

Prepared Testimony from Timothy Gomes
Before The House State Government & Elections Committee
For consent and consideration of H7117
On Tuesday, January 23, 2024

Greetings to members of this house committee,

I'd like to express my advice against bill H7117. If passed, this act would limit only two names to appear on the ballot for each office up for election. Such a measure would work against any third-party or independent candidate wishing to run or vote for state or local office. In the state of Rhode Island, it is common to experience considerably lower turnout in a primary election compared to a general election. A candidate running as a Democrat or Republican would have a distinct advantage in securing one of the two spots reserved on the general election ballot. The two main political parties have distinct resource advantages over independent or third-party candidates seeking office. This measure would not be well-received on a national level, such as in a presidential race, nor should it be well-received in our state elections..

This measure would effectively alienate any person wishing to vote for an independent over a Democrat or Republican. Essentially, it would not offer fair representation to those outside of the two-party system. Additionally, it would allow another potential circumstance where only two candidates of one political party appear on the ballot. This type of system, if implemented, would likely violate the Fourteenth Amendment. It could also create a system in which one political party could possibly manipulate the system with campaigns to promote two candidates of the same party or of a lesser-known party to alienate another party or person.

No other state has this type of system for good reason. This bill claims to aim to reduce the field of candidates on the ballot. In any case, this may be construed as a violation of the Equal Protection Clause, which imposes a duty on states to treat individuals equally and prohibits them from discriminating against any person or group without a valid reason. Reducing ballot access would discriminate against any person who isn't able to rally a sufficient number of voters in a two-person primary competition but would still be able to qualify under existing laws.

While the proponents of this bill argue that it aims to streamline the electoral process, it is crucial to consider the potential repercussions on the democratic principles that our nation values. Similar measures in other states have resulted in diminished representation and the stifling of political diversity. If enacted, this measure could potentially face legal challenges, further burdening our state with unnecessary spending on legal proceedings.

History has shown that restrictive ballot access measures can inadvertently disenfranchise voters and limit the choices available to the electorate. This, in turn, may lead to a less robust and diverse political landscape. Additionally, legal action against such measures is not uncommon, and the associated costs can strain our state's resources.

In the spirit of safeguarding our democratic ideals and avoiding potential legal challenges, I respectfully urge you to reconsider and withdraw this bill. Your thoughtful consideration of this request is highly appreciated

Thank you for your consideration, and I hope that we can collectively work towards policies that strengthen our democracy and ensure fair representation for all citizens.