

The Maine Heritage Policy Center Testimony to Support LDs 1213, 1447, 1454 Ranked-Choice Voting

Senator Luchini, Representative Schneck and distinguished members of the Committee on Veterans and Legal Affairs, my name is Adam Crepeau and I serve as a policy analyst at The Maine Heritage Policy Center. Thank you for the opportunity to provide testimony in support of LDs 1213, 1447 and 1454.

The Maine Heritage Policy Center is in favor of repealing ranked-choice voting from Maine law or, at the very least, putting a moratorium on the voting system. LD 1213 would repeal ranked-choice voting from statute while LD 1447 would put a moratorium on the system until 2023. Full repeal is ideal because the traditional voting system (by plurality) is simple and easy for voters to understand. In addition, there are several flaws in ranked-choice voting that are not present in traditional voting that need to be addressed.

The design of ranked-choice voting exhausts ballots and excludes them from the final vote tally, meaning votes are essentially thrown away if an individual only voted for a single candidate, or multiple candidates, who are mathematically eliminated from contention. In the 2018 democratic gubernatorial primary election, 8,889 ballots were exhausted after the first round.¹ These ballots represent seven percent of the 126,139 total votes cast for candidates.² In essence, seven percent of the votes cast in that election were not reallocated to another candidate, and thus did not count in the final tally. In other words, if those voters did not vote on Election Day, the end result would have been the same.

One of the major talking points from advocates of ranked-choice voting is that it allows for a majority winner and prevents a candidate who receives less than a majority of votes in a crowded election from winning. However, of the handful of times that ranked-choice voting has been used in Maine, this new system has already proven that it can create faux majorities, debunking this argument.

A faux majority is created when enough ballots are exhausted (or thrown away) to allow a candidate to garner more than 50 percent of the vote. For example, in the 2018 general election for the Second Congressional District, 8,253 ballots were exhausted after the first round. These ballots represent almost three percent of the total votes cast for a candidate (excluding exhausted ballots on Election Day). If exhausted ballots in the subsequent rounds of this ranked-choice voting election were counted in the final tally, Rep. Jared Golden would have received only 49 percent of the vote; less than a majority. But since exhausted ballots are excluded from the final denominator, Jared Golden received a “majority” with less than half of all votes cast on Election Day.

¹ <https://www.maine.gov/sos/cec/elec/results/index.html>

² Ibid.

LD 1213 would prevent ballots from being eliminated from contention and return Maine to the traditional system of voting. LD 1447 would be a viable alternative to full repeal because it would put a moratorium on the use of ranked-choice voting until 2023. If the Constitution of Maine is not amended to authorize the legislature to determine the method by which the Governor and members of the legislature are elected, then ranked-choice voting would be repealed in December 2023.

The Maine Heritage Policy Center also supports LD 1454. This bill would allow each congressional district to decide how their representative to congress is elected. In the 2016 election, the Second Congressional District would have rejected ranked-choice voting by more than 19,000 votes.³ If the state of Maine is going to use ranked-choice voting for some elections and not others, the people of each congressional district should be able to decide how they conduct their congressional elections for the House of Representatives.

The aforementioned election in the Second Congressional District allowed Bruce Poliquin to win via a plurality and Jared Golden to win through ranked-choice voting. Since the Second Congressional District rejected ranked-choice voting at the polls in 2016, it should not be used as a method to elect individuals to the United States House of Representatives.

For those reasons, The Maine Heritage Policy Center would prefer the committee to vote, “Ought to Pass” on LD 1213. We also support LDs 1447 and 1454 as viable alternatives to full repeal. Thank you.

³ <https://www.maine.gov/sos/cec/elec/results/2016/referendum16.xlsx>