areas (states, cities, counties), this is sometimes referred to simply as "runoff elections".

Runoff elections ask voters to go back to the polls to ensure a majority (if required) in the second election. A second election costs candidates and taxpayers more money, encourages negative campaigning, and in many cases, fewer voters participate.

Verifiable

A system (such as a paper ballot) that provides a secondary confirmation that equipment has correctly counted a voter’s ballot.

Vote Splitting
When more than 2 candidates are on the ballot, voters can split their votes among like-minded candidates and it can help elect a least favored candidate. This can also cause good, like-minded candidates NOT to run for office for fear of splitting the vote. This reduces voters’ choices, especially when parties encourage people not to run. Some alternatives to plurality voting address this problem.

(See “Strategic Voting “and “Spoiler Effect” above)

Wasted Vote

An official political science term that refers to votes that were NOT useful in the election of the winner. More often this means all ballots cast for a losing candidate (or candidates), but can also mean any extra (not needed) votes cast in support of a much-liked winner. If a voter does not vote for a ‘viable’ candidate in most plurality elections, then their vote is “wasted”. It doesn’t count toward electing a winner. Some alternative electoral systems address this problem.

WTA (Winner-Take-All)

“Winner-take-all” is a term used to describe “single-member district” and “at large” electoral systems (listed above) that award seats to the highest vote getters without ensuring fair representation for minority groups.

Under winner-take-all rules, a slim majority or sometimes a plurality of voters can control 100% of seats, leaving everyone else effectively without representation. Result is under-representation of women, communities of color, third parties, young people, and voters stuck in areas where their voice/representation is diminished and they may they have no seat at the table.
WTA is the opposite of “Proportional Result” which provides for majority rule with minority representation when 2 seats or more are to be filled. See “proportional result” above.

Since many areas are dominated by a single political viewpoint, in partisan elections, winner-take-all voting systems will often result in no-choice elections in which one party has a permanent monopoly on power, and the winner is effectively predetermined. (This is often seen in over 90% of Congressional districts in the House of Representatives)

Nearly every emerging democracy has rejected WTA use. Winner-take-all systems, introduced to America by the British during the colonial era, are virtually unknown in other developed countries.