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CHARTER REVIEW COMMITTEE IN-PERSON & ZOOM

Wednesday, January 24, 2024, 6:00 PM
Community Auditorium, 1915 Main Street

Open Meeting: All meetings of the Charter View Committee are open to the public and all persons are permitted to attend any meeting. Information on how the public may address the commission is listed below.

Zoom Link:

<https://us06web.zoom.us/j/89049693557?pwd=okdG8ktMQE7QqzU1RSYloc4ArRoj0J.1>

Zoom Meeting ID: Meeting ID: 890 4969 3557 **Passcode:** 223615

COMMITTEE MEMBERS

Isaac Echeverria
Elysha Johnson
Dale Thaler
LaAna Littlefield
Wolanda Groombridge

Bryan Dennis
Tammi McLaughlin
Ashley Driscoll, City Attorney

Adolph Valfre
Tacy Steele
Vacant
Kate MacDonald
Joyce Phillips, Staff Liaison

A. 6:00 Call to Order

B. Public Comment: Anyone wishing to speak on an item not on the agenda or on the agenda and not scheduled for a public hearing may be heard. Please limit comments to three (3) minutes or less. State name and address for the record. All testimony is electronically recorded. **Zoom Attendees:** Please use the "Raise Hand" option. Please introduce yourself and ask your question or provide your comments.

C. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the remaining Consent Agenda item(s).

1. Review/approve meeting minutes from December 13, 2023

D. Additions/Deletions

E. Discussion Items

1. Meeting Decorum
2. CRC Conversation - Timeline
3. 1.18.2024 Meeting recap

- Section 32 – Filling vacancies language
- How voting currently works in FG
- RCV – Single Winner & Proportional
- Implementation of RCV
- Oregon Ballot Measure 2004 (Nov. 2024)

4. Ranked Choice Voting
 - Charter vs. Ordinance
5. CM Residency Requirements

F. Reports

N/A

G. Future Agenda Items: Residency Requirement, Draft Final Report

H. Adjournment

*The public can observe the meetings **LIVE** on **Zoom** or in person in the Community Auditorium.*

ADA Notice: *In accordance with the Americans with Disabilities Act (ADA), the City of Forest Grove will make reasonable accommodations for participation in the meeting. Requests for assistance can be made by contacting the City Recorder's Office, 503-992-3235, at least 48-hours in advance of the meeting.*



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**Charter Review Committee
Meeting Minutes**

**January 18, 2024
Zoom & Community Auditorium**

Minutes are unofficial until approved by CRC.

1. Called to Order

The meeting was called to order at 6:01 PM.

Present: Ashley Driscoll, City Attorney, Joyce Phillips (staff liaison), Tacy Steele, Elysha Johnson, Dale Thaler, LaAna Littlefield, Adolph “Val” Valfre, Tammi McLaughlin, Kate MacDonald, Bryan Dennis

Absent: Wolanda Groombridge, Isaac Echeverria

2. Public Comment: N/A

3. Consent Agenda: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Committee members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the remaining Consent Agenda item(s).

1. Approve/review meeting minutes from the December 27, 2023 meeting – approved

4. Additions/Deletions: None.

5. Discussion Items – Meeting decorum was presented and reviewed. The CRC updated timeline was discussed. The next meeting dates of January 24, 31, and February 14 were mentioned regarding discussing Ranked Choice Voting and the CM Residency.

a) 12.27.23 Meeting Recap

- Term of Appointment
- Appointment Procedure
- No term limits
- Amendments to Vacancies

b) CRC Conversation Timeline

- Substantive Areas to Cover: Ranked Choice Voting and Residency Requirements.

- The timeline was discussed to outline the meeting schedule:
 - o January 24, & 31
 - o February 14 & 28 (Public Hearing on 28th)
 - o March 13 & 27 (Public Hearing on 13th & Final Meeting On 27th)
 - o April – to Council

c) Section 32 – Filling Vacancies Language

- (a) A Mayor or Councilor vacancy will be filled by appointment by a majority of the remaining Council members, **notwithstanding any quorum or voting requirements of this Charter.** ~~The term of office for the appointee runs from appointment until expiration of the term of office of the last person elected to that office.~~
- (b) **The appointee’s term of office shall begin immediately upon appointment and qualification and shall continue until after the next general election is certified by county election officials; and if the term of office does not then expire, the remainder of the term shall be filled by election at such general election.**
- (c) **The Council must adopt by ordinance a process for appointing members to vacant council positions.**
- (d) If a disability prevents a Council member from attending Council meetings or a member is absent from the City, a majority of the Council may appoint a Councilor pro tem.

d) How Voting Currently works in FG

- General election – three council seats filled
- Separate contest every four years for Mayoral seat
- Selection of three candidates from the total pool
- Zero ranking with no minimum thresholds
- The top three candidates with the most votes are elected
 - o Example of three open seats with 100 total votes presented and discussed.

e) Ranked Choice Voting – Implementation Options

- Can be implemented through an ordinance
- Or through a Charter amendment

f) Ranked Choice Voting - Background

- Single Winner RCV
 - o To select a consensus candidate with broad support – needs over 50% to win
- Proportional RCV

- More complicated. The threshold would be 25% + 1 vote
- Several videos were presented and a round table discussion, reviewing election history of Forest Grove, answering questions and discussing both Single Winner RCV and Proportional RCV.
- Proportional RCV
 - Option #1 – the Surplus/Transfer/Minnesota Method
 - Option #2 – Bottoms up
 - If a candidate wins more votes than they need (above the threshold) they are elected
 - If other candidates do not reach the threshold
 - The active candidate with the fewest votes is defeated
 - Votes counted for defeated candidate are transferred to each ballot's next highest ranked active candidate and
 - A new round of vote tallying begins with ballots retallied
- How to Implement RCV
 - The threshold is determined by the number of positions open
 - Specific instructions would be provided to the County on how FG would execute its election
- Implementation - RCV
 - If the voter approves the RCV charter amendments, Council would need to evaluate if a new chapter of the FGMC is necessary
 - Amendments should be effective no sooner than the 2026 election (Ashley's recommendation)
 - Council and City staff will have 2 years to adopt a new code chapter, and coordinate the ballot and election process while implementing a public education program
 - City obligations vs. County obligations

g) Oregon Ballot Measure HB 2004 (Nov. 2024)

- November 2024 election
- If approved, the law would authorize cities, counties, school districts, other local governments to use ranked-choice voting for local elections unless home rule charters preempt. Would require a program to educate voters on RCV.
- Would take effect January 1, 2028
- If RCV amendments are on the November 2024 ballot, could create confusion for FG voters
- If HB 2004 passes, the state would pay for the education campaign

h) CRC Questions

- a. Do we need to consider RCV? Consensus – Yes
- b. Should RCV be amended in Charter? – still too many unanswered questions, more discussion necessary
- c. Single RCV for electing Mayor? Consensus – Yes
- d. RCV in the Charter vs. an Ordinance? Need more discussion
- e. Proportional vs. bottoms up – More discussion necessary

i) Next Meeting

- Ranked Choice Voting continued
- CM Residency requirement

j) Meeting Schedule

- Every 2nd and 4th Wednesday at 6:00 PM
- Next meeting on January 24, 2024
- Upcoming meeting dates: January 31 and February 14

6. Adjournment and Announcement of Next Meeting: The meeting adjourned at 7:52 p.m. The next CRC meeting will be held on Wednesday, January 24, 2023, at 6:00 p.m.

Respectfully submitted,

Joyce Phillips, Staff Liaison

Agenda

Meeting Decorum

CRC Conversation Timeline

1.18.24 Conversation Recap

- Section 32 - Filling Vacancies Language
- How Voting in FG
- RCV – Single Winner & Proportional
- Implementation of RCV
- Oregon Ballot Measure 2004 (Nov. 2024)

Ranked Choice Voting

- Continued discussion
- Charter amendment vs. Ordinance

CRC Conversation Timeline

Substantive Areas to Cover

- Ranked Choice Voting continued
- CM Residency Requirement

Timeline

1/24/24	Ranked Choice Voting
1/31/24	CM Residency
2/14/24	Additional time (if necessary) Draft Final Report
2/28/24	Public hearing
3/13/24	Public hearing
3/27/24	Final Meeting
April	To Council

FG Charter Review Committee

Section	Title	Yes Change	No Change	Scope of Review Potential Changes	Differences from LOC Model Charter
	Chapter III. Council				
7	Council		X	Geographic representation Qualification of councilors Change of district/ward boundaries	
8	Mayor	X		Role of the Mayor	
9	Council President	X		Role of the Council President	
12	Quorum		X	Instead of making change to Section 12, making a limited exception to the quorum and voting requirements for filling vacancies in Section 32.	FG charter provides the quorum stays the same in the event of vacancies Model charter: "In the event of vacancy due to resignation or other events, the quorum is reduced accordingly."

FG Charter Review Committee

Section	Title	Yes Change	No Change	Scope of Review Potential Changes	Differences from LOC Model Charter
	Chapter IV. Legislative Authority				
16	Ordinance Enactment		X		<p>Section (b) requires 5 votes to pass; model charter provides for a majority of the quorum</p> <p>Section(c) requires all substantive amendments be read aloud at the meeting; model charter provides that substantive amendments just need to be available in writing to the public before the council adopts the ordinance at that meeting</p> <p>NOTE: this was discussed and changed during the last Charter review</p>
	Chapter V. Administrative Authority				
19	Resolution Adoption	X		Can be read aloud or made available in writing prior to adoption	
	Chapter VI. Quasi-Judicial Authority				
22	Order Adoption	X		Any substantive amendments are either read aloud or made available in writing prior to adoption	Section(b) requires all substantive amendments be read aloud at the meeting; model charter provides that substantive amendments just need to be available in writing to the public before the council adopts the ordinance at that meeting
24	Councilors			Term Limits Review Proportional RCV Single Winner RCV	

1.18.24 CRC Conversation Recap

- Section 32 – Filling Vacancies Language Review
- How voting currently works in FG
- RCV – Single Winner & Proportional
- Implementation of RCV
- Oregon Ballot Measure 2004 (Nov. 2024)

RCV Continued Discussion

- Charter amendment vs. Ordinance
- Costs
- RCV successes & failures

Questions for Charter Review Committee

- Does the CRC want to explore amending the Charter to include RCV?
- If yes, does the CRC want to provide a simple amendment or a proscriptive amendment regarding the type of RCV?
- If the CRC wants to provide a proscriptive amendment, which type of RCV does the CRC prefer?
- Does the CRC want to request the Council look into an ordinance after the 2024 election?

CM RESIDENCY – Forest Grove

The Manager need not reside in the City at the time of employment, but must within six months become and remain a resident of the City while appointed as Manager. A majority of the Council may modify the contract to extend the time to comply.

CM RESIDENCY – LOC Model Charter

The Manager need not reside in the City (54)

54: If the city wants the charter to require the manager to live in the city, the following may be added: “but must become and remain a resident of the city while manager.” In the alternative, if a residency requirement is desired but is not practicable due to a housing shortage or other condition, the following may be added: “but must live within 30 miles of the city.” Either requirement can be imposed more flexibly by ordinance or contract.

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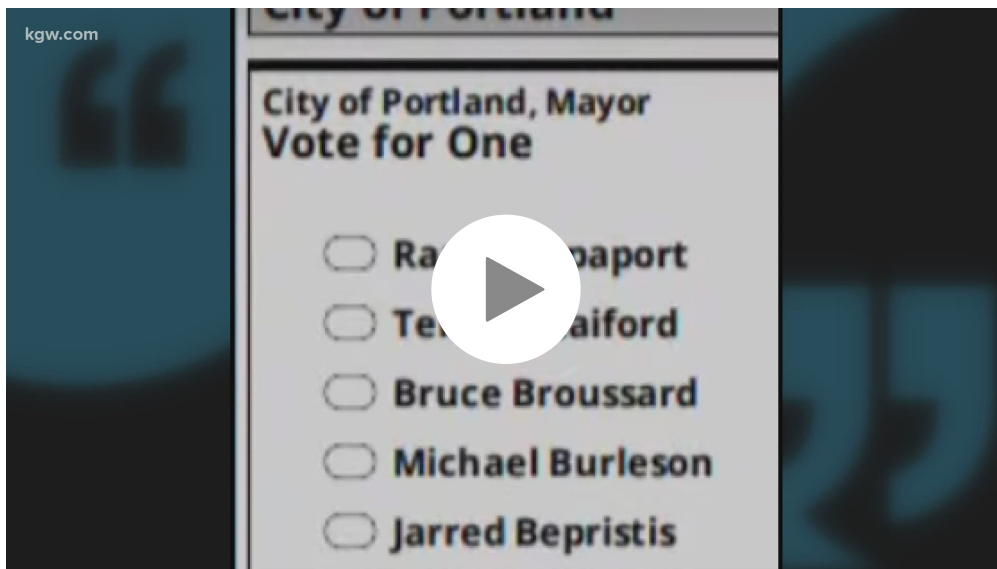
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POLITICS

'More choices and power' for voters: Ranked-choice voting implemented in Oregon county

Ranked-choice voting debuted in Oregon in Benton County, and ballot measures to implement the system were passed in cities across the country.



Author: **Hanna Merzbach**
Published: 4:20 PM PST November 11, 2020
Updated: 6:03 PM PST November 11, 2020



PORTLAND, Ore. — This election season, ranked-choice voting, or “RCV,” debuted in Oregon, in Benton County’s commissioner races, and ballot measures to implement RCV were passed in cities across the country.

This voting system allows voters to rank their candidates by preference when there are two or more names on the ballot.



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If no one candidate has a clear majority, the least-preferred candidate will be eliminated, and those votes will be reallocated to the voters' second choice candidate. This process continues until one candidate has over 50% of the votes.

In a time of political polarization, RCV has become increasingly attractive as a means of building consensus and electing candidates that are most acceptable to the widest number of people.

In Benton County's two county commissioner races, both Democratic candidates — Xan Augerot and Nancy Wyse — won a clear majority of the votes, so there was no need to identify voters' second preferences.

State Rep. Dan Rayfield, who championed RCV in Benton County, said that even though voters' second preferences did not come into play this time, this voting system gives elected officials a way to better understand their electorates.

"The mere fact of having ranked-choice voting really gives elected officials the ability to see where the voters are at, like with the values of what they like to see reflected in their government," he said.

RELATED: ['Citizens deserve to have a responsible government': Oregon City ousts its mayor](#)

According to Rayfield, the new system encouraged more diverse candidates to enter the races without worrying about spoiling the vote for other candidates.

Libertarian, Pacific Green and Progressive party nominees were on the county's ballot. And in the county commissioner position 2, the Pacific Green Party candidate won nearly 10% of the vote, compared to the Democrat's 59% and the Republican's 31%.

Critics of RCV say that the system could confuse voters and make them do more research. But Rayfield said that, in Benton County, voters understood the system and enjoyed the freedom.

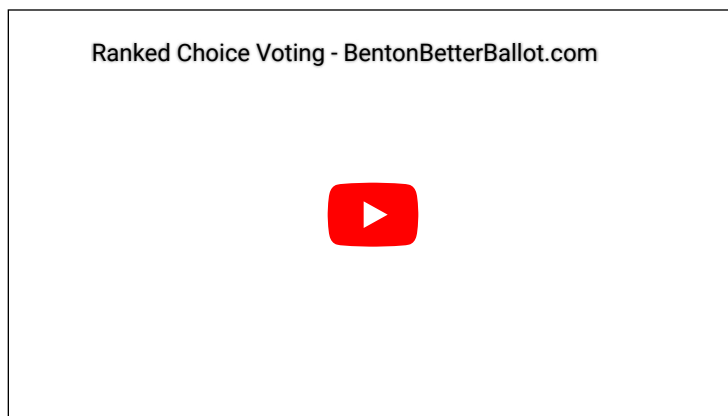
"Voters feel like they have more choices and power in the system," he said.



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This is the county's first implementation of the recently passed Measure 2-100, which installed RCV for county races by a 54.18 to 44.82% margin in 2016. RCV will be used next in Benton County's 2022 commissioner races.



Rayfield and attorney Blair Bobier co-petitioned the measure in Benton County.

"We wanted to have a local example of what it could look like in Oregon and get other folks in Oregon excited about it," Rayfield said.

Rayfield and Bobier hope to expand RCV to local and municipal races in Benton County and put forth statewide measures in the 2021 legislative session.

They are currently working with communities and organizations, like Next Up Oregon and the Northwest Public Health Foundation, to reach common ground on voting solutions.

"We don't want to force a solution on an electorate or communities that aren't necessarily excited about it," Rayfield said.

They could potentially try to implement RCV in party primaries in Oregon, where candidates often win by less than 50%.

They are also interested in applying RCV to statewide nonpartisan races, which typically have low turnouts in the primary and could instead be shifted to general elections where voters list their preferences.

RELATED: [VERIFY: Can the Electoral College change the 2020 election results?](#)

Rank choice is used on the federal level in only one state — Maine — but is used on the local level in cities like San Francisco; Cambridge, Mass. and St. Paul, Minn. RCV will be implemented with New York City's local elections in 2021, and it has been championed by candidates like Andrew Yang and Elizabeth Warren.

This election season, Massachusetts voters rejected a ballot initiative that would have implemented RCV in the state. And in Alaska, with absentee votes still being counted, voters is still out on a measure to implement RCV on the federal level.

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But, different versions of RCV were passed in cities across the country: Albany and Eureka, California; Boulder, Colorado; and Bloomington and Minnetonka, Minnesota. RCV will be implemented in the cities for various local elections.

Versions of this system are used on the national level in Australia, Ireland, Malta and Papua New Guinea. But, in the U.S., this kind of voting has historically gained traction in times of political polarization and fragmentation.

Rayfield said this voting system is a potential way to build trust in the electoral process.

“When you're electing folks with less than 50% of the vote and you have what we would typically call spoiler candidates, that erodes that trust in the system,” Rayfield said. “The more that we can empower folks within our system, give them more choices, more control, I think that is how we start strengthening the foundation of democracy.”

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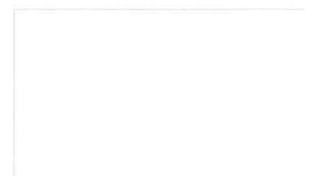
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ALERT TOP STORY

A closer look at ranked choice voting in Corvallis

Cody Mann

Jan 22, 2023



Corvallis city elections featured ranked choice voting for the first time in 2022, leaving some voters with questions about how the system works and where it came from.

Fans of ranked choice say it gives voters better, more inclusive representation and less polarizing campaigning as candidates need broad appeal for a final victory. It may also save money by eliminating runoff elections.

But opponents will say the voting method is unnecessarily complicated, or it leaves more room for errors or fraud.

Under ranked choice, voters choose candidates in order of preference. If nobody gets more than 50%, the one with the fewest first-choice votes is eliminated. Those votes go to the candidates listed as a second choice. The process continues until one candidate has the majority.

The counting process can take hours for some communities. Those with mail-in voting such as Oregon may wait days or weeks for results. In Corvallis, **voters waited three weeks** for final results in two ranked choice elections.



During a tour of the department, Records & Elections Director James Morales shows off a vote tabulator at Benton County's Kalapuya Building, where elections work now takes place.

Andy Cripe, Mid-Valley Media

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The reason for the delay on ranked choice tabulation was to assure all the ballots were in before calculating votes, to keep the process from getting tripped up on itself, said James Morales, Benton County Records & Elections Department director. Calculating results before everything is processed could be misleading, he said.

The period before releasing final results had previously been two weeks, Morales said, but it was extended another week because mailed ballots postmarked on or before Election Day can now be counted. The time allows voters with challenged ballots — those that might not be counted — to remedy the issue.

The department has relocated to the county's Kalapuya Building from the county courthouse, giving staff and election board members more room to maneuver and increased storage. In a tour of the department, Morales pointed out multiple layers of security and accountability for the ballot delivery, sorting and counting process.

“We’re auditing ourselves the whole way through because we want everything to balance when it’s all said and done,” Morales said.

Auditing, providing tours, working with election observers — none of that is new for Morales. But with heightened election awareness and in some cases denialism, Morales is finding recently that some people still don't trust the system.

“In the past, whenever we have shown someone what we do, as best as we possibly can, they usually come away saying it's a pretty solid process,” he said.



In the county's new records storage area with staff members James Morales and Darla Rush during a recent tour of the Records & Elections department.

Andy Cripe, Mid-Valley Media

The hardest aspect for anyone adopting ranked choice, Morales said, is verifying machines and software are counting ballots as intended. He said Benton County has taken as simple an approach as possible to the complex system of ranked choice voting to make sure it works as intended.

Corvallis outcomes

Two Corvallis races featured three-candidate ranked choice voting in the November election: mayor and Ward 9 (northeast). Voters waited three weeks to find out Mayor Charles Maughan and Councilor Tony Cadena had won their positions.

Early election results showed a tight race between two mayoral hopefuls: former Ward 2 (downtown) Councilor Maughan and Council Vice President Andrew Struthers of Ward 9. A third contender, former Ward 2 Councilor Roen Hogg, had considerable ground to make up for a win.

Unofficial results on Election Day had Maughan slightly ahead at 38%, with Struthers at 34% and Hogg at 26%. With no outright winner, voters' **second choice candidates came into play**. After tabulating second choices from Hogg supporters, final results put Maughan at 50.09% of votes, with Struthers at 49.91%, separated by just 34 votes.

Results were cleared in the Ward 9 election, where **three novice candidates** sought to represent northeast Corvallis: **Cadena, Nyssa Towsley** and **Cliff Feldman**. The seat became a free-for-all when Struthers decided to vacate it for a mayoral run.

Election Day results showed Cadena leading the pack with 44.1% of the vote, trailing by Towsley at 33.2% and



The new elections office in the Kalapuya Building in southwest Corvallis has more space for storage.

Andy Cripe, Mid-Valley Media

Feldman at 22.2%. Final results three weeks later showed Cadena with a clear victory at 57.5% of votes. Towsley had 42.5% after Feldman supporters' second choices were distributed.

Corvallis City Council members **approved ranked choice** in January 2022, following in the steps of Benton County, where voters passed a measure installing ranked choice in 2016.

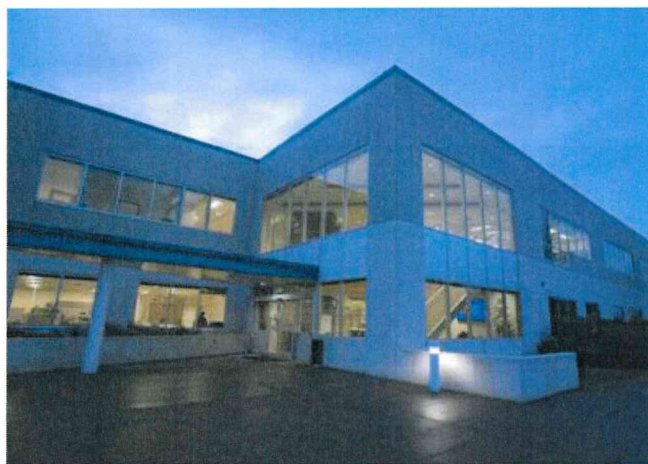
Benton County first

Benton County conducted **the first election in Oregon using ranked choice** voting in 2020, but it proved not to play a factor in the **two races for county commissioner**. **County voters passed Measure 2-100 installing the system** by 54% in 2016.

Both Democratic incumbent Xan Augerot (58.7%) and Democrat Nancy Wyse (63.6%) easily bested the 50%-plus that is required to prevent voters' second and third choices from playing a role.

Republican John Sarna took second behind Wyse with 31.9% of the vote. Libertarian Cory Sedar was third at 4.2%. Republican Tom Cordier was second behind Augerot at 31.1%, with Pacific Green candidate Mike Beilstein third at 9.9%

County voters adopted ranked choice in large part because of efforts by state House Speaker Dan Rayfield, D-Corvallis. Rayfield was a chief petitioner for the initiative along with Blair Bobier, a Corvallis-based attorney and president of Oregon Ranked Choice Voting Advocates.



The Records & Elections Department is located on the second floor of the Benton County Kalapuya Building 4500 SW Research Way in Corvallis.

Andy Cripe, Mid-Valley Media

The standard system rewards candidates who win just a plurality but less than 50% of votes, Rayfield said previously, adding that it happens a lot in primaries.

Rayfield and other ranked choice backers say that the two-party system works against third- and fourth-party candidates because voters often have to choose between voting for the candidate they really like or picking one of the major candidates as the “lesser of two evils.”

Opposition to ranked choice

The traditional majoritarian election system is good for parties and politicians, a **National Review article asserted** in June 2021, calling ranked choice a product of left-wing hostility towards elections, the Electoral College and the two-party system.

“Traditional majoritarianism reduces polarization, creates strong candidates, and gives voters a recognizable opposition that can be called upon when necessary,” the author wrote.

A majoritarian approach acts against smaller, more radical parties, instead pushing candidates towards the middle, according to the author, who adds that U.S. elections are candidate-driven, giving voters clear choices about the nation’s direction.

Weak candidates produced by ranked choice never truly command a majority, so they must win by cobbling together voting blocs to reach a majority, the National Review article states.

An opinion piece **published online by The Hill** in October criticizing ranked choice claiming the method’s growing popularity stems from allowing candidates with extreme political views and narrow bases of support to run in elections without



James Morales, Records & Elections Department director, describes how the office handled ranked choice voting in the recent election.

Andy Cripe, Mid-Valley Media

acting as a spoiler for one of the major party candidates.

The opinion's authors suggest ranked choice plays to extremists when the electorate is polarized, giving the example of a three-person race in which the moderate candidate may be preferred to each of the more extreme candidates by a majority of voters.

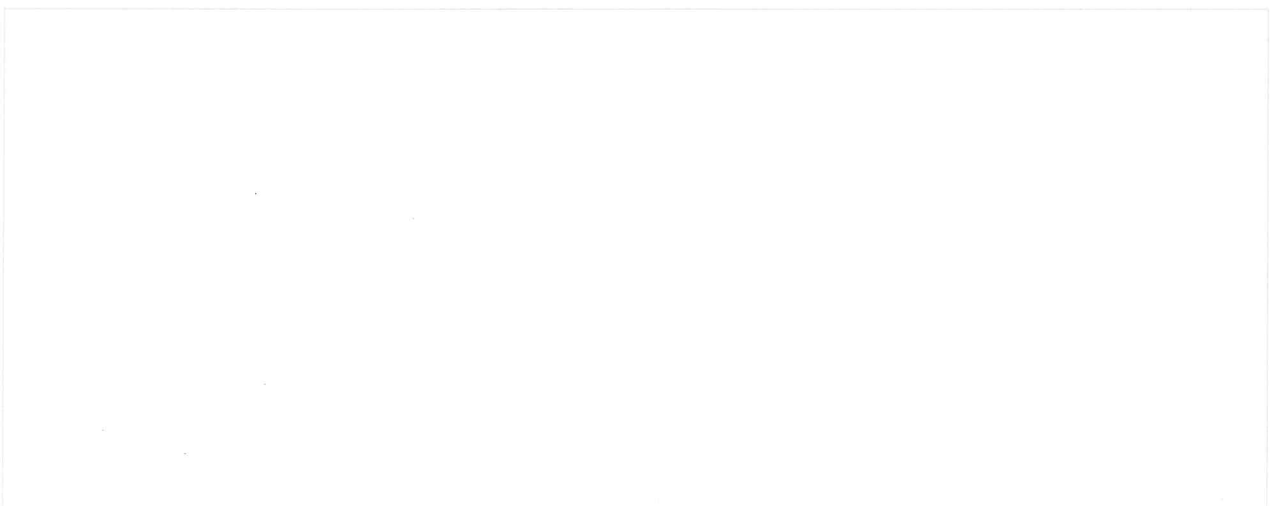
Voters with far-left and far-right views would rank the moderate in second place rather first, the authors wrote. Because ranked choice counts only the number of first-choice votes, the moderate candidate would be out in round one, leaving only the extremist candidates from either side.

Growing national trend

Ranked choice is growing nationwide, **according to Stateline**, which reported in December that 62 jurisdictions in the U.S. have adopted the voting method, including Alaska and Maine for state races and New York City at the local level.

In the coming years, the number of jurisdictions using ranked choice could be 10 times that through state legislation and ballot initiatives, according to Deb Otis, director of research at FairVote, a nonprofit advocating for national ranked choice voting.

While some Republican officials criticize ranked choice, particularly after GOP losses in Alaska and Maine, the system is used in some right-leaning jurisdictions, including 23 towns in conservative Utah.





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How outcomes might change

Ranked choice proponents say that the standard system works against third- and fourth-party candidates because voters often have to choose between voting for the candidate they really like and picking one of the major candidates as the “lesser of two evils.”

Examples of how ranked choice voting could have changed outcomes can be found in election history:

- In the May 2020 Democratic primary for secretary of state, Shemia Fagan won with 36.23%, edging Mark Hass by 4,450 votes out of more than 578,000 cast. And Jamie McLeod-Skinner finished third with 27.55%. Under ranked choice it would have taken just a moderate edge in No. 2 votes for Hass to pass Fagan.

- In the May 2020 Republican primary for District 5, four candidates received 18% of the vote or more, with Cliff Bentz triumphing at around 37%. Ranked choice could have shown a different outcome for Knute Buehler and Jason Atkinson, who finished second and third behind Bentz, with about 26% and 23%, respectively.
- Other examples include the 2000 presidential election between George W. Bush and Al Gore. In the crucial state of Florida, polls showed that 60% of voters supporting Green party candidate Ralph Nader would have supported Gore in a two-person race. And history might have changed.

And then there's the 1992 presidential race in which Democrat Bill Clinton received 43%, Republican incumbent George H.W. Bush 38% and independent Ross Perot 19%. To crunch the numbers another way 57% of voters rejected Clinton and 62% of them said no to Bush. Ranked choice could have told a different story.

- **More Corvallis news**
- **More Benton County news**

Cody Mann covers the cities of Corvallis and Philomath. He can be contacted at 541-812-6113 or Cody.Mann@lee.net. Follow him on Twitter via @News_Mann_.

Around The Web



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1 Tsp of This Rice Liquifies Fat Cells Almost Overnight (Watch Now)

North to the future? Alaska's ranked choice voting system is praised and criticized nationally

By **Yereth Rosen, Alaska Beacon** - September 19, 2023



Former Gov. Sarah Palin listens as Democratic candidate Mary Peltola speaks at an Aug. 31, 2022, candidate forum held by the Alaska Oil and Gas Association. (Photo by Yereth Rosen/Alaska Beacon)

Alaska's ranked choice voting system, which was in place for victories for the first Democratic U.S. House member in half a century and the reelection of one of the last remaining moderate Republican U.S. senators, has become a test case for a nation struggling with political polarization.

To fans, Alaska's system shows how voters can reduce extremism and increase civility in government. To detractors, it is an overly complex system that fails to reflect true voter preferences and harms loyal party candidates, especially conservative Republicans.

As more states and municipalities consider adopting ranked choice voting, Alaska's experience is getting increased scrutiny.

"Alaska is looked at as a model," said Tiffany Montemayor, a former Alaska Division of Elections official who helped carry out the system during the 2022 election. Montemayor now lives in Texas and just started a job with the [national Ranked Choice Voting Resource Center](#).

One reason that Alaska is a model, she said, is that the state was the most recent jurisdiction to roll out the system and operate it through an election cycle.

"It was successful there – not trying to be biased," she said. Even if it had not been successful, she said, Alaska's system would have been examined as a case study of what not to do, she said.

The system involves an open primary election, through which the top four vote-getters advance to further consideration. In the general election, voters have the option of ranking up to four candidates. If a candidate in the first count has a majority of the first-preference votes, they win. But if not, the trailing candidates' votes are reassigned to their voters' next preferences until there is a winner.

The system got plenty of attention well before Alaska's votes were tallied. To observe Alaska's 2022 election experience up close, Montemayor said, several observers from elsewhere came to the state last year. One was a [political science professor from Australia](#), a country where ranked choice voting has been in use for more than a century.

The national spotlight intensified after what was seen by some as a surprise victory by Democrat Mary Peltola in an August special election to fill the remainder of the term of Rep. Don Young, a Republican who held the seat for 49 years until his death on March 18, 2022. Peltola, the first Alaska Native to serve in the U.S. House, won a full term in November. In both August and November, she bested former Gov. and GOP vice presidential candidate Sarah Palin, the second-place finisher.

Supporters outside of Alaska, like former presidential candidate Andrew Yang, laud the system for forging compromise.

"Think our politics stink? Look north – to Alaska," was the headline of a July [essay](#) by Los Angeles Times columnist Mark Barabak. He cited not just Peltola's victory but that of Sen. Lisa Murkowski, a "relatively moderate mainstream Republican" who beat "a MAGA fundamentalist trying to avenge Murkowski's vote" in favor of impeaching former President Donald Trump, a reference to Republican candidate Kelly Tshibaka.

But once Peltola won the special election, [criticism began pouring in](#) from the Lower 48.

Trump, who came to Alaska to campaign for Palin and Tshibaka, [bashed it](#) as "a totally rigged deal." Sen. Tom Cotton, R-Arkansas, called it "a scam to rig elections. Sen. Ted Cruz, R-Texas, in a September 2022 [podcast](#) said the system was "designed to rig the election" and "make it incredibly difficult to elect a conservative."

"I gotta say it sucks for Sarah Palin. Sarah Palin is a friend of mine," he said. "And it sucks even worse for the people of Alaska."

Palin and Tshibaka have become headliners in an initiative campaign seeking to repeal the ranked choice system. That campaign itself has been controversial, with the Alaska Public Offices Commission [finding](#) that a group opposing ranked choice voting had committed multiple violations of state law, including an illegal funneling of \$90,000 from a tax-exempt religious organization.

Ranked choice systems expanding in some places, banned in others

Prior to Alaska implementing the new system in 2022, only Maine used ranked choice voting for statewide elections – in its case, just for congressional elections. Last fall, voters in **Nevada approved** the first step toward a system similar to that of Alaska, though a follow-up statewide vote is needed for it to go into effect. Also last fall, voters in King County, Washington, home to Seattle, approved ranked choice voting. That adds the county to a list of other local governments that use it. A ranked choice system has also been used in some states' party primaries.

Campaign signs for the Walker-Drygas ticket, for Lisa Murkowski and for Mary Peltola are displayed together on Oct. 26 at a Midtown Anchorage house. Walker fell far short in his attempt to become governor again, but Peltola and Murkowski, who endorsed each other despite being in different political parties, won their elections. (Photo by Yereth Rosen/Alaska Beacon)

There are now active campaigns elsewhere to adopt the system statewide, including in **South Carolina**, where Yang made a pitch earlier in the year, and **Kentucky**.

But other states have **banned ranked choice voting**, including Florida, Montana, South Dakota and Tennessee.

In South Dakota, for example, state Sen. John Wiik, the prime sponsor of the bill banning ranked choice voting, **pointed specifically to Alaska** as justification. The ongoing initiative campaign seeking to overturn ranked choice voting, he said, is evidence that it should not be used in South Dakota.

In Idaho, state Republican Party Chair Dorothy Moon **asserted in May**, incorrectly, that the Alaska Supreme Court found ranked choice voting system had "significant errors in the hidden tabulation system caused the wrong candidates to advance to the second and third rounds of counting." In reality, the state Supreme Court **upheld** the way the system was administered, albeit with **some criticism**.

Idaho is a special case. After legislators voted overwhelmingly to ban it earlier this year, with the **bill** signed by Gov. Brad Little, there is movement afoot to institute it through initiative. Among the high-profile supporters is **Butch Otter**, a Republican who served three terms as governor.

Otter's role in the campaign for ranked choice voting drew a sharp response from Moon.

"Beyond being disappointing, this endorsement goes to show how out of touch the old guard has become. They are so afraid of grassroots conservatives upending their gravy train that they are joining hands with Democrats to destroy the Republican Party, and destroy Idaho in the process," Moon said in a Sept. 14 [statement](#).

Palin, who was born in Idaho, has become [part of the debate there](#). Last month, the former Alaska governor was a featured speaker at a Republican party event in Idaho Falls. "Sarah knows first hand the dangers of Ranked Choice Voting, and will offer a warning for Idaho," said the [online invitation](#) to the event.

It is a mistake to consider ranked choice voting as left wing, said Anchorage pollster and consultant Ivan Moore. Alaska history belies that idea, he said.

He pointed to Democratic Gov. Tony Knowles' narrow three-way election victory in 1994 and Mark Begich's three-way victory against two Republicans in the 2003 Anchorage mayor's race. Both went on to easy reelections, and Begich served for a term as a U.S. senator. Ranked choice voting, had it been in effect at the time, would have precluded that, he said. "You'd never have had Tony Knowles as governor. You'd probably never have Mark Begich as mayor," he said.

Additionally, some Democratic leaders have opposed ranked choice voting. In 2020, that included Begich, who teamed with former Gov. Sean Parnell, a Republican, to campaign against the ballot initiative. "This ballot measure will have the opposite effect—potentially locking political parties out of the general election, and making Alaskans doubt if their vote even counts," said the Begich-Parnell [statement of opposition](#), which was part of the state's official election brochure.

As Lower 48 advocates on either side of the issue consider the way ranked choice voting affected Peltola and [Murkowski](#), some of the most profound impacts of the new system may have been on the Alaska Legislature.

The system [benefited some Republican legislative candidates](#), but it also helped tilt the state Senate to its current bipartisan coalition. A key result was in South Anchorage, where Republican Cathy Giessel, who previously served as Senate president in a bipartisan coalition, regained her seat against a Republican party-backed candidate who opposed the bipartisan approach. Giessel is now majority leader of a bipartisan coalition holding 17 of the Senate's 20 seats.

Possible repeal in Alaska

Alaska's experience with ranked choice voting may be short-lived, however.

Moore said his polling has consistently shown opposition to the system and support for its repeal. In his most recent poll, he found repeal supported by 54% of respondents, he said. He has not yet conducted a poll about why opponents object to the system, he said.

His polling has also identified a puzzling phenomenon. While Peltola is cited as a beneficiary of ranked choice voting, she is also consistently the most popular statewide politician, by a wide margin. And a third of those who rate her positively are opposed to ranked choice voting, he said.

The ranked choice system supporters should target that slice of Peltola fans, Moore said. "One of the aspects would be, 'You like Mary Peltola. You got her because of ranked choice voting,'" he said.

Lisa Murkowski poses for photos on Oct. 22, 2022, at the close of the Alaska Federation of Natives convention with Joe Nelson and Ana Hoffman, co-chairs of the organization, and with AFN Executive Vice President Nicole Borromeo. AFN endorsed Murkowski for reelection, and the organization also endorsed the reelection campaign of U.S. Rep. Mary Peltola, the first Alaska Native to serve in Congress. Two Murkowski campaign staffers, Grace Jang and Shea Siegert, are using smartphones to take the photos. (Photo by Yereth Rosen/Alaska Beacon)

Montemayor said a vote for repeal would probably be a setback for the national movement "just because it could be misconstrued as, 'OK, it didn't work.'" In truth, she said, the new system worked well, and the objections appear to be driven by politics rather than by the system's efficacy.

"I think there's a side that's vocal about it," she said. "Just because people don't like it or didn't like it doesn't mean that it didn't work."

To Moore, an underappreciated aspect of Alaska's new system is the open primary.

For Murkowski, an unusual Republican who is now more popular with Democrats than Republicans and reviled within her own party, that feature saved her, Moore said. "If she had run in a Republican primary, she would have been, 'You're toast,'" he said.

Over much of Alaska's history, **primaries were open**. From 1947 to 1992, the state used single ballots for primary elections, allowing voters to consider all candidates regardless of party affiliation. After that, ballots were split in various ways, a change driven largely by the state Republican Party. In 2002, voters had to choose from six primary ballots, with candidates separated by affiliation and with choices limited by voters' party registration.

The system then changed to something of a hybrid. In 2004, the number of primary ballots was whittled down to three, with one Republican ballot, one open ballot for non-Republican

candidates and one for ballot measures alone, without any candidates. In each of the elections from 2016 to 2020, there were two primary election ballots, one for Republican candidates and one with all other candidates, as there were no ballot measures being considered in those primary elections.

As with Alaska's ranked choice voting system, there is some **pushback nationally** on open primaries.

This article is part of U.S. Democracy Day, a nationwide collaborative on Sept. 15, the International Day of Democracy, in which news organizations cover how democracy works and the threats it faces. To learn more, visit usdemocracyday.org.

Yereth Rosen, Alaska Beacon

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Alaska House committee advances legislation to repeal ranked choice voting

By Iris Samuels, Anchorage Daily News - January 18, 2024



Rep. Sarah Vance, R-Homer, speaks with Rep. Zack Fields, D-Anchorage on Thursday, Jan. 19, 2023 at the Alaska State Capitol in Juneau. (Loren Holmes / ADN)

The Alaska House Judiciary Committee voted Wednesday to advance a bill that would repeal ranked choice voting and open primaries.

The bill was first **proposed** last year by Homer Republican Rep. Sarah Vance to undo changes to Alaska's voting laws, which were instituted through a 2020 ballot measure **narrowly approved** by Alaska voters.

The committee voted to advance the bill in a 5-2 vote, with all five Republicans in favor and the committee's two Democrats opposed. The measure heads next to the House Finance Committee.

The bill has yet to be considered in the Senate and is likely to face headwinds there, where members of the majority have said they oppose efforts to repeal the voting method.

That 2020 ballot measure had put in place several changes that were first implemented in the 2022 election: It replaced Alaska's closed primaries with open primaries; it put in place ranked choice voting in Alaska's general elections; and it instituted new reporting requirements for political campaign contributors.

Opponents of the changes adopted through the 2020 ballot measure say the new voting laws disadvantage conservative Republicans. Proponents of the new system say it leads to electing politicians who appeal to a wider swath of voters and are more willing to work across party lines.

The original bill brought by Vance would have repealed ranked choice voting and open primaries. Vance proposed an amendment Wednesday — adopted in a 5-2 vote along party lines — to repeal the campaign reporting requirements, as well.

Rep. Andrew Gray, an Anchorage Democrat, called the measure “an attempt to undo the will of the voters” and said the committee had received public comments primarily in support of Alaska’s new voting laws. Gray said the new version of the bill “deliberately obfuscates large campaign donations by allowing donors to hide their contributions behind intermediaries.”

“Did people in your district come to you and say, ‘We like dark money, please increase the role of dark money in Alaska elections?’” Rep. Cliff Groh, an Anchorage Democrat, asked Vance. “Because I met a number of people in my district and around the state who are concerned about the role of intermediaries and dark money in Alaska elections.”

Vance said the measure was a top priority for constituents who had reached out to her.

Rep. Ben Carpenter, a Nikiski Republican, called the term “dark money,” used by supporters of the new reporting requirements, “a scare tactic that doesn’t really mean anything.”

“The reporting requirements don’t make it any more transparent than it was prior,” Carpenter said. “I believe that voters have a buyer’s remorse attitude right now in regards to the ranked choice voting process.”

The Division of Elections estimated that it would cost \$2.5 million for a public information campaign to inform voters that the state had returned to its former voting laws. Vance said she thought less would be needed for the campaign because Alaskans were already familiar with the voting method used before 2022.

Separately, a ballot group is **seeking to repeal** Alaska’s open primaries and ranked choice voting laws through a ballot initiative in the 2024 election. Leaders of that group recently filed their petition to the Division of Elections. If approved by election officials, the repeal question would appear on the 2024 ballot, but it would not address the new campaign reporting laws.

If lawmakers approve a bill to repeal ranked choice voting and open primaries by the end of the session, it could make the ballot question unnecessary.

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Iris Samuels, Anchorage Daily News
