

Project Scope

Project Name: **Alternative Voting Methodologies Study 2019-2021**

Study Chairs: **Jill Itzkowitz and Kim Wells**

1. Purpose Statement:

The purpose of this study is to review alternative voting methodologies in order to identify those that may have the potential to improve the democratic process in Delaware.

2. Background:

Elections using simple plurality voting within single-member districts, as commonly used in the U.S., have a number of problems associated with them. They foster the dominance of two highly polarized parties, are susceptible to vote-splitting and “spoiler” effects, and encourage both gerrymandering of district boundaries and strategic rather than sincere voting. These “winner take all” methods are also among the worst voting systems for promoting proportional representation.

In recent years, several other state LWV organizations have achieved consensus or concurrence positions in support of alternative voting methodologies, most commonly the Instant Runoff variant of Ranked-Choice Voting (RCV/IRV).

The Delaware Alternative Voting Methodologies study was approved by the LWVDE membership at the biennial state convention in Camden, Delaware on June 1st, 2019.

Voting Principles

To inform our study, the AVS team took a survey of Delaware League members in summer 2019 to ask them what they felt was important in an election system. To a large degree, our answers corresponded with the LWVUS Proposed Concurrence reproduced here in brown text (with some exceptions as noted afterward).

Voter Representation/ Electoral Systems Position Recommended by LWVUS for Adoption via Concurrence LWVUS Convention 2020

Position in Brief:

Support electoral systems at each level of government that encourage participation, are verifiable and auditable and enhance representation for all voters.

Position in Full:

LWVUS promotes an open governmental system that is representative, accountable and responsive. We encourage electoral methods that provide the broadest voter representation possible. 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
- Require the winner to receive a majority of the votes for executive and single seat offices
- Are compatible with acceptable ballot-casting methods, including vote-by-mail

The LWVUS believes in representative government. The League supports electoral systems that elect policy-making bodies—legislatures, councils, commissions, and boards—that proportionally

reflect the people they represent. We support systems that inhibit political manipulation (e.g. gerrymandering).

The LWVUS supports enabling legislation to allow local jurisdictions to explore alternative electoral methods, as well as supporting state election laws allowing for more options at both the state and local levels. With the adoption of any electoral system, the League believes that education of the voting public is important and funding for startup and voter education should be available. We encourage a concerted voter education process.

Differences of opinion worth noting... (1) Delaware survey respondents did not strongly support a majority vote requirement (second to last bullet) or sincere over strategic voting (third bullet from bottom). (2) the Delaware AVS Team feels quite strongly that the word "Secure" should be included along with verifiable and auditable. (3) Additional principles favored by Delaware survey respondents that are NOT included in the LWVUS proposed concurrence include reducing the influence of money in elections, encouraging a focus on the issues as opposed to negative campaigning, and being easy for voters to use and understand.

The LWVDE Alternative Voting Study team will await a decision on the LWVUS proposed concurrence position, before evaluating specific alternative voting methodologies for Delaware.

3. Deliverables:

The study team will produce a final report at the end of the study.

They study team may or may not also produce a recommended action position for LWVDE, with associated consensus questions and discussion sessions with local League membership in Sussex, Kent and New Castle Counties.

As part of the local League education phase, the study team will prepare a PowerPoint presentation with recommended videos and associated ballot demonstration exercises.

As part of the interview phase, the study team will produce an Alternative Voting introductory information package to begin our review with key stakeholders and other players.

4. Inclusions & Exclusions

Our study will encompass state-wide and local elections in Delaware:

- Presidential primaries
- State-wide party primaries, including the city of Wilmington**
- State-wide general election, including the city of Wilmington**
- School board elections
- County-level elections and municipal elections

*** Unlike all other Delaware municipalities, elections for the city of Wilmington are specified and controlled by state law, and are held in conjunction with the state-wide primary and general elections.*

We will consider both executive (single-winner) positions and multi-member legislative bodies such as the Delaware General Assembly, county councils and school boards. We will consider both partisan and non-partisan elections.

We will include the following types of alternative election systems in our study:

1. Traditional Runoff Elections
2. Ranked-choice voting with instant runoff (RCV/IRV).
3. Range voting (e.g. scale of 1 to 10).
4. Ranked-choice voting within multi-member districts (RCV/STV).

We will exclude the following types of election systems from our study:

1. Systems that require the voter to select a party instead of, or in addition to, a candidate for office. (Party-List Proportional, Mixed-Member Proportional).

The following items are outside of the project scope (but may be considered for future, separate study):

2. Open/Closed Primaries.
3. Referendum or Citizen Initiative process for Delaware.
4. Voter registration systems.
5. Election-Day processes or procedures.

Election-day processes and procedures includes such items as early voting, mail-in balloting, and ballot design. We are looking at alternative systemic methods for casting and tallying votes, not the mechanics of doing so.

5. Key Stakeholders

Key stakeholders in the election process include elections officials (state, county and local levels), political party leadership, sitting legislators, school boards and/or school district leadership, and the voting public.

Key stakeholders in this study include the League of Women Voters of Delaware (LWVDE) and the three local Leagues in Delaware: LWV of New Castle County (LWVNCC), LWV of Kent County, Delaware (LWVKC), and LWV of Sussex County, Delaware (LWVSC).

6. Approach

Because of the complication of the LWVUS proposed concurrence on electoral systems happening during our study period, we will split our study into two major phases. During the remainder of 2019 and the first part of 2020, we'll concentrate on educating our League membership on the basic concepts and terminology associated with alternate election systems, so that they'll be sufficiently informed to concur or not with the proposed LWVUS position. In particular, the majority vote requirement and "wasted" votes minimization clauses have implications that may not be readily apparent. Presentations and ballot demonstration exercises held during this phase will also be open to the general public.

Starting in July 2020 after the LWV National Convention is completed, we'll turn our attention outside the League to other Delaware stakeholders. We will interview local academic experts, elections officials at the state and/or county level, selected General Assembly members, Wilmington city officials, a sampling of elections officials in smaller municipalities in each county, and a sampling of school board representatives in each county.

We will also research and potentially interview League representatives or elections officials in other states (especially Maine) to see how ranked-choice methodologies have worked out in practice.

After gathering information, we'll summarize the results of our research and draw some conclusions regarding pros and cons of various methodologies in general and specifically for the state of Delaware. We'll present our findings to the statewide League membership, with consensus questions if a new action position is proposed.

7. Timeframe & Milestones

The study, including local League consensus if one is to be reached, should be completed before the next biennial LWVDE convention in June 2021.

Timeline...

Q3 2019 – Background research, set study scope.

Q4 2019 – Finalize study scope, continue background research, prepare materials for within-League education.

Q1 2020 – Hold informational meetings in each county for local Leagues and general public. Determine/assemble Delaware's response before the March 1st deadline.

Q2 2020 – make sure our Delaware delegates to National convention understand. Prepare materials for non-League meetings / interviews.

The 2020 LWVUS Convention will be held in Washington, DC from June 25 through 27.

July to Dec 2020

- If LWVUS consensus achieved, decide to use as-is or add additional local criteria to it.
- If consensus not achieved, draft our own version.
- Conduct interviews with non-League stakeholders.

Jan to June 2021 – evaluate the results of our research. Hold consensus meetings in Delaware if needed.

8. Constraints

The project has zero budget. This should not be an issue as we will rely on volunteers and/or interns.

Our primary constraint is the time that our volunteers can spend. With eight team members each spending ½ day (4 hours) a week from 11/1/2019 to 6/1/2021 (about 80 weeks), our total man-hours available are 2,560.

Known constraints within the Delaware Constitution include the following:

- Article II, Legislature - specifies single-member Representative and Senatorial districts in Delaware.
- Article III, Executive – specifies a plurality vote for Governor and Lieutenant-Governor, with a tie broken by the General Assembly.

Therefore, an implementation of STV (RCV within multi-member districts) at the General Assembly level would require an amendment to the state Constitution, as would IRV (RCV with instant runoff) for the top two state offices. Other state executive offices do not have this constitutional restriction. In most respects, voting methodologies within the state are under the control of ordinary Delaware law:

ARTICLE V. ELECTIONS

§ 1. Time and manner of holding general election.

Section 1. The general election shall be held biennially on the Tuesday next after the first Monday in the month of November, and shall be by ballot; but the General Assembly may by law prescribe the means, methods and instruments of voting so as best to secure secrecy and the independence of the voter, preserve the freedom and purity of elections and prevent fraud, corruption and intimidation thereat.

9. Resources Available to the Team

- Shared Google drive for collaboration.
- Subject area experts to consult:
 - Dr. Jack Nagel – University of Pennsylvania Professor Emeritus.
 - Rob Richie, President & CEO, FairVote.org
- Academic communities in Delaware... both for subject-area knowledge and for potential interns to help do the work.

10. Goals of Study

Our primary goal is to create greater awareness about alternative voting methodologies among election stakeholders in Delaware.

We may (or may not) come to a consensus position within the Delaware Leagues in support of one or more specific alternative voting methodologies. This is not a primary goal of the study.

We do hope to achieve LWVDE consensus on the conditions or principles under which one election system or voting method is better than another, either via the LWVUS proposed 2020 electoral systems concurrence or by formation of our own separate position statement. Such a position will allow us to act for or against proposed changes to voting methods in Delaware.