

**Vermont Municipal Clerks & Treasurers Association (VMCTA)
Legislative Committee**

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Re. S.32 Ranked Choice Voting

Thank you for inviting me to share VMCTA's thoughts around S.32, the proposed Ranked Choice Voting bill.

This morning VMCTA sent a poll out to its members on the draft bill, as the draft just became available yesterday. While we don't have those poll results yet, we can say that the following concerns are virtually universal:

1. Development of election processes and procedures, and training election workers.
2. Development and implementation of voter education programs.
3. Timing of implementation.

1. Processes and Procedures, and Election Worker Training.

I've read through the bill, and it's long on theory and short on details. Sec. 3 is one sentence long and says, in part, "The Secretary of State shall...provide to election officials training in order to assist them in implementing that [RCV] process.'

That doesn't begin to capture what will be involved.

- Changes to the statewide election management system, which is scheduled to be replaced with a new system in the near future, requiring significant training.
- Education on the new ballots and election day processing – how to read them, how to explain them to the voters, how to deal with early voting and defective ballots. What constitutes a defective ballot, and will they be curable? Will there be conflicts between processing town meeting (local) elections simultaneously with the presidential primary election? Will separate tabulators be needed to process local election ballots and primary ballots (for those towns that use tabulators)?
- Ballot tallying – how to interpret the tabulator tapes. How to record/report the results. What's the process for the next rounds – will ballots need to be transported to central locations for additional tabulation? What's the process for hand count towns (approximately 100)?
- Post-election reporting and storage – will the process continue for several days after the election? How will handling the presidential primary ballots integrate with the clerks' required post-town-meeting duties? Will there be conflicts between finalizing the two separate elections?
- Training election officials – how much time will be available to train election officials on the new systems? How much time will be available for election officials to pass that training along to their BCA members and other poll workers?

2. Voter Education.

There's an example of a ranked choice ballot in your committee documents, and it looks quite different from our current ballots. There will need to be a significant amount of time and resources spent educating voters on how to vote, why we're voting RCV and the rationale behind it, and when and how we'll see the election results. Such an extensive education program is covered in the other half of the sentence that makes up Sec. 3 of the bill, which reads, "The Secretary of State shall make available to voters information regarding the ranked-choice process..."

This language doesn't take into consideration that voter education will require much more than just "...mak[ing] information available...". Just posting flyers on a website or spreading word through social media won't adequately prepare voters for this entirely new way of voting.

I share an example with you from last November's general election. The ballot included two constitutional changes. These changes had worked their way through the long process of legislative approval over multiple bienniums, followed by quite a bit of press and public outreach leading up to the election. On election day I had at least 10 voters come up to me, carrying their ballot and asking, "What's this all about?" They didn't understand the way the articles were printed on the ballot – what was meant by the bold/underlined language and the strikeout

language. I spent time with each of them, walking that fine line between educating the voter on the process while not inadvertently influencing their vote. I can see that happening over and over again with a ranked-choice voting ballot, if adequate time isn't spent on voter education.

Which brings me to our final concern:

3. Timing of implementation.

That single sentence that makes up Sec. 3 doesn't begin to capture what would be involved in developing procedures and training election officials, and building and implementing a voter education program. There is not enough time between the possible approval of this bill and the 2024 presidential primary.

Under the current national political climate, it seems unwise to rush a change such as this. Would RCV be accepted by voters as a transparent process without adequate training? If voters aren't thoroughly educated on the why and how, will there be pushback and distrust? Isn't it worth taking the time necessary to build robust education and training programs?

You'll hear later today from Burlington about their November city councilor election, which was conducted using ranked-choice voting. I won't steal their thunder, but will point out that they had well over a year and a half between the time the voters approved the charter language in March 2021, and its implementation in November 2022, to create and implement their training and education programs. And this was for one council district seat in one city; not an election being conducted statewide.

Conclusion

As I mentioned at the beginning of my testimony, I am not commenting on the concept of ranked choice voting. We have issued a poll to the VMCTA members, and I look forward to sharing their responses with you in the near future.

I can say with surety that ranked choice voting would be a significant change in election procedures for the voters and election officials throughout the state. If RCV becomes law, there needs to be sufficient time to develop procedures and train election workers, and to create and implement voter education initiatives. We cannot shortchange or sidestep these vital components to rolling out such a significant change in election procedures. And putting them in place for the March 2024 primary is not a reasonable expectation.

Thank you for your time. Please feel free to reach out to me at any time with any questions or for further discussion.