

**PUBLIC TESTIMONY OF JANINE MIGDEN-OSTRANDER**  
**ON SENATE BILL 63**  
**BEFORE THE SENATE GENERAL GOVERNMENT COMMITTEE**

Chairman Roegner and Members of the Senate Committee,

I am testifying here today on behalf of myself as a resident of the State of Ohio, to oppose Senate Bill 63. My testimony will cover the following points:

1. Given that rank choice voting cannot occur without enabling legislation, legislation to prohibit something that does not exist, is unnecessary.
2. Should Ohioans decide they are interested in rank choice voting, it is a reasonable option that should be explored at that time.
3. How rank choice voting works
4. Educating Voters
5. Some of the benefits of rank choice voting include:
  - a. Providing customers with more choices in a simple mechanism by ranking the candidates;
  - b. Alleviating legislators of the worry of being “primaried” in the event they vote against leadership and in accordance with what its constituents may want; and,
  - c. Providing greater opportunities for more centrist candidates to be elected over the extremists from both parties.

**1. Senate Bill 63 Is Unnecessary at this Time**

In the absence of a law permitting Rank Choice Voting (RCV) on a statewide level, passing such a law is unnecessary. It would be like passing a law that says dinosaurs are not allowed in state parks, when there are no dinosaurs. The legislators’ time and the taxpayers’ money could be better spent on more pressing issues that are real and impacting every day Ohioans, like housing, transportation, and medical coverage, for example. Ohioans are fond of the adage, “if it’s not broken, don’t fix it.” There is nothing broken here, so please do not try to fix it.

**2. Rank Choice Voting Is a Reasonable Option that Ohioans Should Consider in the Future**

At this time, passing a law to prohibit RCV makes no sense since it has not been implemented. Moreover, the door should be left open to permit citizens to discuss and consider this option in an open forum. This has been a cornerstone of our democracy. Senate Bill 63 would shut down discussion before it has ripened and would stifle the opportunity for citizens to learn about this option which has been implemented in places like Minneapolis, Maine, Alaska, Australia and Ireland, to name a few. Local governments should not be precluded from considering RCV if they choose. The State Legislature should not substitute its judgement for that of local

governments and should not infringe on Home Rule as spelled out in Article XVIII of our state constitution. Our democracy thrives on its ability to educate and to consider and debate ideas in public spaces. Thus, passing this legislation serves no legitimate public purpose or interest.

### **3. How rank choice voting works**

RCV can be designed in multiple ways. One way it could work is as follows:

- An open primary is held in which multiple individuals run for office. Voters can rank those candidates or write in another candidate as they currently can do. In order to avoid a deluge of candidates, each candidate would be required to gather a reasonable threshold of signatures in order to be placed on the ballot.
- The top four vote recipients in the primary are then listed as the candidates in the general election (the number of candidates can vary based upon the design of the RCV).
- In the general election, voters rank their choices from first to fourth. They can also choose to rank only their first or second choice if they prefer. It is that simple for the voter.
- The votes are then tallied and the fourth placed candidate is removed. For those that chose the fourth placed candidate as their first choice, their second choice then becomes their first choice and their original second choice votes are added to the remaining candidates in accordance with each of their preferences.
- The above process is then repeated to eliminate the third-placed candidate so that only two candidates remain. The candidate with the most votes between the two of them wins the election.

### **4. Educating Voters**

Voter instruction in the ballot booth can be simple by informing customers that they should vote for candidates in order of their preference where “1” is their first choice and “4” is their last choice. Most customers have taken a survey at some point where they are asked to rank a service or product from 1 to 10, with “1” being most satisfied and “10” being least satisfied. This process is not much different than that. Further, the City of Portland created simulated RCV ballots online on the city and county websites for voters to practice and learn about the process.

### **5. Some of the benefits of rank choice voting include:**

- a. Providing customers with more choices in a simple mechanism by ranking the candidates**

RCV is as simple as the current mechanism for voting in that citizens vote once in a primary and once in the general election and they choose the candidates in their individual order of preference. Nothing more. The process described above for tabulating votes and determining

the winner is done by through a computer process that is transparent, able to be audited and verified. Many believe that this system is more reliable than the manual recounting of votes in a tight election.

**b. RCV encourages greater participation in government**

In places where RCV has been used, it has resulted in fresh new candidates feeling empowered to run and participate in our democracy, bringing with them new ideas. As we look to the next generation of civic leaders, this is a very positive factor. RCV provides the opportunity for more independent people, not necessarily closely connected to a party to run.

According to Secretary of State LaRose, the party affiliations are as follows:

**Affiliation Totals**

Number of Registered Voters in Ohio: 8,060,554

Number of Registered Democrats: 817,063

Number of Registered Republicans: 1,508,641

**Number of Unaffiliated Registered Voters: 5,734,850**

See, <https://www.ohiosos.gov/media-center/press-releases/2024/2024-05-10a/>

According to this data, of the registered voters in Ohio, 71% are not affiliated with a party. In a two party system, where candidates are drawn from their respective republican or democratic parties, we are losing the opportunity to bring forth candidates from the vast majority of citizens. Opening Ohio to RCV would open the doors for more citizen participation through running for offices.

**c. Alleviating legislators of the worry of being “primaried” in the event they vote against leadership**

We have all seen the scenario play out in which a legislator may not agree with a policy but votes for it because s/he is threatened with being “primaried.” Under RCV, legislators have a greater ability to vote their conscience without the fear of repercussions. This is because all constituents in the general election have the opportunity to rank the incumbent ahead of the extremist candidate to the right or left of them as the case may be. And, there is no traditional primary as we know it now, from which to be “primaried” by a more extreme candidate often funded by wealthy donors with a self-serving political agenda.

**d. Providing greater opportunities for more centrist candidates to be elected over the extremists from both parties.**

The tendency of voters on the right or left tends to be to choose candidates that are more moderate, if given the opportunity. Primaries in gerrymandered states prevents that from

happening in that voters are given the choice at times of a candidate from their party who is more extreme than they are comfortable with, or the candidate from the other party. In RCV, there is a greater possibility of a more moderate mainstream candidate being on the final general election ballot. RCV alleviates the “voting for the lesser of two evils” to voting for a candidate with whom the voter largely agrees. By having more moderates from both parties or independents elected, there is a greater likelihood of members reaching out to the other side of the aisle to get things done. There is also a stronger possibility of passing legislation that the majority of Ohioans want. There is a lot of nostalgia over the good old days. Well, back in those good old days, that is exactly what happened. A republican and a democrat might meet for coffee or a drink after work, get to know each other, discuss policy and figure out a way to get things done that both sides felt were acceptable. RCV is a pathway to that nostalgia.

As a final note, I realize some of you may oppose RCV because you see it as a threat to the two-party system and to your re-election, but I would say to you, that if you are doing what your constituents want, you have little risk. It is when legislators ignore the will of the people in favor of special interests that they are at risk. Moreover, the two-party system has not faded into the sunset in places where RCV has been adopted. Both parties still offer and support their preferred candidate. Note also that it was never the intention of the people to have career politicians. That is why Ohioans voted for term limits. Therefore, I ask you to put, before all else, what is in the best interests of your constituents for promoting the democracy upon which this great nation was founded.

In conclusion, SB 63 is not needed and is an unnecessary distraction from the pressing issues facing Ohioan. It should not proceed.

Thank you for your consideration of this testimony.

Respectfully,

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