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Testimony from:  
Matthew Germer, Elections Fellow, R Street Institute

**In OPPOSITION of SB 1265, “An Act relating to voting”**

February 6, 2023

Senate Elections Committee

Chair Rogers, Vice Chair Bennett and Members of the Committee:

Thank you for considering my testimony. My name is Matthew Germer, and I conduct research on election reform for the R Street Institute, a nonprofit, nonpartisan public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government across a variety of policy areas, including election reform. This is why Senate Bill 1265 is important to us.

When it comes to election reform, state legislatures should be focused on improving the voting experience for all eligible voters while ensuring trustworthy elections conducted by local election administrators. Senate Bill 1265 undercuts these principles by prohibiting localities from using ranked-choice voting (RCV) to conduct their elections.

In an RCV election, voters express their preferences by rank-ordering the candidates. Voters answer more than just “who is your favorite candidate?” Rather, they answer “how do you feel about each candidate relative to the others?” The difference between these questions may seem subtle, but the result is substantially more voice for the voter. If voters are comfortable with more than one candidate, they can say so. If they prefer a lesser-known candidate, they can show support without worrying about the spoiler effect. And because the RCV vote-tallying system continues until one candidate reaches majority support, voters have more opportunities to contribute to that victory.<sup>1</sup> In short, RCV empowers voters.

Importantly, RCV is able to provide these benefits without substantial drawbacks. Concerns over “disenfranchisement” are unfounded and do not hold up to scrutiny.<sup>2</sup> Under RCV, voters are empowered to vote for as few or as many candidates as they wish. If a voter chooses to vote for only one candidate and that candidate turns out to be unpopular, their vote means no less under RCV than it does under a winner-take-all system. In fact, RCV most benefits these very voters by offering them the chance to rank additional candidates and contribute to the final outcome of the election. RCV gives all voters more power, not less.



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Senate Bill 1265 is particularly concerning because it undermines limited-government principles by restricting local control over local elections, and in doing so strips power away from voters. While it is understandable to have concerns about adjusting the way votes are cast and counted, the conservative approach should be to let each locality decide for itself how to select its leaders.

We encourage Arizona to take a similar approach to Utah, which has allowed its localities to experiment with RCV to great success. Overwhelming majorities there show satisfaction with the system and found it easy to use.<sup>3</sup>

Unfortunately, SB 1265 prevents Arizonans from ever choosing to enjoy the benefits of RCV in their own cities and counties. Accordingly, we encourage the Legislature to uphold conservative principles and oppose this bill.

Thank you for your time,

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<sup>1</sup> Matthew Germer, "Restoring Losers' Consent: A Necessary Step to Stabilizing Our Democracy," *R Street Policy Study* No. 240, September 2021. <https://www.rstreet.org/wp-content/uploads/2021/09/Final-No.-240.pdf>.

<sup>2</sup> "Ranked-Choice Voting," Lawyers Democracy Fund, last accessed Jan. 31, 2023. <https://lawyersdemocracyfund.org/other-issues/ranked-choice-voting>.

<sup>3</sup> Robert Gehrke, "Polling shows the public liked ranked choice voting, but Robert Gehrke explains why expanding it might be tough," *The Salt Lake Tribune*, Nov. 15, 2021. <https://www.sltrib.com/news/politics/2021/11/15/polling-shows-public>.