

To: Maine State Legislature Committee on STATE AND LOCAL GOVERNMENT
From: John V. Lesko, Parsonsfield, ME — Testimony: "LD 859, An Act To Allow Municipalities To Use Ranked-choice Voting in Municipal Elections."

Honorable Committee Members:

I support LD 859 because it is one small step in achieving two important goals:

1. To preserve "Home Rule" and 2. To repair our damaged democracy.

1. Preserve "Home Rule" in our State

The option to choose our voting method goes hand-in-hand with home rule, which is effectively Federalism at the local level. The fact that we here in Parsonsfield have not opted to have a Town Charter, does NOT mean that home rule is not important to us. It is about freedom as constrained by the need to keep all folks free. In this context, it allows us the freedom to choose — be it the choice not to have a charter or to have one — be it the choice not to conduct our elections with ranked choice voting or without it — as long as we can assure the state that no one is unduly restricted from voting or running for office. This approach to home rule is a pillar of shared governance, which not only has the advantage of freedom for townspeople but also potentially for the entire state. That is to say, experiments in local ranked choice voting may produce valuable data for the necessary maintenance in all democracies, e.g., will it work at the micro local level?, how does it work at this level?, etc..

Indeed, in science, i.e., universally agreed upon methods of finding objective facts, the most valid data is that data developed by "field work", — as it is called in biology or, "participant observation", as it is called in sociology,. Towns in Maine experimenting with and without charters provide that valuable field data for preserving democracy — be it for what can and should be scaled up when dealing with the complexity that comes with growth, or be it for the things that are best dealt with informally, such as the heating assistance collection box in our Parsonsfield Town Clerk's office to help destitute residents buy enough heating oil until the next retirement check arrives. Those dedicated folks who work in that office are in the best position to identify folks in real need and so are we who advocate for the option to choose ranked choice voting.

2. To repair our damaged democracy:

The commonly used phrase, "Freedom is not free." as it says on the North Berwick Common's sign, means 3 things:

1. Public service (often military),
2. Fair taxation, and
3. Maintenance of the democracy itself.

Constitutional democracies are democratically mandated hierarchies that we social scientists call "organic structures". They *are* the public sector, whereas there is a range of both undemocratic and democratic organic organizations in the private sector. Both are in stark contrast to the undemocratic hierarchies in totalitarian countries and the anti-capitalist monopolies we see in several private

companies today in the United States. The value of these organic structures is that they are able to change regularly and incrementally as does the rapidly changing environment around them. LD 859 helps to preserve that advantage.

This law is important because democracies of all types are vulnerable to the inevitable concentrations of power that evolves within them — to the extent of risking autocracy. So, they need periodic maintenance that identifies and fixes the parts of their architecture that is inevitably eroded by that natural concentration of power, which is why towns in Maine need both the *choice* of home rule and the *choice* of voting method. Indeed, preserving home rule and the option (not the requirement!) of ranked choice voting is about preserving freedom and innovation while simultaneously not interfering with the freedom of others.

Ranked choice voting is one of those fixes that has been almost universally recommended by scholars across the academic and political spectra. For example, one of the oldest and most prestigious academic organizations in the U.S., the *bipartisan*, "*American Academy of Arts and Sciences*" has placed ranked choice voting as the second most important reform contained in the first of the six strategies in their 70+ page report titled, "**OUR COMMON PURPOSE: Reinventing Democracy For The 21st. Century**"¹ They point out that effective democracy and democratic reforms must be experimental and piloted at the local and state levels, i.e., the innovation of organic structures! So, in our case, home rule should allow unchartered towns to be laboratories for effective state government as are the chartered ones now. Indeed, this experimental piloting is most evident with our Federal Constitutional Amendments. That is to say, all Federal amendments, except for one, have given more freedom to citizens. And most importantly, every one of these Amendments began in the laboratories of the states. So, we who live in non chartered towns are asking for the same freedom to experiment and maybe opt for ranked choice voting or not.

I urge you to pass LD 859 for the sake of the freedom, security, and democracy that it will help give to all. Thank you.

Sincerely,

John V. Lesko, PhD
Parsonsfield, ME

¹ <https://www.amacad.org/ourcommonpurpose> For a free copy of the report, which probably should be in every town hall across the State and county.