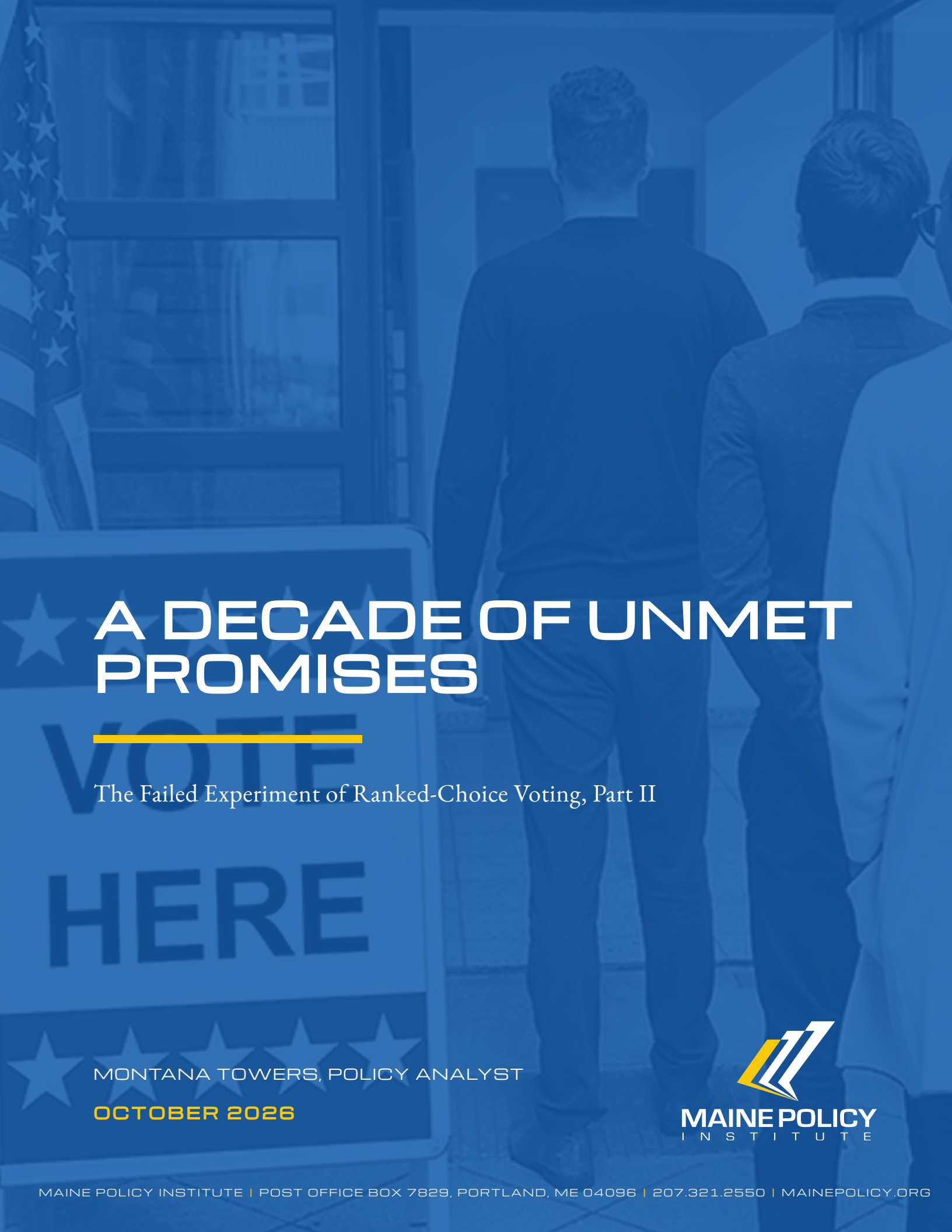


A DECADE OF UNMET PROMISES

The Failed Experiment of Ranked-Choice Voting, Part II

MONTANA TOWERS, POLICY ANALYST

OCTOBER 2026

MAINE POLICY INSTITUTE

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mainepolicy.org

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About Maine Policy Institute
Maine Policy Institute is a nonpartisan, free-market research and educational organization committed to advancing policies that expand individual liberty, strengthen economic opportunity, restrain the growth of government, and improve the lives of all Maine people.

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INTRODUCTION

In 2016, Maine became the first state to adopt ranked-choice voting for statewide elections. Supporters presented it as a way to expand voter choice, produce majority winners, increase participation, reduce negative campaigning, encourage moderation, and provide the benefits of a runoff without requiring a second election.

In 2019 MPI released a report, *A False Majority: The Failed Experiment of Ranked-Choice Voting*, which examined 96 ranked-choice voting elections from across the country while evaluating some of the principal claims made in support of the system.[1] That report provides the foundation for this updated analysis. Since then, Maine has gained substantially more experience with RCV through additional statewide contests, while new research, legal rulings, administrative problems, and changes to Maine's tabulation rules have expanded the record available for review.

Nearly a decade after Maine adopted RCV, the state now has enough experience to test its promised benefits against the system's actual operation. Maine has confronted exhausted ballots, delayed tabulations, administrative errors, recount limitations, constitutional disputes, changes to the technical rules governing candidate elimination, and more.

2016
Maine becomes the first state to adopt RCV for statewide elections

61%
of 96 RCV races studied in *A False Majority* ended without a true majority

1 in 20
voters improperly marked an RCV ballot in a study of three million records

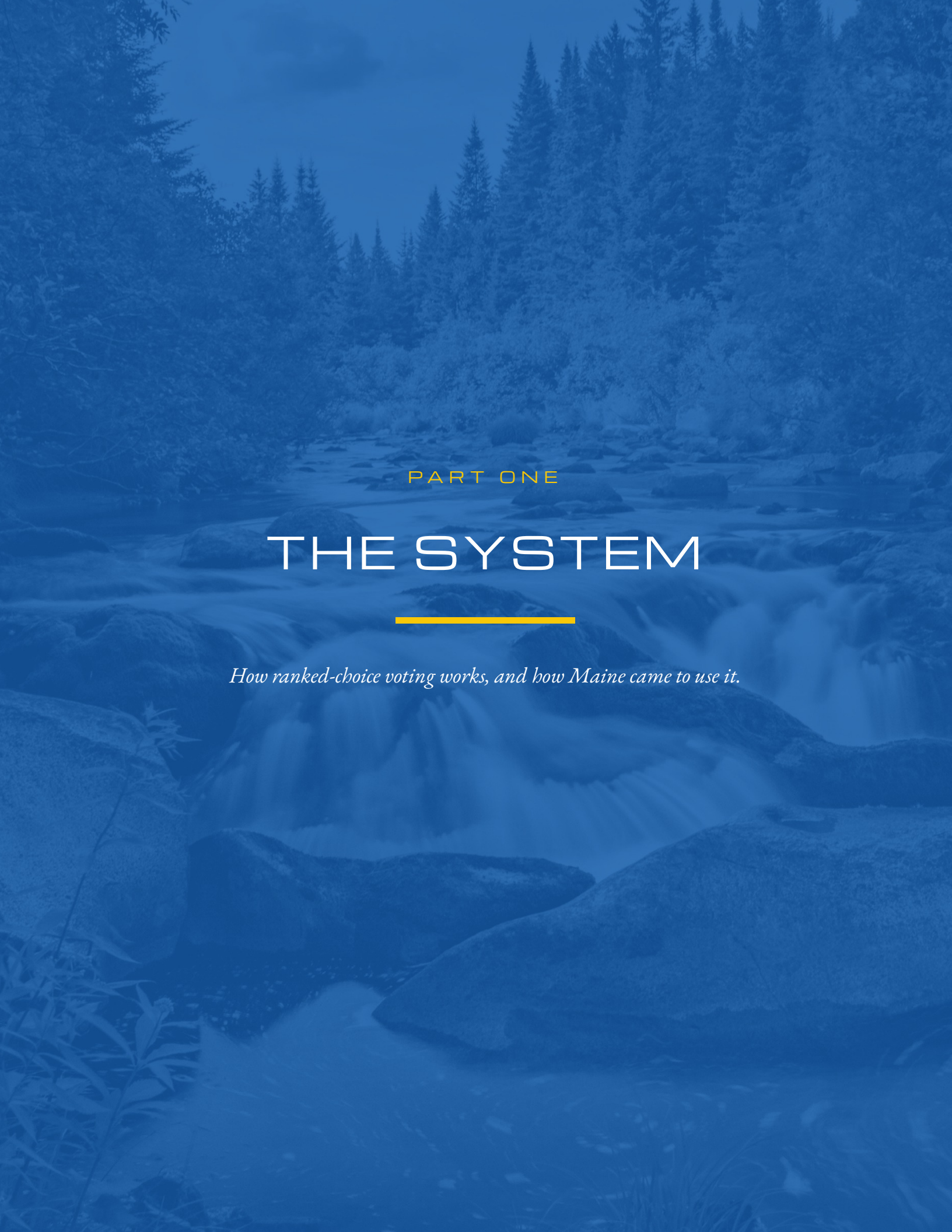
10 days
from Maine's June 9, 2026, primary to its RCV winners

This report examines that record. It explains how RCV works, traces its legal and political history in Maine, and evaluates the key problems with RCV using election data, academic research, and Maine's own experience.

The evidence shows that RCV is not simply a more expressive version of plurality voting. It replaces a clear rule, that the candidate with the most votes wins, with a multistage process shaped by ballot rankings, elimination order, transfer rules, exhausted ballots, centralized tabulation, and statutory tie-breaking procedures.

Those added layers do not guarantee better elections. RCV may allow voters to express more preferences, but it also creates more ways for ballots to be mismarked, become exhausted, or lose influence before the final round. It does not reliably increase turnout, reduce campaign negativity, strengthen third parties, or produce moderate winners. Nor is it equivalent to a traditional runoff.

No voting system is perfect, and this report does not assume plurality voting eliminates every electoral weakness. It instead asks whether ranked-choice voting has improved Maine's elections enough to justify the additional complexity it introduces. The sections that follow test that question against Maine's experience, election data, academic research, and the real world effects of RCV on voters, candidates, and election administration.



PART ONE

THE SYSTEM

How ranked-choice voting works, and how Maine came to use it.

HOW DOES RANKED-CHOICE VOTING WORK?

In contrast to plurality elections, where voters select a single candidate and the candidate with the most votes wins, ranked-choice voting gives voters the option to rank-order candidates on their ballots. For example, in Maine's 2026 Republican gubernatorial primary, voters could rank the eight candidates listed on the ballot.

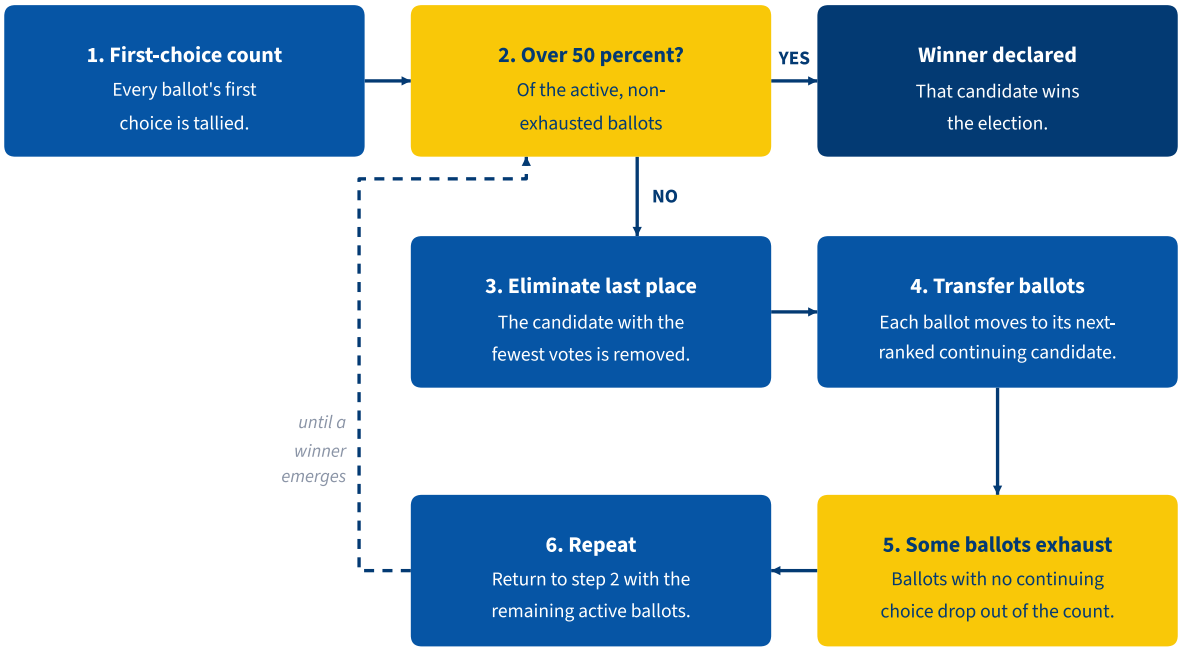


FIGURE 1 How a ranked-choice count proceeds. If no candidate wins outright, the count repeats until one candidate holds a majority of the ballots still active.

Source: 21-A M.R.S. § 723-A.

Under RCV, if a candidate receives more than 50 percent of the first-choice votes, that candidate is declared the winner. If no candidate receives a majority, additional rounds of tabulation are conducted. Maine previously permitted "batch elimination," under which multiple candidates who had no mathematical possibility of winning could be eliminated at the same time.[2] However, the law was changed, and under current law only the candidate

with the fewest votes is eliminated in each round.[3] Ballots cast for that candidate are then transferred to each voter's next-ranked continuing candidate, and the process repeats until one candidate receives a majority of the remaining active votes.

In Maine's 2026 Republican gubernatorial primary, Jim Libby was eliminated after the first round of tabulation, and the ballots that listed him as a voter's first choice were then awarded to the candidate listed as the voter's next continuing choice. This process recurred as Robert Wessels, David Jones, Owen McCarthy, Garrett Mason, and Jonathan Bush were eliminated in successive rounds, until Bobby Charles received more than 50 percent of the remaining, non-exhausted ballots.[4] In all, seven rounds of tabulation were needed to declare a winner. This is a perfect example of a particularly large field that required many rounds of tabulation. Even though this race involved an unusually large number of candidates and elimination rounds, most ranked-choice voting elections that proceed beyond the initial count will require at least one additional round of tabulation and produce exhausted ballots.

WHAT IS AN EXHAUSTED BALLOT?

An exhausted ballot occurs when a voter overvotes, undervotes, or ranks only candidates who have already been eliminated. Because these ballots are not tabulated in the final round, they no longer influence the election once they become exhausted. For example, if a ballot becomes exhausted in round four of an election that necessitates seven rounds of tabulation, the voter's ballot is not included in the final tally; it is as if they never showed up on Election Day. Below are definitions for each type of exhausted ballot:

OVERVOTE

An overvote occurs when a voter marks two candidates in a single column/rank. For example, if a voter marked both Candidate A and Candidate B as their first choice, their ballot would not count in the election. Likewise, if a voter correctly ranked their first choice but marked two candidates in the following column, only their first choice would be tabulated.

UNDERVOTE

An undervote occurs when a voter skips two or more columns or rankings. For example, if a voter picked Candidate A as their first choice, skipped their second and third choice and selected another candidate as their fourth choice, their ballot would not count in the election after the first round.

EXHAUSTED CHOICES

An exhausted choice occurs when a voter ranks only candidates that are eliminated from contention. For example, a voter may only rank candidates A and B, even if they are eventually eliminated after round one of tabulation.

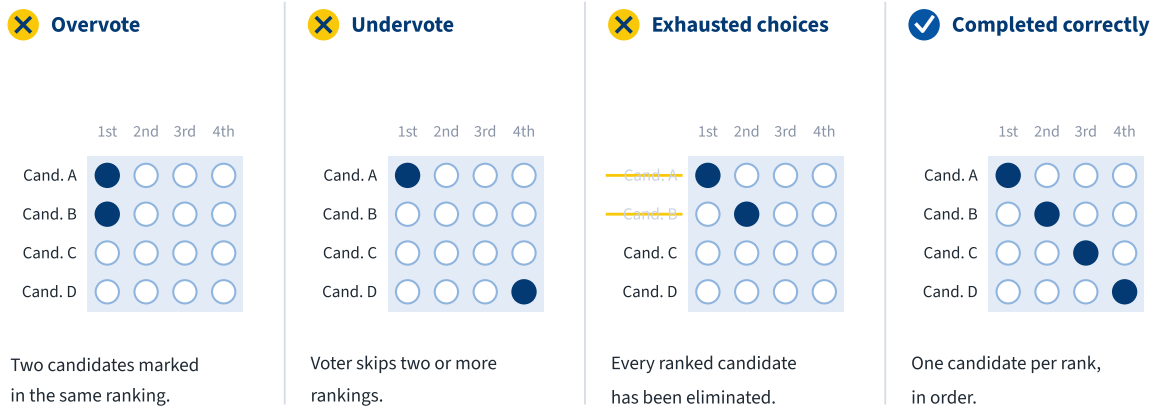


FIGURE 2 Anatomy of an exhausted ballot. Three common ways a ranked ballot stops counting before the final round, compared with a correctly completed ballot.

A BRIEF HISTORY OF RANKED-CHOICE VOTING IN MAINE

For those who have not followed Maine politics closely, the transformation of our voting system over the last decade can be confusing. Here's how it all started and how we got to the current state of ranked-choice voting.

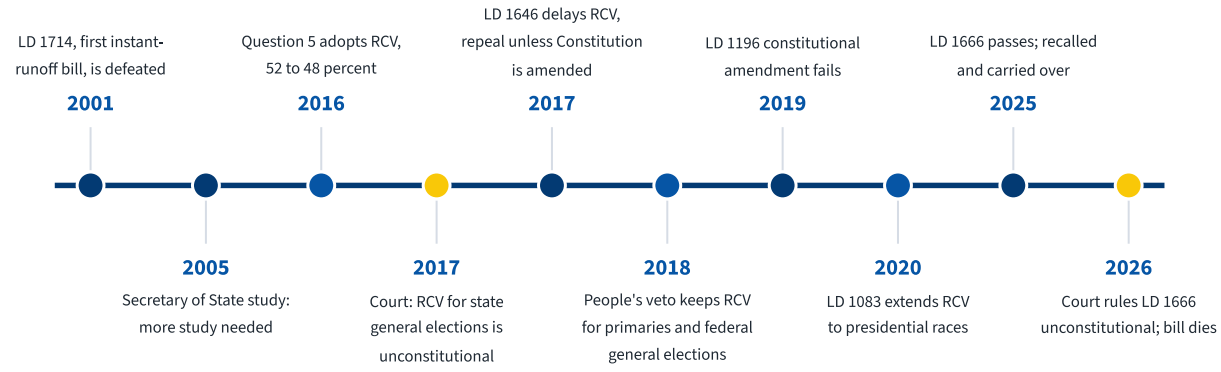


FIGURE 3 Twenty-five years of ranked-choice voting in Maine, from the first instant-runoff bill to the Supreme Judicial Court's 2026 advisory opinion.

Source: Maine Legislature; Maine Supreme Judicial Court; Secretary of State.

The concept of ranked-choice voting is not new to Maine. In fact, proposals to overhaul our plurality voting system in favor of an instant runoff system were proposed in the Legislature long before the 2016 ballot initiative put the issue before voters. The first bill related to an instant runoff system or ranked-choice voting was LD 1714, proposed in the 120th Legislature in 2001.[5] Subsequently, the Committee on Veterans and Legal Affairs voted "Ought Not to Pass" on LD 1714 and it was defeated. While LD 1714 died, it gave the idea of ranked-choice voting momentum in the State of Maine.

During the 121st Maine Legislature, lawmakers directed the Secretary of State to conduct a feasibility study of instant runoff elections in Maine and to report back to the Committee on Veterans and Legal Affairs in January 2005.[6] The report concluded that the voting method required further study before being implemented in Maine.[7] Several additional bills to implement an instant runoff system were proposed between 2005 and 2013, all of which failed to pass the legislature.

In October 2014, ranked-choice voting proponents received authorization from the Secretary of State to collect signatures for the initiative that would appear on the ballot in 2016. Approximately one year later, proponents of ranked-choice voting presented 64,687 valid signatures to the Secretary of State, more than the 61,123 threshold necessary to receive ballot access at that time.[8]

The Secretary of State subsequently released the official ballot question and decided the initiative would appear as Question 5 on the ballot in November 2016, which stated:

> *"Do you want to allow voters to rank their choices of candidates in elections for U.S. Senate, Congress, Governor, State Senate, and State Representative, and to have ballots counted at the state level in multiple rounds in which last-place candidates are eliminated until a candidate wins by majority?"*

Maine voters decided to adopt the new voting system on November 8, 2016. The vote tally was 388,273 in favor and 356,621 in opposition to the initiative.[9] Despite its approval by voters at the ballot box, the legislature felt compelled to intervene by fixing parts of the law that some felt were unconstitutional.

52.1%
of voters approved Question 5 in 2016, 388,273 to 356,621

53.9%
backed the 2018 people's veto, 149,900 to 128,291

2
court opinions (2017, 2026) finding RCV unconstitutional for state general elections

Since its inception, opponents of the 2016 initiative, including Maine Policy Institute, had raised constitutional concerns over changes it made to how elections would be decided. In February 2017, the Maine State Senate requested an advisory opinion from the Maine Supreme Judicial Court on the constitutionality of ranked-choice voting in state-level general election races, specifically for the offices of governor, state senator, and state representative.

Maine Policy Institute and other interested parties submitted briefs regarding their perspective on the constitutionality of ranked-choice voting to the Court.

In response, the Maine Supreme Judicial Court determined that a "solemn occasion," existed and issued an advisory opinion concluding that the use of ranked-choice voting for state-level general election races is incompatible with the Maine Constitution.[10] The Maine Constitution dictates that candidates for governor, state senator, and state representative win their elections if they receive a plurality of the total votes cast. Thus, the use of ranked-choice voting is unconstitutional for state-level general election races because it could prevent the candidate who first receives a plurality of the votes from winning the election.

In response to the Maine Supreme Judicial Court's advice, the legislature in October 2017 passed LD 1646, which sought to delay the implementation of ranked-choice voting until 2021 and repeal the system unless the Maine Constitution was amended to comply with the original language of the 2016 initiative.[11] This spurred proponents of ranked-choice voting to collect signatures for a people's veto aimed at overturning parts of LD 1646. The veto restored implementation of RCV for the elections in which it could operate without conflicting with the Court's opinion, specifically all primary elections and general elections for federal offices. So, the supporters preserved the constitutionally permissible portions of the 2016 initiative while avoiding the conflict identified by the Court. The people's veto prevailed at the ballot box on June 12, 2018, with 149,900 voting in support and 128,291 voting in opposition to the measure.[12]

Because the first version of the law was incompatible with the Maine Constitution, the Legislature submitted proposals to amend Articles IV and V, which establish that Maine must elect candidates in races for governor, state representative, and state senator via a plurality.[13] LD 1196, a bill to amend the Maine Constitution, failed with an "Ought Not to Pass" report out of committee in April 2019.[14]

Lawmakers did expand ranked-choice voting to presidential elections. In 2019, the Legislature passed LD 1083, "An Act To Implement Ranked-choice Voting for Presidential Primary and General Elections in Maine." Governor Janet Mills allowed the bill to become law without her signature in January 2020.[15]

Efforts to expand ranked-choice voting to state-level general elections have continued. In 2025, the Legislature passed LD 1666, which sought to apply ranked-choice voting to general and special elections for governor, state senator, and state representative.[16] These were the same offices the Maine Supreme Judicial Court's 2017 advisory opinion found could not constitutionally use RCV in general elections. The proposal attempted to address the constitutional concerns raised in 2017 by characterizing voters' rankings as instructions for tabulating a single vote and declaring that the candidate who prevailed after the final round had received a plurality of the votes cast. The bill was presented to the governor in June 2025 but was recalled from her desk and carried over after questions were raised about its constitutionality.

In February 2026, the Legislature requested a second advisory opinion from the Supreme Judicial Court on whether LD 1666 could constitutionally extend ranked-choice voting to general elections for governor, state senator, and state representative. After determining that the dispute presented a solemn occasion, the Court issued a unanimous opinion on April 6, 2026, concluding that the proposal would still violate the Maine Constitution.[17]

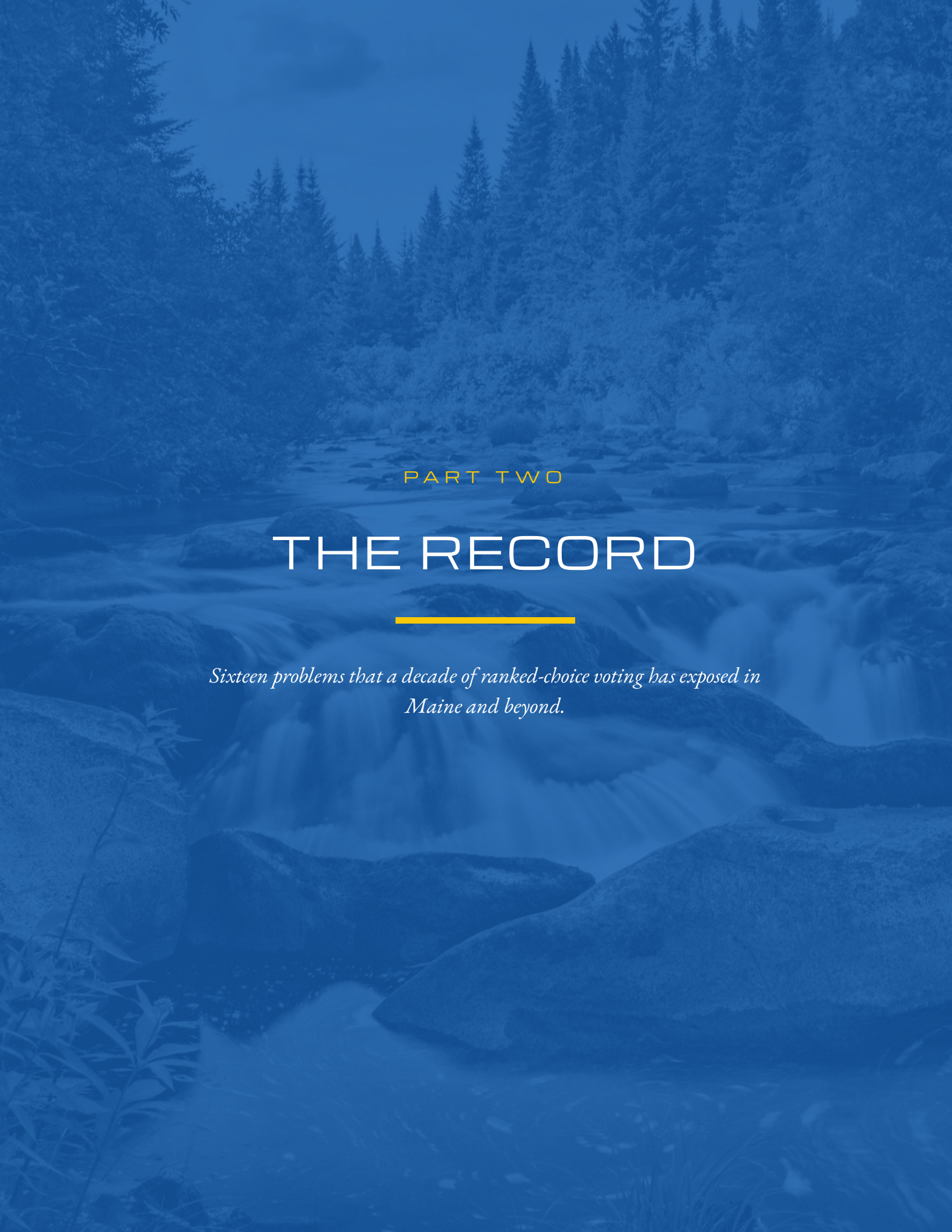
The justices properly treated the matter as a constitutional question rather than a debate over the merits of ranked-choice voting. They held that the Constitution requires these elections to be decided by a plurality based on votes counted and declared by local municipal officials and that it treats each vote as a single, fixed choice that is counted once. LD 1666's attempt to characterize a ranked ballot as one vote containing multiple instructions did not resolve that conflict because the system would still require additional rounds of centralized tabulation after municipalities had completed their counts. The Court therefore concluded that the Legislature could not expand ranked-choice voting to these offices through ordinary legislation; doing so would require an amendment to the Maine Constitution.

Following the Court's opinion, LD 1666 died upon the Legislature's adjournment. Maine therefore continues to use two different voting systems: ranked-choice voting for state-level primaries and federal general elections, including presidential elections, and plurality voting for general and special elections for governor and members of the Legislature. Unless the Maine Constitution is amended, ranked-choice voting cannot be expanded to those state-level general elections.

Even more recently, ranked-choice voting remains a source of controversy in Maine even within the Democratic Party. In July 2026, the Democratic National Committee's Rules and Bylaws Committee proposed rules for the 2028 presidential nominating process that would prevent state parties from using ranked-choice tabulations to allocate delegates.[18] Under the proposal, Maine would still have been required by state law to print ranked-choice ballots, but only voters' first choices would be recognized for Democratic delegate allocation, effectively disregarding later rankings. Maine Democrats and ranked-choice voting advocates pushed back, arguing that the national party should not override a voting method already authorized under state law.

The proposal was ultimately defeated after drawing significant opposition from Democrats in states that use ranked-choice voting, including Maine and Alaska. At the full DNC meeting in Austin on August 15, the committee moved to strike the proposed language, and DNC members rejected it by voice vote.[19] The final rules package therefore did not include the restriction on ranked-choice voting that had been proposed earlier in the year.

Despite being ultimately rejected, the dispute demonstrates that, nearly a decade after Maine adopted RCV, fundamental disagreements persist not only between supporters and opponents of the system, but also within a political party that has often supported its expansion.



PART TWO

THE RECORD

Sixteen problems that a decade of ranked-choice voting has exposed in Maine and beyond.

PROBLEM #1

RANKED-CHOICE VOTING MAKES BALLOTS MORE DIFFICULT TO COMPLETE CORRECTLY

In a plurality election, the voter has only the straightforward task of selecting one candidate for each office. Ranked-choice voting replaces that simple choice with a grid in which voters must assign different numerical rankings to multiple candidates. To complete the ballot correctly, voters must understand that each candidate may receive only one ranking, each ranking may generally be assigned to only one candidate, and mistakes in later columns can prevent portions of the ballot from being counted.

The process also requires voters to understand rules that are not immediately apparent from the ballot itself. They must know what happens if they skip a ranking, give two candidates the same ranking, rank the same candidate more than once, or stop ranking before reaching every candidate. They must also decide how many candidates to rank and whether ranking an objectionable candidate could somehow help that candidate. Even where election officials provide instructions, the number of possible marking errors is greater than in a system that asks voters to make only one selection.

This complexity is particularly significant in large candidate fields. Maine's 2026 Republican gubernatorial primary included eight candidates, requiring voters who wished to express a complete order of preference to distinguish among all eight and correctly mark each ranking across the ballot. A voter who clearly understands which candidate is their first choice may still be uncertain about how to rank the rest of the field or how an incomplete ranking will affect the ballot in later rounds.

RCV supporters often respond that voters are not required to rank every candidate. That is technically true, but it does not eliminate the practical pressure to do so. A voter who ranks only one or two candidates risks having the ballot become exhausted if those candidates are eliminated. The system therefore presents voters with the uncomfortable choice of ranking candidates they may know little about or dislike, or risk losing influence before the decisive round.

These concerns are not merely theoretical. A 2025 peer-reviewed study by political scientists Stephen Pettigrew and Dylan Radley examined approximately three million cast-vote records from Maine, Alaska, New York City, and San Francisco. It found that nearly one in 20 voters, approximately 4.8 percent, improperly marked an RCV ballot in at least one way.[20] These errors included assigning the same ranking to multiple candidates, ranking the same candidate more than once, and leaving gaps that could prevent later choices from being counted as intended. The researchers also found that votes in RCV contests were approximately 10 times more likely to be rejected because of an improper mark than votes cast in traditional choose-one contests.

4.8%

of voters improperly marked an RCV ballot in at least one way

~10×

more likely: RCV votes rejected for an improper mark versus choose-one contests

3 million

cast-vote records studied from Maine, Alaska, New York City, and San Francisco

Taken together, this evidence shows that ranked-choice voting does not merely ask voters to express more preferences; it requires them to navigate a more complicated ballot correctly in order for those preferences to remain effective. The result is a system in which a voter can clearly identify preferred candidates yet still have their choices rejected, skipped, or exhausted because of a marking mistake or an incomplete ranking. Election rules should make it easier for voters to communicate their choices accurately, not create additional ways for a valid ballot to fail to reflect the voter's intent.

PROBLEM #2

UNEQUAL BALLOT EXHAUSTION AND ERROR RATES

Ranked-choice voting does not impose the same practical burdens on every voter. Completing an RCV ballot requires voters to understand a more complex marking system, decide how many candidates to rank, and avoid errors that can prevent later preferences from being counted. Research suggests that these challenges are not distributed evenly across the electorate. Of particular significance for Maine, research has found that jurisdictions with higher proportions of older voters are more likely to report ballot-marking mistakes.[21] Maine is the oldest state in the nation, with a median age of 44.9 years.[22]

Similarly, in San Francisco's 2004 ranked-choice voting election a study conducted by San Francisco State University's Public Research Institute found that "the prevalence of ranking three candidates was lowest among African Americans, Latinos, voters with less education, and those whose first language was not English."[23] In the races examined in the Public Research Institute study, the ballots had three columns for voters to rank their candidates of choice. African Americans, Latinos, voters with less education, and those whose first language was not English disproportionately did not utilize their ballot to the fullest extent possible. More specifically, only 50 percent of African Americans and 53 percent of Latinos ranked three candidates, whereas 62 percent of whites ranked a candidate in all three columns.

When individuals leave columns blank on their ballots and the candidate(s) they vote for are eliminated from contention, their ballots are not counted in the final tabulation. Therefore, if these voters only choose one candidate on their ballot, it is more likely to become exhausted, thereby giving those who fully complete their ballot more influence over the electoral process. In other words, African Americans, Latinos, voters with less education, and those whose first language is not English are more likely to have their vote not counted with a ranked-choice voting system.

More recent research also suggests that ranked-choice voting's burdens do not fall evenly across the electorate. A 2024 study by Princeton political scientist Nolan McCarty found substantially higher rates of ballot exhaustion in communities with large racial and ethnic minority populations in New York City and Alaska, meaning those voters were more likely to have their ballots removed from consideration before the decisive round.[24] In New York City, exhaustion was consistently higher in heavily Asian and Hispanic districts, while black districts also experienced higher exhaustion when no black candidate reached the final round. The disparities remained even when accounting for limits on how many candidates voters could rank. McCarty also found that the effect grew as the number of candidates increased, with larger fields disproportionately reducing the influence of minority voters. These findings raise the very serious concern that a voting system promoted as expanding voter choice may instead leave voters of color less likely to have their ballots counted in the round that ultimately determines the winner.

A second recent study provides additional evidence that ranked-choice voting can impose unequal burdens on voters. As noted earlier in this report, researchers examining nearly three million ballots from Maine, Alaska, New York City, and San Francisco found that almost one in 20 voters improperly marked an RCV ballot. The study also noted that mismarking was more common in communities with larger racial minority populations, lower incomes, and lower levels of educational attainment.[25] In New York City, precincts with larger black and hispanic populations consistently experienced higher error rates. In the contests studied, the estimated mismarking rate was 3.0 to 4.2 percentage points higher in an entirely black precinct, and 4.5 to 4.8 points higher in an entirely Hispanic precinct than in an entirely white precinct.

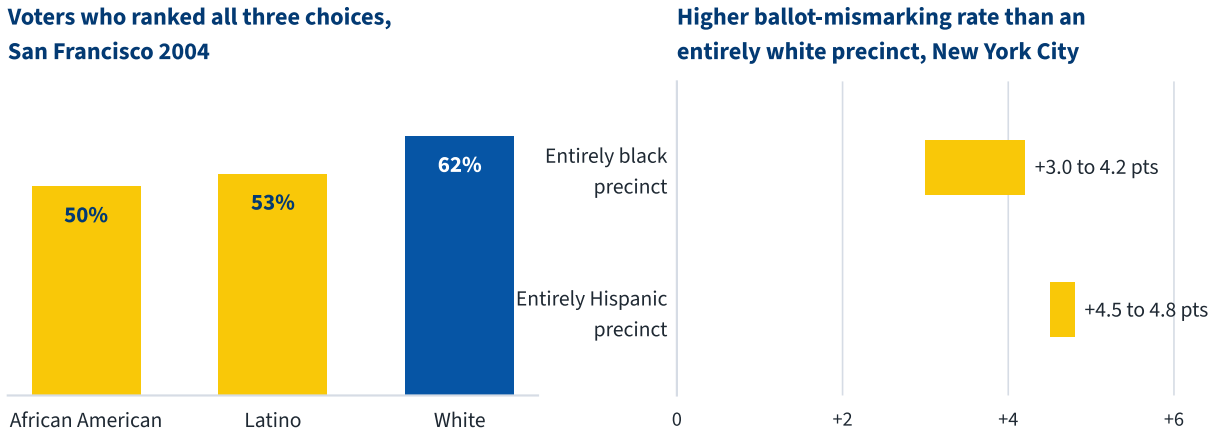


FIGURE 4 The burden of a ranked ballot is not shared equally. Left: share of San Francisco voters who used all three rankings in 2004. Right: estimated added mismarking in New York City precincts.

Source: Neely, Blash, and Cook (2005); Pettigrew and Radley (2026).

Taken together, these findings demonstrate that voter exclusion is not merely a theoretical concern under ranked-choice voting. When ballots are mismarked, left incomplete, or exhausted before the final round, those voters no longer participate equally in determining the winner. The burden also appears to fall disproportionately on older voters, racial and ethnic minorities, lower-income voters, those with less education, and voters whose first language is not English. A voting system should ensure that every legally cast ballot carries equal weight throughout the process. RCV instead risks creating a two-tiered electorate where voters who successfully navigate the ranking process retain their influence through every round, while others lose their voice before the winner is ultimately determined.

PROBLEM #3

A CANDIDATE DOES NOT ACTUALLY NEED A MAJORITY TO WIN

This problem was central to MPI's earlier report, *A False Majority: The Failed Experiment of Ranked-Choice Voting*, because one of RCV's most prominent selling points is that it produces majority winners. Proponents of ranked-choice voting often claim that in a ranked-choice election, a candidate needs to earn more than half of the votes to win. While this might seem logical based on the sequence of events in a ranked-choice election, it does not always hold true.

In Maine's 2018 Second Congressional District election, incumbent Bruce Poliquin won a plurality (46.33 percent) in the first round of voting.[26] Because the election was governed by ranked-choice voting and Poliquin had not earned more than 50 percent of the votes cast, a second round of tabulation was conducted and the candidates who could not mathematically win were eliminated from contention.

In the second round, Jared Golden secured victory after he gained enough votes from the eliminated candidates to eclipse Poliquin's lead. However, in this case, "majority" is a misnomer. In reality, Golden prevailed with only 49.18 percent of the total votes cast in the election. This phenomenon is due to the number of ballots that were exhausted during the reallocation of votes from William Hoar and Tiffany Bond, who were eliminated after the first round.

This distinction becomes clear when Golden's final-round total is compared with the total number of ballots cast in the election. In the first round, 289,624 ballots were counted. By the final round, however, 8,253 ballots had become exhausted because they did not contain a continuing preference for either remaining candidate. That left 281,371 ballots in the final-round count. Golden was declared the winner with 142,440 votes, a majority of the ballots still being counted, but only 49.18 percent of all ballots cast in the first round.[27]

Another more recent example of this phenomenon is Maine's 2026 Republican gubernatorial primary. Bobby Charles won a plurality of 49,129 first-choice votes, or 37.9 percent of the 129,407 first-round votes cast for candidates.[28] Because the election was governed by ranked-choice voting and Charles had not earned more than 50 percent of those votes, additional rounds of tabulation were conducted, with the lowest-place candidate eliminated after each round.

In the seventh and final round, Charles secured victory with 59,873 votes, compared with 39,499 votes for Benjamin T. Midgley.[29] However, in this case, "majority" is again a misnomer. Although Charles received 60.25 percent of the votes remaining in the final round, he prevailed with only 46.27 percent of the votes cast for candidates in the first round. This occurred because tens of thousands of ballots became exhausted as candidates were eliminated and votes were transferred.

To reach this conclusion, one must compare the 129,407 votes cast for candidates in the first round with the 99,372 votes remaining in the final round. Thus, 30,035 ballots that counted for a candidate in the first round became exhausted and were not carried into the final tally. The Secretary of State's report lists 38,609 total exhausted ballots in the final round, but 8,574 of those ballots were already classified as exhausted in the first round.[30] Excluding those initially exhausted ballots leaves 30,035 ballots exhausted during the ranked-choice tabulation process.

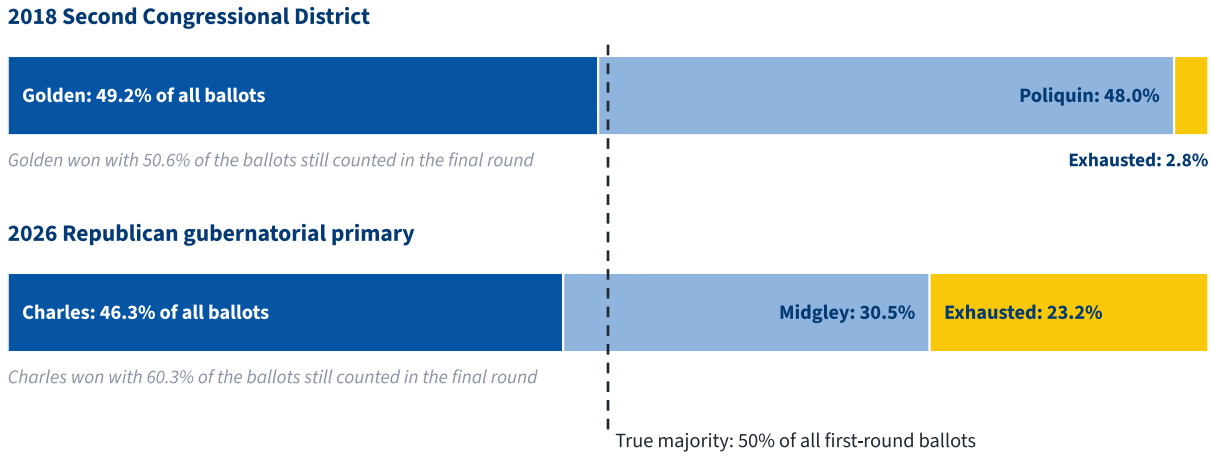


FIGURE 5 The "majority" that isn't. Each bar is 100 percent of first-round ballots. In both races the winner fell short of half of all ballots cast once exhausted ballots are counted.

Source: Maine Secretary of State RCV summary reports, 2018 and 2026.

Further, peer-reviewed research points to the lack of a majority winner as a crucial flaw in the ranked-choice voting system. A 2014 study revealed that ranked-choice voting frequently does not produce a majority winner.[31] In fact, none of the winners of the elections examined in the study won with a majority of the votes cast. In *A False Majority* Maine Policy Institute examined 96 ranked-choice voting races from across the country where additional rounds of tabulation were necessary to declare a winner. MPI concluded that the eventual winner failed to receive a true majority of the votes cast 61 percent of the time.[32]

The most extreme example was from the 2010 San Francisco District 10 Board of Supervisors race, where the prevailing candidate received less than 25 percent of the votes cast.

Thus, the claim that ranked-choice voting always provides a majority winner because a candidate is required to earn more than 50 percent of the vote is false and deserves further scrutiny from voters. While candidates sometimes do receive a majority of the total votes cast, a winner is often declared only after a large number of exhausted ballots have been removed from the final denominator.

PROBLEM #4

RANKED-CHOICE VOTING DOES NOT SOLVE NEGATIVE CAMPAIGNING OR THE INFLUENCE OF MONEY IN POLITICS

Ranked-choice voting is often presented as a solution to two closely related problems in modern elections: negative campaigning and the influence of money in politics. Supporters argue that because candidates may need the second-choice support of voters who prefer a rival, they have an incentive to campaign more positively, avoid personal attacks, and build broader coalitions. In theory, this should produce more civil elections and reduce the value of spending money to tear down an opponent.

In practice, however, ranked-choice voting does not eliminate the political incentive to weaken rival candidates. It may simply change who carries out the attacks. Candidates who hope to receive second-choice support may avoid criticizing their opponents directly, while independent political action committees and other third-party groups remain free to spend heavily on negative advertisements and opposition messaging. The result may be a campaign that appears more civil on the surface while the same attacks continue through organizations that are less directly accountable to the candidates who benefit from them.

This dynamic also casts doubt on claims that ranked-choice voting reduces the influence of money in politics. The system does not restrict campaign contributions, limit independent expenditures, or prevent outside organizations from spending large sums of money to influence an election. Instead, it may encourage negative spending to move away from candidate committees and toward third-party groups that can attack opponents without damaging another candidate's prospects of receiving transferred votes.

As evidence that ranked-choice voting improves campaign civility, advocates frequently cite a 2014 survey of voters in several American cities that used the system to elect municipal officials.[33] The study found that voters in ranked-choice jurisdictions were more likely to perceive campaigns as cooperative and civil. However, it measured perceptions of campaign tone

rather than the actual number, content, or severity of negative campaign communications. It was also based on a telephone survey of approximately 2,400 respondents spread across several municipalities.

More recent research examining actual campaign communications has produced mixed results and has not found a uniform reduction in negative language across ranked-choice elections. Even when candidates themselves use less negative language, that pattern does not necessarily extend to the campaign as a whole. Outside groups may continue financing attack advertisements and other negative communications independently of the candidates. As a result, any decline in candidate-sponsored criticism may reflect a shift in who delivers the attacks rather than an overall reduction in campaign negativity.

Maine's campaign-finance data provides a useful way to examine this possibility. In the 2018 gubernatorial primaries, independent groups spent $207,500 opposing specific candidates and $146,775 supporting candidates.[34] By comparison, there were no reported independent expenditures opposing gubernatorial candidates in the 2006, 2010, or 2014 primaries.

According to fundraising data from the Maine Ethics Commission, 2018 Democratic gubernatorial candidate Adam Cote had raised over $1 million in the primary election, whereas candidate Janet Mills hovered around $792,000 before June 12, 2018. Instead of Mills' campaign attacking Cote directly, it may have been more effective for her to allow third-party groups to launch attacks against Cote to avoid tarnishing her image in the eyes of Cote supporters. That is exactly what happened: $192,500 of the opposition spending came from Maine Women Together to attack Cote for once being a Republican and accepting corporate donations.[35] Since a third-party group was levying attacks on Cote, it was more plausible that Mills would receive his voters' second choice votes if he was eliminated from contention than if she attacked him through her own campaign channels.

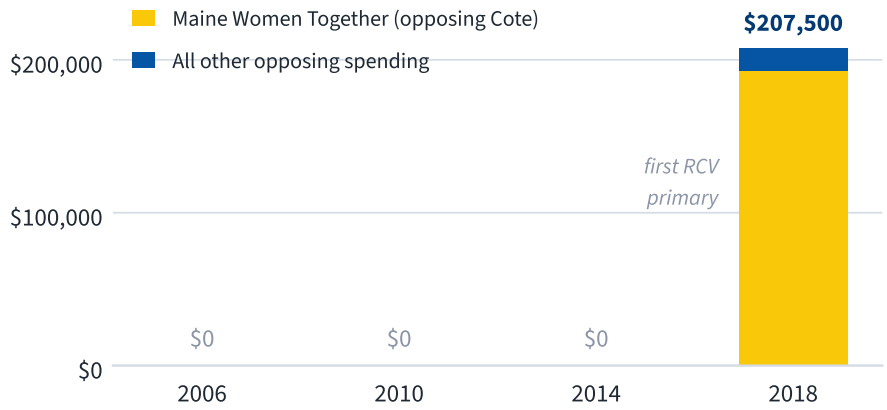


FIGURE 6 Independent expenditures opposing gubernatorial primary candidates. None were reported before 2018, the first primary held under RCV.

Source: Maine Commission on Governmental Ethics and Election Practices.

Taken together, the evidence provides little reason to believe that ranked-choice voting meaningfully reduces negative campaigning or the influence of money in politics. At most, it may alter the form those forces take. Rather than eliminating attacks or reducing spending, ranked-choice voting may shift both toward independent groups that can engage in negative campaigning without threatening a candidate's ability to attract second-choice support. The result is not necessarily a more civil or less expensive election, but one in which the money and negativity are less directly connected to the candidates who benefit from them.

Maine's 2026 gubernatorial primaries further demonstrate that RCV does not prevent outside groups from spending heavily to influence candidate selection. As of June 3, nearly a week before Election Day, political action committees had already spent approximately $8.6 million in the race, including roughly $1.8 million on attack advertising.[36] Most of the outside spending supported particular candidates, but the scale of both positive and negative expenditures far exceeded that seen in Maine's earlier gubernatorial primaries. These figures do not establish that RCV caused the increase, since the candidates, political environment, donors, and campaign strategies also differed substantially. They do show, however, that the use of RCV clearly did not meaningfully restrain outside spending or prevent negative campaigning as was frequently promised.

$8.6M

spent by political action committees in the 2026 gubernatorial primaries by June 3

$1.8M

of that total spent on attack advertising

PROBLEM #5

RANKED-CHOICE VOTING DOES NOT RELIABLY INCREASE VOTER TURNOUT

A common metric used to judge the performance of a voting system, although by no means the only criterion, is its impact on voter turnout. In a democratic society, public participation in elections is critical. A voting system that, for whatever reason, discourages a large portion of eligible voters from casting a ballot could hardly claim to reflect the will of the people.

Some argue that ranked-choice voting could improve America's chronically low levels of citizen participation in elections by making voters feel that their voice has a greater impact on the outcome of the election. In fact, ranked-choice voting might actually depress turnout by discouraging voters who are confused about how to vote or who do not feel knowledgeable enough to make an informed decision. By increasing the complexity of the ballot, ranked-choice voting could also make it harder for voters to understand the connection between any one vote they cast and the resulting impact on government policies.

Turnout, however, is shaped by far more than the method used to count ballots. The competitiveness of the race, the candidates on the ballot, campaign spending, election timing, and the presence of major statewide or federal contests can all substantially affect participation. For that reason, changes in turnout after a jurisdiction adopts ranked-choice voting cannot always be automatically attributed to RCV itself. Rather than asking whether turnout increased in a particular election, the more meaningful question is whether the evidence shows that ranked-choice voting reliably increases participation across elections, as its supporters claim.

The empirical evidence is mixed. Studies have found lower turnout, stable turnout, and higher turnout under different circumstances, making it difficult to attribute changes in participation to RCV itself. It is important to note that ranked-choice voting has been tried in a small number of jurisdictions in the U.S., which limits the sample size and reduces the power of stat-

istical analyses. It is also exceedingly difficult to isolate other variables, such as voter enthusiasm generated by specific candidates and other concurrent election reforms, that can play a major role in voter turnout.

A study of four cities in California that adopted ranked-choice voting in the early 2000s found that "voter turnout has remained stable when compared to previous elections."[37] In contrast, testimony to the Kansas Special Committee on Elections from the American Civil Liberties Union (ACLU) said:

> *"Ranked-choice ballots have suppressed voter turnout, especially among those segments of the electorate that are already least likely to participate. Ranked-choice voting (RCV) has resulted in decreased turnouts up to 8% in non-presidential elections. Low-propensity voters are already less likely to participate in elections that do not coincide with congressional or presidential races. By adding additional steps to voting, RCV exacerbates this tendency, making it less likely that new and more casual voters will enter into the process. Moreover, RCV exacerbates economic and racial disparities in voting. Voting errors and spoiled ballots occur far more often. In Minneapolis, for example, nearly 10% of ranked choice ballots were not counted, most of these in low-income communities of color. Other municipalities have seen similar effects."*[38]

Proponents of ranked-choice voting point to an analysis that they argue found that ranked-choice voting is associated with a 10-point increase in voter turnout compared to primary and runoff elections. However, this study, which was based on data from 26 American cities across 79 elections, found that this 10-point "increase" in turnout is likely due to the compression of voting and "winnowing" of candidates into one election.[39] Overall, the study actually suggested that ranked-choice voting elections have "minimal effects on rates of voter participation."

As previously mentioned, a study of San Francisco's election data from 1995 to 2011 found that turnout declined among African American and white voters and exacerbated the disparities between voters who were already likely to vote and those who were not.[40] The author attributes these effects, at least in part, to the fact that ranked-choice voting increases the "information costs" of voting (i.e., the need to be familiar with how ranked-choice voting works further discourages low-propensity voters from participating in elections).[41] Exit polls of voters participating in ranked-choice voting bolster these findings.[42]

The available evidence therefore does not justify treating increased turnout as a reliable or automatic consequence of adopting RCV. Participation appears to depend heavily on the type of election, the competitiveness of the race, and whether RCV replaces a separate primary or runoff rather than a single plurality contest. Ranked-choice voting may increase turnout in some limited circumstances, have little effect in others, and actively discourage turnout and participation when the added complexity raises the informational burden on voters. At most, the evidence shows that RCV's effect on turnout is uncertain and context-dependent, not that it consistently brings more voters to the polls as is frequently claimed by its advocates.

PROBLEM #6

RANKED-CHOICE VOTING CAN PUNISH VOTERS FOR SUPPORTING THEIR PREFERRED CANDIDATE

Ranked-choice voting is often promoted as a system that gives voters greater freedom to support their preferred candidates without fear of wasting their votes. However, ranked-choice voting can produce paradoxical outcomes in which giving a candidate additional support causes that candidate to lose. In these circumstances, voters may have been better off ranking their preferred candidate lower or withholding support altogether.

This means that ranked-choice voting can violate the monotonicity criterion, one of the fundamental metrics used by political theorists to evaluate voting systems. Monotonicity is defined as follows: "With the relative order or rating of the other candidates unchanged, voting a candidate higher should never cause the candidate to lose, nor should voting a candidate lower ever cause the candidate to win." Put simply, raising a candidate on a ballot should never cause that candidate to lose, and lowering the candidate should never cause the candidate to win.

In some cases (such as a tight three-way race), ranked-choice voting violates this principle, meaning that more first-place votes can hurt, rather than help, a candidate. To see how non-monotonicity works, consider the following example:

Suppose three candidates, Anne (A), Bob (B), and Corey (C) are running for Congress. For simplicity, assume only 100 ballots are cast. Therefore, the number of ballots needed to win is 51 (assuming no exhausted ballots). The results are shown below.

Scenario 1: ballots cast

BALLOTS	1ST PREFERENCE	2ND PREFERENCE	3RD PREFERENCE
39	Anne	Bob	Corey
35	Bob	Corey	Anne
26	Corey	Anne	Bob

No candidate has a majority of the vote, so the last-place finisher, Corey, is eliminated. His 26 votes go to Anne, who wins in the second round with 65 of the 100 votes (her original 39 votes plus the 26 votes she gained when Corey was eliminated).

Now suppose that prior to the election, sensing that Anne was the strongest candidate, 10 of Bob's voters had shifted their first-place preference to Anne. The table below shows the distribution of ballots.

Scenario 2: ten of Bob's voters move Anne to first

BALLOTS	1ST PREFERENCE	2ND PREFERENCE	3RD PREFERENCE
49	Anne	Bob	Corey
25	Bob	Corey	Anne
26	Corey	Anne	Bob

Under this scenario, Anne falls just short of a majority in the first round. Bob finishes last, so he is eliminated; his 25 votes go to Corey, who carries the election with 51 votes (his original 26 votes plus the 25 votes he gained when Bob was eliminated). Anne received more first-place votes than in the first scenario, but this increase in support turned her victory into defeat.

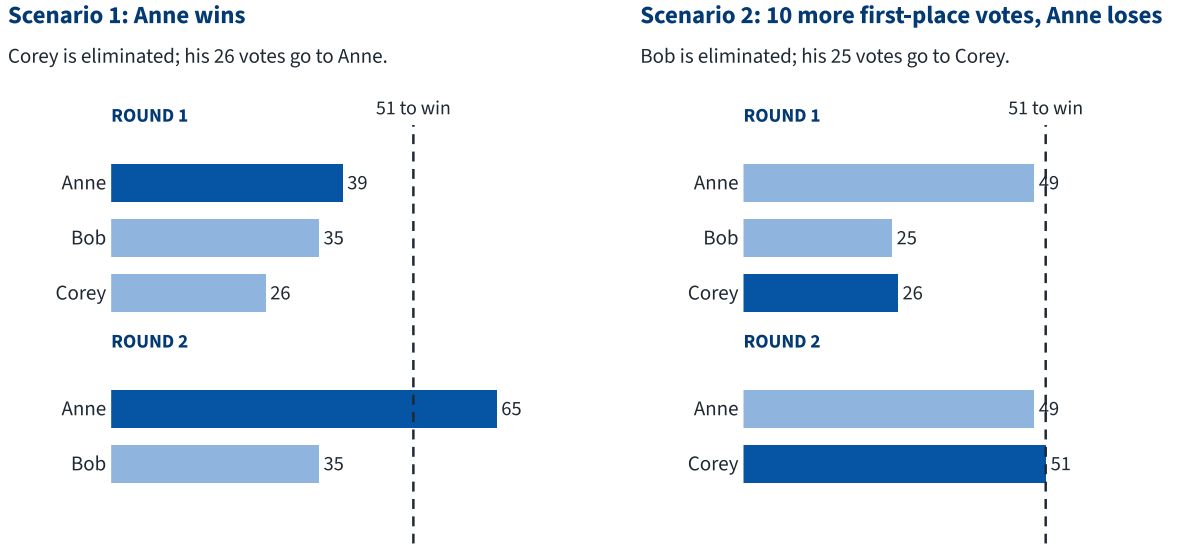


FIGURE 7 Non-monotonicity in action. The same three candidates, with ten more first-place votes for Anne, produce a defeat for Anne.

The 2009 mayoral election in Burlington, Vermont, shows that non-monotonicity is not merely a theoretical danger. The three-way race pitted Progressive Bob Kiss against Democrat Andy Montroll and Republican Kurt Wright. Bob Kiss won the election, but he could have lost if more Wright voters had ranked Kiss first, causing Montroll to come in second place in the first round. Then Montroll would have gained enough votes from Wright in the second round to defeat Kiss.[43]

Another important result from Burlington's 2009 mayoral election is that Andy Montroll, the candidate who was preferred over all other candidates in a head-to-head race, lost the election via ranked-choice voting. This demonstrates the issues caused by a non-monotonic voting system.[44]

A voting system should allow voters to support their preferred candidate without having to calculate how that support might alter the order of elimination. Under ranked-choice voting, however, the effect of a ballot can depend on the rankings submitted by every other voter and on which candidate happens to be eliminated first. As a result, voters cannot always know whether ranking a candidate higher will help or hurt that candidate.

This undermines one of the most basic expectations of an election: that greater support should improve a candidate's chances of winning. A system in which additional votes can produce defeat creates incentives for strategic voting and makes election outcomes harder for voters to understand or anticipate. Even when a monotonicity failure does not occur, the possibility that sincere support could backfire weakens the claim that ranked-choice voting allows voters to express their true preferences safely and without consequence.

PROBLEM #7

RANKED-CHOICE VOTING DOES NOT GUARANTEE GREATER INFLUENCE FOR THIRD-PARTY CANDIDATES

Maine has always had a strong independent political streak, and encouraging third-party involvement in policymaking is a goal many Mainers share. Plurality elections are often accused of stifling third-party candidates and shutting unorthodox voices out of the political process, forcing voters to choose between throwing away their vote on a long-shot candidate or helping to elect a more viable candidate who doesn't as accurately reflect voters' preferences.

While this is certainly a weakness of plurality elections, ranked-choice voting is not an obvious improvement. In fact, ranked-choice voting can weaken third parties and help to perpetuate the two-party system that many voters dislike. Despite proponents' claims, ranked-choice voting does not solve the "spoiler" problem, where voters are reluctant to vote for their favorite candidate out of fear of letting their least favorite candidate win.

The spoiler problem arises when a voter's support for a less viable candidate can help elect the candidate that voter likes least. For example, imagine a voter prefers Candidate C, would accept Candidate B, and strongly opposes Candidate A. If C cannot win but draws enough votes away from B to allow A to prevail, C has acted as a spoiler. Knowing that possibility exists, the voter may feel pressure to abandon C and vote for B instead. The spoiler problem is therefore not simply that a third-party candidate loses; it is that the presence of that candidate can change the winner and force voters to think strategically about whether supporting their true favorite could produce their least-preferred outcome. However, despite proponents' claims, ranked-choice voting does not necessarily eliminate this problem.

Ranked-choice voting may reduce the traditional plurality spoiler problem by allowing a voter's ballot to transfer after the voter's first-choice candidate is eliminated. But it does not make the system spoiler-proof. Under RCV, the presence of a losing candidate can still change the order in which the remaining candidates are eliminated. Because later preferences are counted only after earlier choices are eliminated, a different elimination order can

produce a different final matchup and, ultimately, a different winner. Researchers studying American RCV elections explicitly recognize that the system remains susceptible to spoiler effects.[45]

Because of this there are only two cases in which ranked-choice voting lets you rank your favorite candidate first without worrying about a spoiler effect: first, when your favorite candidate is the clear winner; second, when your favorite candidate is clearly going to lose (and your second-choice vote for a compromise candidate will be tabulated in the second round). In between these two extremes, ranked-choice voting doesn't solve the spoiler problem. In short, voters in ranked-choice voting elections still have to worry about spoiler effects and may still feel pressure not to rank their true favorite candidate first.

RCV's effect on third parties extends beyond the spoiler problem itself. Much of third parties' power in the U.S. derives not from the number of elected positions they hold, but from their ability to influence major party candidates to cater to "ideological minorities." Jason Sorens, a lecturer at Dartmouth College, outlines the loss of third parties' "blackmail power" as a disadvantage of instant runoff voting because it allows major party candidates to ignore third-party constituencies.[46]

Republican candidates, for example, may adopt more Libertarian positions than they would otherwise in order to buttress that small but potentially important constituency. Similarly, Democratic politicians may find it in their interest to defend stronger environmental positions to appeal to Green Party voters. Third parties can strategically run candidates in specific districts in order to "punish" a major-party candidate. A Libertarian candidate, for example, may challenge a Republican who is viewed as too distant from Libertarian goals, splitting the vote and causing the Republican to lose an otherwise winnable election.[47]

However, under ranked-choice voting, third parties' "blackmail power" is significantly eroded, since major party candidates can usually be confident in inheriting the votes of an ideologically-similar third-party challenger who is eliminated in the early rounds of tabulation.

Therefore, ranked-choice voting should not be celebrated as a victory for third-party candidates. In fact, it may hurt them because it weakens their ability to push major-party candidates to support policies important to their base.

PROBLEM #8

LATER RANKINGS MAY NOT REFLECT MEANINGFUL VOTER PREFERENCES

Ranked-choice voting assumes that each ranking on a ballot represents a genuine and informed preference. That assumption becomes increasingly questionable as the number of candidates grows. A voter may have a clear first choice, a tolerable second choice, and perhaps a meaningful third choice, but little knowledge or opinion about the candidates ranked farther down the ballot.

This problem is particularly acute in large primary fields. Asking voters to rank eight, 10, or even 15 candidates does not necessarily produce a more accurate expression of public opinion. Instead, later rankings may be based on limited information, name recognition, guesswork, or a desire to prevent the ballot from becoming exhausted. Those weak preferences can nevertheless become decisive after several rounds of elimination.

Portland's 2011 mayoral election illustrates the issue. Fifteen candidates appeared on the ballot, and the race required 15 rounds of tabulation.[48] Under those circumstances, the final outcome depended in part on lower-order rankings that voters may not have considered nearly as carefully as their initial choices. Many voters cannot authentically distinguish between their fifth, sixth, or later preferences, especially in crowded elections.

Recent research supports these concerns. A 2021 experimental study presented voters with fields of three, six, or 12 hypothetical candidates and found that voters became less informed as the number of choices increased.[49] Participants spent less time learning about each candidate's policy positions, relied more heavily on irrelevant shortcuts, and became less likely to select the candidate whose views most closely matched their own. These effects appeared even when the field increased from only three candidates to six, suggesting that asking voters to distinguish meaningfully among a long list of candidates may produce less-informed choices rather than a more accurate expression of voter preferences.

The problem extends beyond voters simply having too many candidates to evaluate. A 2025 study of ranked-choice elections in Alaska and Oakland found evidence of "pattern ranking," in which some voters completed grid-style ballots using diagonal or other visual patterns rather than making a separate judgment about each candidate.[50] In survey experiments, some respondents repeated the same geometric pattern across different ranking questions even though the candidates appeared in different orders. The study also estimated that between 0.6 percent and 3 percent of actual Alaska ballots may have reflected straight-line or "donkey" voting. This suggests that some lower-order rankings may be influenced by the structure of the ballot rather than by a considered political preference.

Ranked-choice voting also erases the intensity of the distinctions voters make among candidates. Once a voter's higher-ranked candidates have been eliminated, the ballot transfers to the highest-ranked candidate still in contention. At that point, a candidate ranked fifth, sixth, or even lower receives one full vote from that ballot—the same numerical weight as a vote cast by someone who ranked that candidate first.

The system does not necessarily treat every ranking identically from the beginning because higher choices are, of course, considered first. However, once a lower ranking becomes active, the tabulation makes no distinction between enthusiastic first-choice support and reluctant, last-resort acceptance. A voter who placed Candidate F near the bottom of the ballot may ultimately provide Candidate F with the same one-vote addition as a voter who considered Candidate F the best candidate in the race.

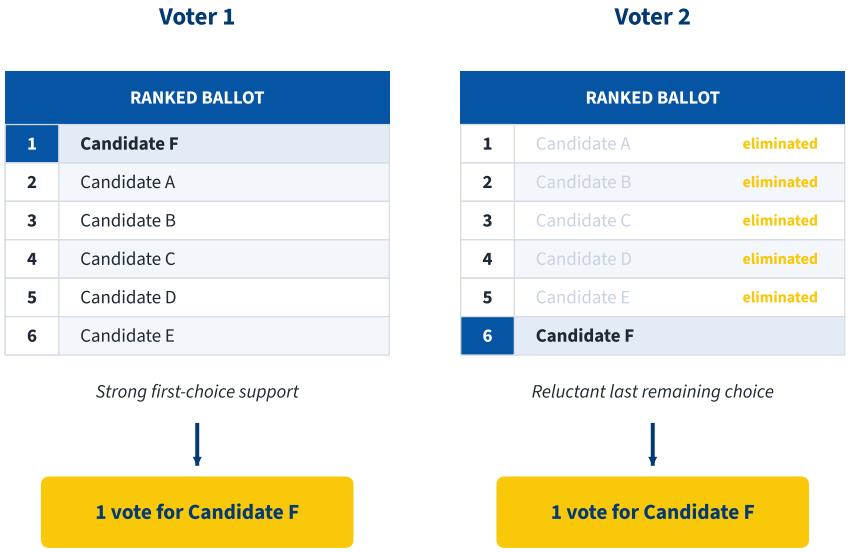


FIGURE 8 Later rankings count the same as first choices. Very different levels of enthusiasm become an identical vote once a ballot transfers.

A transferred vote therefore does not necessarily represent an endorsement comparable to a first-choice vote. It may mean only that the candidate was marginally preferable to the final alternative or that the voter ranked the candidate as a defensive fallback to reduce the risk that the ballot would become exhausted. Yet once transferred, the system records no difference between those very different levels of support.

Taken together, this evidence undermines the claim that collecting more rankings necessarily produces a fuller or more accurate expression of voter intent. Ranked-choice voting can record additional preferences, but it cannot ensure that those preferences are informed, deliberate, or strongly held. When lower rankings are based on limited knowledge, ballot patterns, guesswork, or defensive voting, they may still decide which candidate survives and ultimately wins. Treating every ranking as an equal vote risks giving decisive weight to preferences that may be weak, uninformed, or purely strategic.

PROBLEM #9

RANKED-CHOICE VOTING DELAYS RESULTS AND CAN UNDERMINE PUBLIC CONFIDENCE

Public confidence in elections depends on more than whether the final tally is technically accurate. Voters must also be able to understand how the winner was determined, observe the process, and have confidence that election officials are acting impartially. Ranked-choice voting makes each of these goals more difficult by adding centralized tabulation, successive elimination rounds, changing vote totals, ballot transfers, and delays between Election Day and the declaration of a winner.

Under a traditional plurality system, the candidate who receives the most votes wins, making the result relatively easy for voters to understand and verify. Ranked-choice voting replaces that easily understood result with a process that may continue for days after the initial count. Ballots must be collected from municipalities, transported to Augusta, uploaded into the tabulation system, and processed through multiple rounds before a winner can be announced. Even when officials administer every step properly, most voters cannot independently follow how thousands of individual rankings moved between candidates.

Maine's 2026 primary elections demonstrated this problem. Voters cast their ballots on June 9, but the winners of five ranked-choice races were not announced until the early morning hours of June 19.[51] That delay alone can create uncertainty. For more than a week, voters knew which candidates led in first-choice votes but did not know who had actually won. A candidate who appears to be losing on election night may ultimately prevail after ballots are transferred. To election specialists, this may be an ordinary feature of the system. However, to voters watching totals change days after they cast their ballots, the process can appear opaque and vulnerable to manipulation.

The 2026 Democratic gubernatorial primary presented an especially troubling appearance problem because Secretary of State Shenna Bellows was both a candidate and the elected official who ordinarily heads the department responsible for administering Maine elections. Bellows did step back from key election-related duties and delegated those responsibilities to

deputy officials before the primary.[52] There is no evidence that she interfered with the count or that the tabulation was anything other than legitimate. Nevertheless, the unusual arrangement predictably raised questions about whether a candidate should be associated with the office overseeing her own election.

The concern was amplified by the nature of ranked-choice voting. Under plurality voting, Bellows' initial vote total would have been counted locally and compared directly with the totals received by the other candidates. Under ranked-choice voting, the outcome depended on a centralized process conducted within her department, including the operation of the tabulation software, elimination of candidates, and transfer of later preferences.

The official results show how narrowly Bellows missed surviving the second elimination. After Angus King III was eliminated, Troy Jackson had 47,597 votes and Bellows had 47,049, a difference of only 548 votes.[53] Because Bellows finished behind Jackson, she was eliminated and her ballots were transferred to the remaining candidates. Those transfers moved Pingree into first place, and Pingree ultimately prevailed in the final round.

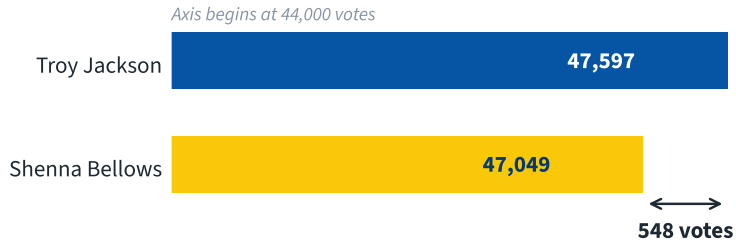


FIGURE 9 The margin that removed the sitting secretary of state from the count: second round of the 2026 Democratic gubernatorial primary.

Source: Maine Secretary of State, Democratic Gubernatorial Primary RCV Summary Report, 2026.

A counterfactual analysis illustrates how consequential those 548 votes were. Had Bellows moved ahead of Jackson after the second round, Jackson would have been eliminated instead. Under that scenario, Bellows would have moved ahead of Pingree at the next stage and eventually defeated Nirav Shah. This demonstrates how close Bellows came to advancing from fourth place to winning the nomination because of the order in which candidates were eliminated.

Had that occurred, the result would almost certainly have produced intense public controversy. The state's sitting secretary of state would have begun the tabulation in fourth place and emerged days later as the winner through

a centralized process administered by her own department. Even if the count was entirely lawful and accurate, many voters would likely have suspected that the system had been manipulated for her benefit.

Election administration should avoid circumstances that could reasonably raise real concerns about impartiality. A voting system that can transform the official overseeing of the centralized count from a fourth-place candidate into the winner after several rounds of software-driven transfers invites suspicion that would be difficult to dispel. Explaining that the outcome resulted from lawful elimination rules and voter rankings would not necessarily restore confidence among voters who already distrust election institutions. The legitimacy of an election depends not only on an accurate count but also on public confidence in how that count was conducted. RCV's added complexity can make that confidence harder to maintain.

PROBLEM #10

RANKED-CHOICE VOTING ADDS ADMINISTRATIVE COMPLEXITY AND CREATES MORE OPPORTUNITIES FOR ERROR

Every election requires careful handling of ballots and accurate reporting by local officials. Ranked-choice voting, however, adds an entirely separate administrative process after municipalities have completed their initial counts. For races requiring additional rounds, local ballot data must be exported from tabulating machines, saved to electronic media, securely transported to Augusta, imported into a central system, and processed through the ranked-choice tabulation software.[54] Hand-count municipalities must instead send their paper ballots to Augusta for scanning before the RCV tabulation can occur. Each of these additional steps creates another opportunity for the wrong file to be selected, a drive to be omitted, data to become unreadable, or ballot totals to fail to reconcile.

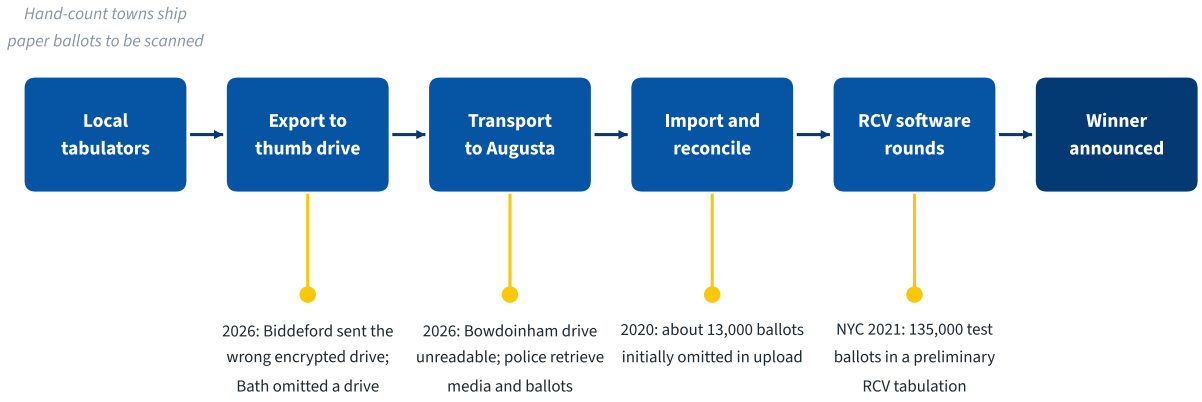


FIGURE 10 The centralized ranked-choice count adds steps after the local tally, and each is a point where problems have occurred.

Source: Maine Secretary of State; news reports cited in this section.

Maine's 2026 primary demonstrated how easily problems can arise during this process. Biddeford initially transmitted an encrypted thumb drive containing local results rather than the state election data needed for the ranked-choice count. Bath failed to include one of its required drives, while

Bowdoinham supplied a drive that state officials could not read.[55] Law-enforcement officers had to return to Biddeford and Bath to retrieve the correct electronic media and collect Bowdoinham's paper ballots so they could be transported and scanned again.[56] The Secretary of State's Office emphasized that the drives had not been lost, but that does not eliminate the underlying concern that the central tabulation could not proceed using the materials initially delivered by three municipalities. State officials described additional discrepancies and cross-checking issues as reasons for delaying the 2026 tabulation even after the missing or unusable materials had been replaced.[57]

Maine experienced the risks of RCV even more during the 2020 primary election, when approximately 13,000 ballots were initially omitted from a ranked-choice voting count because of processing and upload problems.[58] Election officials identified and corrected the mistake, and there is no evidence that it changed the legitimate outcome. Nevertheless, the incident demonstrates how centralized electronic tabulation creates additional opportunities for administrative failures that would not arise in the same manner under a straightforward municipal plurality count. That risk is especially concerning because relatively few people can independently follow or verify how every ranking is processed. A flawed input or transfer may therefore produce an incorrect result that is far less obvious than a simple error in a traditional candidate total.

A similar incident occurred during New York City's 2021 mayoral primary, when election officials mistakenly included approximately 135,000 test ballots in a preliminary RCV tabulation.[59] Although the error was later corrected, the city had already released inaccurate results, delaying the count and further undermining public confidence in the process. More importantly, the consequences of such an error may extend beyond the inaccurate preliminary total itself.

An error can also cascade through the tabulation. If ballots are omitted, duplicated, assigned to the wrong contest, or interpreted incorrectly, the resulting totals may change which candidate is eliminated. Once the wrong candidate is removed, that candidate's ballots transfer, every subsequent total changes, and the election may produce an entirely different final matchup. The risk is therefore not limited to an incorrect number appearing in one column. A relatively small error at an early stage can alter the sequence governing the rest of the election.

Safeguards, reconciliation, law-enforcement retrieval, rescanning, and public observation can reduce these risks, but they cannot erase the complexity that makes those safeguards necessary. Maine's election officials may ultimately correct each mistake, as they apparently did in 2026, but an election system should be judged not only by whether errors are eventually repaired; It should also be judged by how many opportunities it creates for errors to occur, and how difficult those errors are to identify before they affect the result.

Evidence from Maine election officials confirms that RCV adds to the administrative demands placed on municipalities. A survey of Maine municipal clerks conducted after the 2018 elections found that roughly two-thirds agreed that RCV increased their administrative burden.[60] Clerks also reported additional equipment needs, including tabulators and thumb drives used to count and transmit ranked-choice data. Although the survey did not measure whether the added burden directly produced more mistakes, it confirms that RCV requires election officials to manage additional technology, records, and procedures beyond those needed for a non-RCV race.

No election system can eliminate human error. However, ranked-choice voting compounds that risk by requiring more procedures, more data handling, and more opportunities for a mistake to affect the count. A system intended to improve elections should not make accurate administration more difficult or leave voters less certain about how the final result was produced.

PROBLEM #11

RANKED-CHOICE VOTING HAS LEFT MAINE WITH AN INCONSISTENT ELECTION SYSTEM

Ranked-choice voting was promoted as a comprehensive improvement to the way Maine conducts elections. However, nearly a decade after voters approved it the state has not replaced plurality voting with a single, coherent alternative. Instead, Maine now operates under a patchwork system in which the voting method, the standard required to win, and the way ballots are counted can change depending on the office and whether the contest is a primary or general election.

RCV versus plurality in Maine elections

OFFICE	PRIMARY	GENERAL ELECTION
Governor	RCV	PLURALITY
State Senate	RCV	PLURALITY
State House	RCV	PLURALITY
U.S. Senate	RCV	RCV
U.S. House	RCV	RCV
President	RCV	RCV

Primaries use RCV when at least three candidates qualify, including declared write-ins. The Maine Constitution requires plurality general elections for governor and the Legislature.

Maine uses ranked-choice voting in primary elections for governor, state senator, state representative, U.S. senator, and U.S. representative when at least three candidates qualify for the contest, including declared write-in candidates. It also uses ranked-choice voting in general elections for federal offices, including president and Congress. Yet general elections for governor, state senator, and state representative continue to be decided by plurality because the Maine Constitution requires plurality elections for those offices.[61] As a result, the same voter may use ranked-choice voting to select a party's nominee for governor in June, only to use a traditional plurality ballot to choose the governor in November.

This inconsistency creates an unnecessary voter-education problem. A voter participating in a state primary may be told to rank candidates in order of preference and that a winner must receive a majority of the remaining ballots. Months later, the same voter may be instructed to select only one candidate for the same office, with the candidate receiving the most votes declared the winner even without majority support. The rules do not change because the nature of the office is different. They change because Maine's statutory ranked-choice system cannot be fully reconciled with the state Constitution.

The distinction becomes even more confusing across offices appearing on the same ballot. A voter may be asked to rank candidates in a federal race while selecting only one candidate in a state race. One contest may be resolved through centralized tabulation and successive elimination rounds, while another is decided by comparing the totals reported by municipalities. The meaning of a reported lead also varies. A plurality leader in one race may be the winner, while a first-choice leader in another race may still lose after later rankings are transferred.

Supporters often argue that ranked-choice voting is intuitive because voters simply rank candidates in order of preference. Maine's experience weakens that claim. Even after voters understand how to mark an RCV ballot, they must still determine which races use the system, which do not, whether the contest is a primary or general election, whether a majority or a plurality is required, and whether the result announced on election night is final. A system that requires this much office-specific explanation is not the simple, uniform replacement for plurality voting that Mainers were promised.

The original ballot question asked whether ranked-choice voting should be used for U.S. Senate, Congress, governor, state Senate, and state representative. Constitutional problems prevented that proposal from being implemented as written. The Legislature and voters later preserved only the portions that could operate without violating the Constitution, while lawmakers separately expanded the system to presidential elections. The result is a statutory compromise rather than a uniform election method.

The Maine Supreme Judicial Court's advisory opinions make clear that this inconsistency cannot be resolved through ordinary legislation.[62] Unless the Maine Constitution is amended, ranked-choice voting cannot be extended to general elections for governor or the Legislature. Maine therefore faces a

choice: amend the Constitution and apply RCV more broadly, repeal RCV and return to a uniform plurality system, or continue operating two different voting methods side by side.

Given RCV's decade-long record of failing to consistently deliver the benefits used to justify its adoption, repeal is the clearest path forward. Rather than amend the Constitution to expand a system that has produced added complexity, inconsistent rules, exhausted ballots, administrative burdens, and uncertain benefits, Maine should restore a uniform plurality system statewide.

PROBLEM #12

RANKED-CHOICE VOTING CAN DENY A RECOUNT TO A NARROWLY ELIMINATED CANDIDATE

Recounts are meant to verify elections when a small number of disputed or miscounted ballots could change the result. That is relatively straightforward in a plurality election because the decisive margin is the difference between the leading candidates. Ranked-choice voting is more complicated because an election may effectively be decided in an earlier elimination round rather than the final total.

Under 21-A M.R.S. § 737-A, only candidates who hold one of the top three rankings at the end of the penultimate round may request a recount.[63] A candidate eliminated earlier has no recount right, even when the elimination margin is extremely narrow and surviving that round could have led to victory.

Maine's 2026 Democratic gubernatorial primary again provides a useful illustration of this problem. After Angus King III was eliminated, Troy Jackson had 47,597 votes and Shenna Bellows had 47,049, a difference of only 548 votes.[64] Because Bellows finished behind Jackson, she was eliminated in fourth place and her ballots were transferred to the remaining candidates.

As discussed earlier, that 548 vote margin was decisive. Had Bellows moved ahead of Jackson, Jackson would have been eliminated instead. Bellows would then have moved narrowly ahead of Pingree and ultimately defeated Shah. Bellows therefore finished fourth, but she was only 549 votes away from entering an elimination sequence that likely would have made her the nominee.

Despite that, Bellows had no right to request a recount. Jackson, who survived one round longer and officially finished third, was eligible under the current law even though the alternative tabulation suggests Bellows, not Jackson, had the stronger path to victory. The law therefore bases recount eligibility on the elimination order produced by the disputed count itself.

That limitation is especially problematic in a ranked-choice election because the decisive margin may occur well before the final round. A small error in an intermediate round can change which candidate is eliminated, redirect

thousands of transferred ballots, and produce an entirely different final matchup. The most important margin may therefore occur well before the final round.

This creates a broader practical dilemma. In principle, any candidate eliminated before the final round could argue that the election turned on the margin that removed that candidate from contention. If a recount changed that margin, the elimination order could change, ballots could transfer differently, and the remaining rounds could produce a different winner. A candidate's apparent position in the official order therefore does not necessarily show how close that candidate was to winning under an alternative, but still plausible, sequence of eliminations.

Taken to its logical conclusion, a fully protective recount system would need to permit challenges in every round, not merely among the final three candidates. It could also require officials to recount and reevaluate the rankings affecting each disputed elimination, rerun the entire tabulation, and then determine whether the corrected results changed any subsequent transfers. Maine's rules do not do this. They expressly limit recount candidates to those who held one of the top three positions at the end of the penultimate round, excluding every candidate eliminated earlier.

Such an expansive recount process would be extraordinarily burdensome. In a large field, several candidates might claim that a relatively small change in their elimination round could have altered the entire election. Allowing each of them to demand a separate recount could require repeated ballot sorting, multiple alternative tabulations, substantial expense, and prolonged uncertainty over the result. Yet limiting recounts to the final three is also difficult to justify when an earlier elimination may have been the truly decisive moment.

That is the underlying contradiction RCV creates. Fairness suggests that any candidate eliminated by a sufficiently close margin should be able to challenge the count when surviving that round could plausibly lead to victory. Practical administration, however, makes such a system nearly unworkable. Maine resolves the problem by drawing an arbitrary line at the final three candidates, but that convenience comes at the cost of denying a recount to earlier-eliminated candidates whose narrow losses may have determined the entire election.

The recount law's deposit requirements create an additional concern. For a statewide or multicounty office, no deposit is required for a recount only when the difference used for the recount calculation is 1 percent or less of the total votes cast, or not more than 1,000 votes, whichever is less. Under the Secretary of State's rules, when the requesting candidate finished third in the penultimate round, the deposit is calculated by comparing that candidate's penultimate-round total with the apparent winner's total in that same round.[65]

This rule, however, may not measure the margin that actually determined the election. The decisive contest may have been between the requesting candidate and the candidate who narrowly survived elimination, rather than between the requesting candidate and the apparent winner. A candidate could therefore lose the decisive elimination by only a small number of votes but still fall outside the no-deposit threshold because the law compares that candidate with the apparent winner.

For example, suppose Candidate A has 340 votes, Candidate B has 301, and Candidate C has 299 in the penultimate round. Candidate C is eliminated by just two votes, and Candidate A ultimately wins. Yet if Candidate C requests a recount, the deposit would be based on the 41-vote gap between C and Candidate A, not the two-vote margin between C and Candidate B that actually determined who advanced. Candidate C could therefore be required to pay a deposit despite losing the decisive elimination by only two votes.

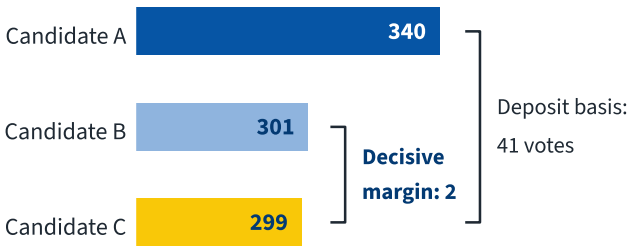


FIGURE 11 Candidate C loses the decisive elimination by two votes, but any recount deposit is calculated against the 41-vote gap to the apparent winner.

Taken together, a candidate eliminated before reaching the final three is barred from requesting a recount altogether, while a candidate who does reach the final three may still be required to fund one because the deposit calculation does not necessarily reflect the narrow elimination margin that shaped the rest of the tabulation.

A recount system should focus on the margin that could actually change the outcome. Under ranked-choice voting, however, Maine law may ignore the narrow elimination margin that determined which candidates advanced and instead rely on the final order produced by that same disputed tabulation. As a result, the candidate with the strongest reason to question the count may be denied a recount or required to pay a substantial deposit to obtain one. By tying recount eligibility to the final three candidates and calculating a third-place candidate's deposit against the apparent winner, Maine's recount law may fail to provide meaningful protection against errors at the point where they matter most.

PROBLEM #13

RANKED-CHOICE VOTING IS NOT EQUIVALENT TO A TRADITIONAL RUNOFF

Ranked-choice voting is often described as "instant-runoff voting," implying that it provides the benefits of a traditional runoff without requiring voters to return for a second election. That description is misleading. Ranked-choice voting does not conduct a second election between the leading candidates. Instead, it uses rankings submitted before voters know which candidates will advance.

In a traditional runoff, voters know exactly which two candidates remain. The finalists must campaign directly against one another, defend their records, debate their differences, and explain why they deserve majority support. Voters can compare the candidates under the circumstances that actually exist rather than trying to anticipate every possible final matchup when they cast their original ballots.

That direct comparison can produce a more informed decision. A voter who supported an eliminated candidate may learn new information about the finalists, reconsider earlier assumptions, or respond to endorsements and developments occurring after the first election. The campaigns may also reveal differences that were less apparent in a crowded field, where candidates had limited opportunities to address every opponent. A traditional runoff allows voters to factor in all of that information before choosing between the final two candidates.

Ranked-choice voting denies voters that opportunity. Every ranking is fixed when the original ballot is cast, often weeks before Election Day for absentee voters. At that time, voters do not know which candidates will survive, what the final head-to-head contest will look like, or what information may emerge before the tabulation is completed. Their second, third, or later choices are therefore conditional predictions about hypothetical contests rather than decisions made after the actual finalists are known.

> *Ranked-choice voting asks voters to predict future rounds in advance, then treats those predictions as though they were votes cast in an actual runoff.*

This distinction becomes especially important in large fields. A voter may rank one candidate first and another fourth without ever seriously considering how the two would compare in a direct contest. If those candidates ultimately become the finalists, the fourth-place ranking is treated as the voter's choice between them. Yet that ranking may have been based on limited information, ballot order, or a general impression formed before either candidate received the scrutiny that accompanies a two-person race.

A traditional runoff also gives every participating voter the same choice. Each voter decides between the same two finalists, and every valid ballot cast in the runoff counts toward the final result. Under ranked-choice voting, voters participate in different versions of the election. Some ballots transfer to a finalist, some remain with a candidate throughout the count, and others become exhausted because the voter did not rank either surviving candidate.

This difference matters for public confidence. A traditional runoff produces a result that is straightforward to understand. When two candidates appear on the ballot, voters make a direct choice between them, and the candidate who receives more votes wins. Voters may dislike the outcome, but they can readily understand how it was reached and know that everyone participating in the decisive election faced the same choice. Ranked-choice voting can produce a far less transparent result.

Supporters of ranked-choice voting often argue that traditional runoffs reduce turnout because voters must return for a second election. Turnout does decline in many low-profile primary runoffs, but that does not show that voters generally avoid meaningful head-to-head contests. Many of the races cited in support of this claim are isolated, receive limited attention, or are not especially competitive.

Research indicates that competitiveness matters. A 2025 study of runoff elections found that closer contests produced higher turnout, including when pre-election polling suggested the result would be tight.[66] Earlier stud-

ies of two-round elections in Europe reached a similar conclusion that voters are more likely to participate when they believe the race is genuinely competitive and that their ballot could affect the outcome.[67] [68]

The better conclusion is therefore that runoff turnout depends on the circumstances of the election, not simply on the existence of a second round. Competitive, well-publicized runoffs can attract substantial participation because voters know the finalists and understand what is at stake.

If Maine believes candidates should demonstrate majority support, a traditional runoff provides the clearest direct test of support between the top two candidates. It gives voters a fresh ballot, a clearly defined choice, and an opportunity to evaluate the final candidates directly. Ranked-choice voting instead asks voters to predict future rounds in advance and then treats those earlier predictions as though they were votes cast in an actual runoff. It may be faster than holding another election, but it does not provide voters with the same information, the same opportunity to reconsider, or the same confidence that comes from a direct head-to-head vote.

PROBLEM #14

RCV OUTCOMES CAN DEPEND ON TECHNICAL ELIMINATION RULES

Ranked-choice voting is often presented as though voter rankings naturally produce a single, objective winner. In reality, the outcome also depends on statutory rules governing when candidates are eliminated and how their ballots are transferred. Maine's decision to replace batch elimination with single elimination demonstrates that changing the rules for processing the same set of rankings can, in some circumstances, produce a different winner.

Originally Maine law permitted multiple candidates to be eliminated simultaneously when they were mathematically unable to surpass the candidate immediately above them, even after accounting for all votes that could potentially transfer among the lower-ranked candidates.[69] The Legislature later required candidates to be eliminated one at a time.[70] The Secretary of State supported this change because Maine had already removed batch-elimination for presidential primaries due to special rules concerning delegate allocation, and retaining batch elimination in other contests would have required the state to administer different RCV procedures for different elections.[71]

In most elections, changing from batch elimination to single elimination will not affect the winner. When the combined support of the lowest-ranked candidates is well below the candidate ahead of them, eliminating those candidates separately is unlikely to change the result. Still, the elimination method can matter in rare circumstances because transfers that occur after one candidate is eliminated may allow another low-ranked candidate to remain in contention. The hypothetical 1,000-ballot election illustrated below demonstrates how the same set of votes can produce a different outcome depending on whether candidates are eliminated together or one at a time.

Hypothetical 1,000-ballot election

BALLOTS	RANKING (1ST TO 5TH)
269	A, D, E, B, C
134	E, C, A, D, B
99	B, E, A, D, C
109	D, E, B, C, A
124	D, A, C, B, E
159	C, D, E, A, B
106	C, A, D, B, E

The first-round totals are A with 269 votes, C with 265, D with 233, E with 134, and B with 99. Under the former batch-elimination rule, B and E could be eliminated together because their combined 233 votes could only equal, not surpass, D's 233.[72] B's ballots would then transfer past E to A, while E's ballots would transfer to C. After D was eliminated, C would defeat A, 508 to 492.

Under single elimination, only B would be removed first. B's 99 ballots would transfer to E, raising E to 233 votes and creating a last-place tie with D. Current Maine law resolves such ties "by lot," essentially through a random drawing comparable to a coin toss. If that chance procedure selected D for elimination, Candidate E would ultimately win through a series of subsequent transfers.

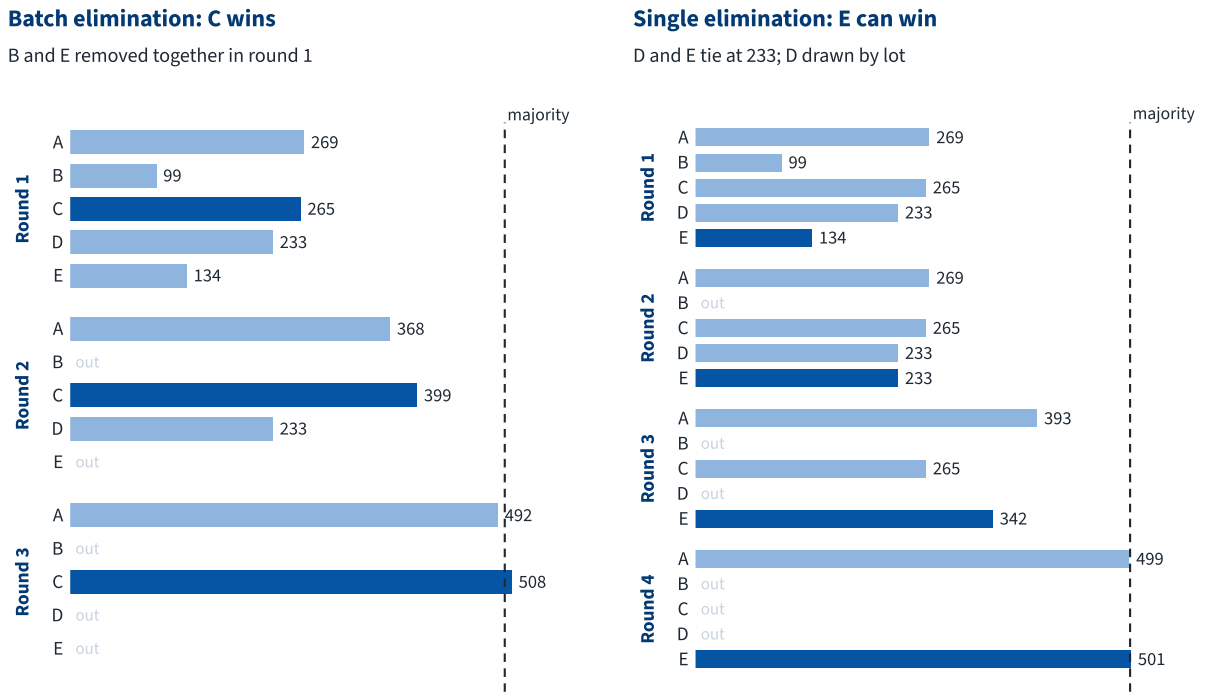


FIGURE 12 The same 1,000 ballots, two legal counting rules, two different winners. Under single elimination, the D and E tie is broken by lot; if D is drawn, E wins.

The same ballots therefore elect C under batch elimination but can elect E under single elimination. Although this outcome is unusual and depends on an exact tie, it demonstrates that a seemingly minor change to RCV's tabulation rules can alter the winner. The result is therefore determined not only by voters' rankings, but also by the elimination, transfer, and tie-breaking procedures lawmakers choose to adopt.

RCV proponents may dismiss this scenario as too improbable to warrant concern because it requires an exact tie at a particular stage of the tabulation. Yet ranked-choice voting creates more opportunities for a tie than a traditional plurality election. Instead of one decisive comparison at the end of the count, an RCV election will produce a new opportunity for a tie after every transfer, with each additional round creating another point at which two candidates could finish even. Razor-thin statewide results are not merely hypothetical; they have happened frequently throughout America's history. The 2000 presidential election was certified by a margin of only 537 votes in Florida, while Maine's 1880 gubernatorial election was decided by just 169 votes.[73] An exact tie in an RCV round is far from impossible, and a system

that repeatedly recalculates candidate totals creates more chances for one to occur. And as this example shows, a single tie could determine not merely who advances, but who ultimately wins.

The example above illustrates an important weakness in ranked-choice voting because changing a technical tabulation rule can alter the winner even when every voter casts exactly the same ballot. This hypothetical is not meant to suggest that batch elimination is the only rule change capable of affecting an outcome. Rather, it demonstrates a broader point that RCV results can depend on the specific procedures used to interpret rankings, eliminate candidates, transfer ballots, and resolve ties. Changes to any of those rules can alter the sequence of the count and, in sufficiently close elections, potentially change the winner. Election outcomes therefore depend not only on the preferences voters express, but also on the technical rules officials and lawmakers adopt to convert those rankings into a final result. That creates a real risk that procedural changes made outside the voting booth can have consequences for the outcome of an entire election, even though no voter changed a single preference.

PROBLEM #15

RCV DOES NOT GUARANTEE MODERATE WINNERS

Supporters frequently argue that ranked-choice voting moderates elections. Because candidates may need second-and third-choice support, they supposedly must appeal beyond their political base, avoid ideological extremes, and build broad coalitions. Under this theory, RCV acts as a safeguard against radical candidates.

That promise is far from certain. Ranked-choice voting does not require candidates to move toward the political center; It requires them to assemble a winning combination of rankings. In a crowded field, a strongly ideological candidate can survive on an energized first-choice base and then gain transfers from candidates occupying the same political faction. Rather than moderating the eventual winner, RCV may allow several more radical ideological constituencies to consolidate behind one candidate as the field is eliminated.

One reason is a phenomenon sometimes referred to as the "center squeeze."[74] Under RCV, a voter's later preferences are not counted while a higher-ranked candidate remains in contention. A candidate with broad second-choice support can therefore be eliminated before those rankings are activated if the candidate lacks enough first-choice votes. A consensus-oriented candidate can therefore be removed early, even when that candidate would defeat every opponent in a head-to-head contest. This occurred in Alaska's 2022 special congressional election when candidate Nick Begich was eliminated before the final round even though the ballot data showed that he would have defeated both other candidates, Mary Peltola and Sarah Palin, in separate one-on-one contests.[75] RCV eliminated the candidate with the broadest head-to-head support and left voters with two other finalists.

Academic research likewise provides little basis for treating moderation as an inherent feature of RCV. A Stanford study found that although RCV can produce less extreme winners in simplified three-candidate models, that guarantee disappeared when four or more candidates competed.[76] Its ability to select moderate candidates continues to decline as the size of the field in-

creases. Most relevant to Maine, the researchers found that Maine's system of using RCV within partisan primaries performed worse at selecting moderate nominees than the other RCV formats they examined.

Maine's 2026 Democratic gubernatorial primary illustrates how ideological factions can consolidate through later rankings. Nirav Shah, who was generally characterized as the more moderate candidate, led the first round and remained ahead after the first elimination. Before the election, Troy Jackson, Shenna Bellows, and Hannah Pingree publicly formed a ranked-choice alliance, pledged to rank one another, and urged their supporters to do the same, pointing to their shared work on labor, marriage equality, and other progressive causes.[77] The coordinated effort was intended to consolidate support against frontrunner Shah. Pingree moved ahead only after Bellows was eliminated and then won decisively after the elimination of Jackson, a progressive candidate backed by Bernie Sanders. Approximately 60 percent of Jackson's continuing ballots transferred to Pingree, compared with only about 24 percent that transferred to Shah.[78] The alliance therefore worked as intended: three candidates from the party's more progressive faction used RCV's transfer system to combine their support and defeat the more moderate candidate who had initially led the race.



remainder did not continue to a finalist

FIGURE 13 Where Troy Jackson's continuing ballots went when he was eliminated.
Source: Maine Secretary of State, Democratic Gubernatorial Primary RCV Summary Report, 2026.

This example also raises a broader institutional concern. The American system of government was deliberately constructed to restrain faction, divide political power, and prevent temporary passions from producing sudden and sweeping changes. In Federalist No. 10, James Madison argued that representative institutions should help control the effects of faction. A system that allows an intensely motivated ideological coalition to consolidate lower-order rankings may weaken the electorate's traditional preference for caution, broad agreement, and incremental change.

A plurality election does not guarantee moderate winners, and no voting system can. But RCV should not be treated as a reliable mechanism for producing them either. Because later rankings can consolidate support among ideologically aligned candidates, RCV may allow a candidate with less first-choice support to prevail through transferred preferences that reflect coalition-building, strategic ranking, or reluctant acceptance rather than broad agreement with the candidate's agenda.

Maine's 2026 Democratic gubernatorial primary illustrates that possibility. The race showed how coordinated factions can encourage reciprocal rankings and combine their support as candidates are eliminated. That does not mean RCV will always produce a more ideological winner, but it does undermine the claim that the system reliably pulls elections toward the political center. In some circumstances, RCV may instead give disciplined ideological coalitions a more effective path to victory.

PROBLEM #16

RCV CAN CAUSE VOTERS TO MISUNDERSTAND WHEN THEIR LATER CHOICES COUNT

Ranked-choice voting is often promoted as allowing voters to support their preferred candidate without sacrificing their ability to support a more viable alternative. A voter can supposedly rank a favorite candidate first and a backup candidate second, confident that the second choice will receive the vote if the first choice cannot win. Maine's 2026 U.S. Senate election demonstrates that the reality can be considerably more complicated.

Following Graham Platner's withdrawal from the U.S. Senate race, Troy Jackson became the Democratic nominee against Republican incumbent Susan Collins. Some Platner supporters subsequently encouraged voters to write in Platner as a protest vote while ranking Jackson second. Before Maine's August 25 deadline, supporters had also urged Platner to formally register as a declared write-in candidate so that votes cast for him would count. Platner ultimately did not do so. Supporters of the protest-vote strategy have nevertheless argued that because Platner is not a declared write-in candidate, the first-choice vote for him will not be counted and the ballot will instead move to Jackson as the voter's next valid ranked choice. Six other candidates did formally declare as write-ins, however, causing the Senate election to be conducted using a ranked-choice ballot.[79]

That thinking is faulty, however, and creates a potential trap for voters attempting to follow the Platner-first, Jackson-second strategy. Because Platner is not a declared write-in candidate, the Secretary of State's Office has confirmed that a voter who writes in Platner and ranks him first will have that first ranking recorded as blank. If the voter ranks Jackson second, that does not mean Jackson automatically receives the voter's vote. The second ranking becomes relevant only if the election actually proceeds to a ranked-choice tabulation.

Under current Maine law, if a candidate is ranked first on more than 50 percent of all ballots cast for the office, that candidate wins immediately and no additional rounds of ranked-choice tabulation occur. Importantly, the denominator includes ballots on which the first ranking is blank. Only when

no candidate crosses that threshold does the ranked-choice count begin, at which point each continuing ballot is counted for its highest-ranked continuing candidate. The Secretary of State explicitly states that a ballot left blank at the first ranking is reported as blank on Election Day and that a valid second choice is "bumped up" only when the RCV rules are subsequently applied[80].

Consider a voter who fills out the Senate portion of the ballot this way:

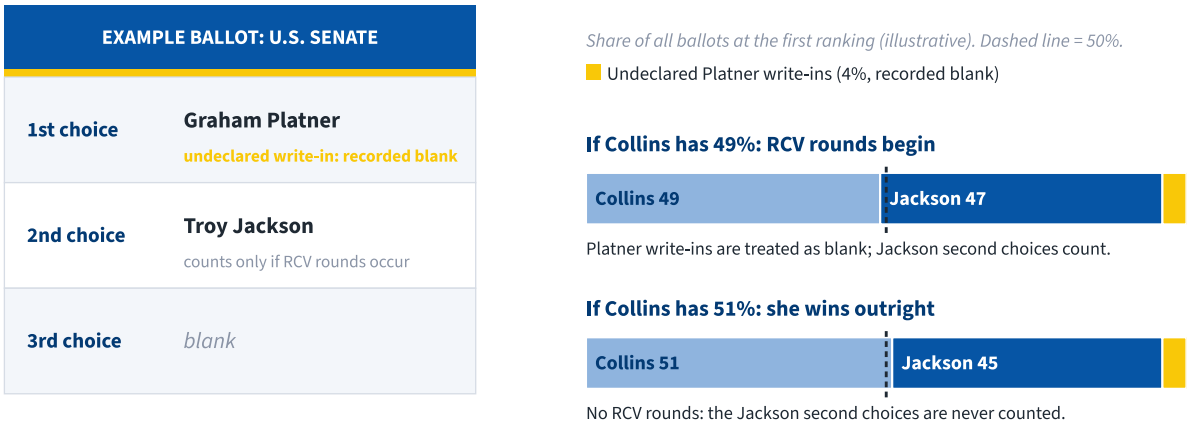


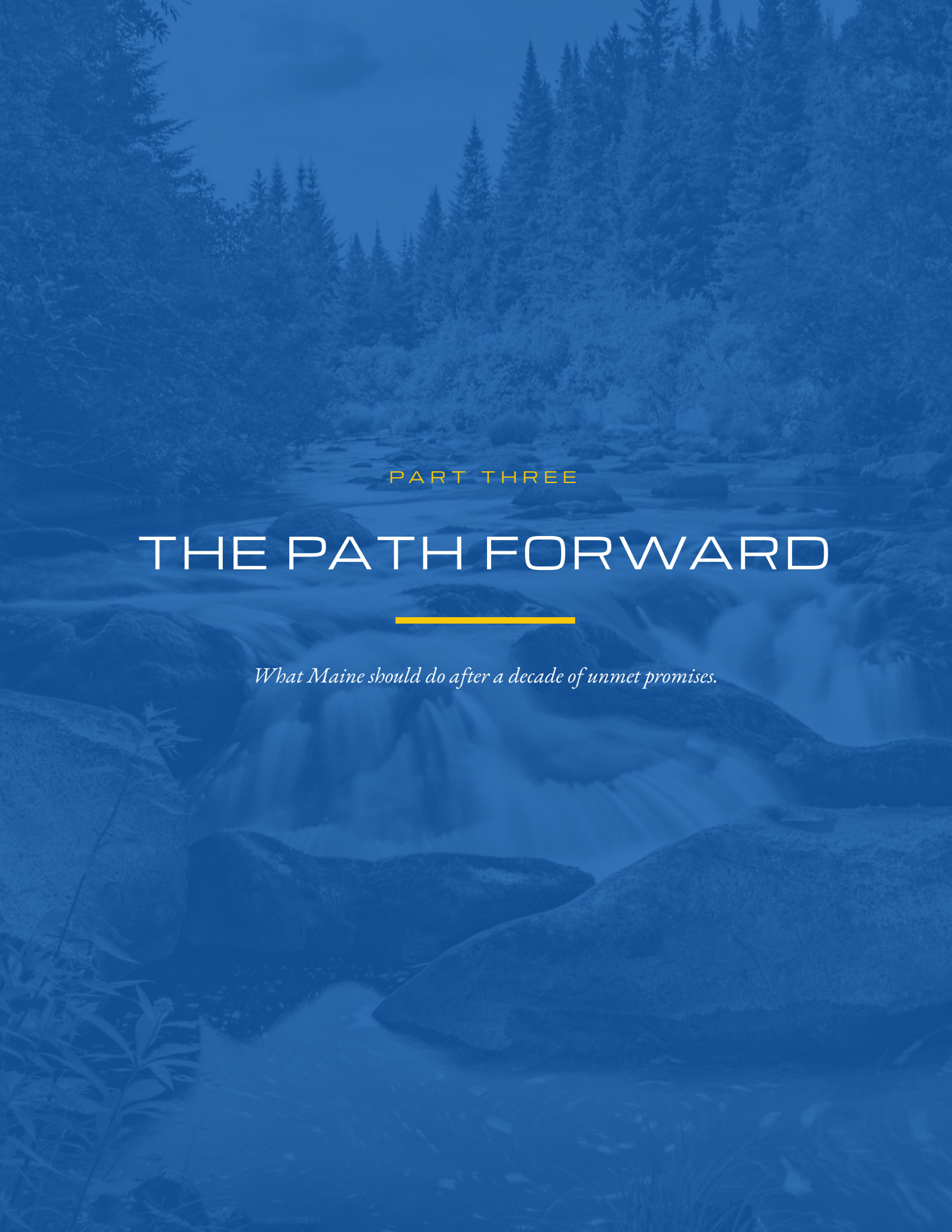
FIGURE 14 A Platner-first, Jackson-second ballot. Whether the second choice ever counts depends on whether any candidate clears 50 percent of all ballots at the first ranking. Collins, Jackson, and any declared write-ins are not ranked on this example ballot.

If Collins receives 49 percent of all ballots at the first ranking, Jackson receives 47 percent and 4 percent contain Platner protest write-ins, no candidate has exceeded 50 percent. The race proceeds to ranked-choice tabulation, the Platner rankings are treated as blank, and those voters' valid second choices for Jackson can then be counted. But if Collins instead receives 51 percent of all ballots at the first ranking, she wins immediately. There is no ranked-choice tabulation, and the voters' second-choice rankings for Jackson are never counted. The Portland Press Herald confirmed this distinction with the Secretary of State's Office, reporting that an undeclared Platner write-in would be treated as blank and that a voter's second choice would be counted only if the race advanced to ranked-choice tabulation.[81]

The broader issue illustrated by this example is one of voter understanding. A voter can fill out the ballot exactly as intended—using the first ranking as a protest and the second as a fallback—yet still misunderstand whether that

fallback will ever take effect. Nothing about the act of ranking a candidate second necessarily tells the voter that the effectiveness of that choice depends on whether the election reaches a ranked-choice tabulation.

Ranked-choice voting is commonly understood as allowing voters to support a preferred candidate while keeping a backup choice in reserve. The Platner-Jackson scenario shows the limitation of that assumption. A second choice can serve as a backup, but only if the election reaches the stage at which later rankings are considered. A voter who does not understand that condition may believe they have preserved their support for a second-choice candidate when, depending on the initial results, that candidate may never receive their vote at all.



PART THREE

THE PATH FORWARD

What Maine should do after a decade of unmet promises.

CONCLUSION

Nearly a decade after Maine voters approved ranked-choice voting, the state has enough experience to judge the system by how it actually works rather than by what its supporters promised. RCV was promoted as a way to produce majority winners, give voters more meaningful choices, increase participation, reduce negative campaigning, strengthen third-party candidates, and encourage moderation. Maine's experience and the broader evidence reviewed in this report show that few, if any, of those benefits have materialized. At the same time, Maine's experience has revealed additional problems that were less apparent when the system was first adopted.

> *After nearly a decade of use, the evidence suggests that RCV's added complexity does not produce benefits substantial and dependable enough to justify its costs.*

RCV allows voters to express more preferences, but it also requires them to navigate a more complicated ballot and understand rules that do not exist in a traditional plurality election. Those burdens become greater as candidate fields grow. Voters may know their first choice but have little basis for meaningfully ranking every remaining candidate. Ballots can also become exhausted when all ranked candidates are eliminated or when marking errors prevent later preferences from being counted. Once that happens, it is as if the voter chose not to vote at all. This is why RCV's claim to produce majority winners is often misleading. The winner may receive a majority of continuing ballots while still earning less than half of the votes cast at the beginning of the election.

Maine's experience has revealed broader structural problems as well. The state now uses RCV for some elections and plurality voting for others, creating different rules for closely related contests. RCV races requiring additional rounds depend on centralized data collection and tabulation, adding delays and more opportunities for administrative error. A narrow intermedi-

ate margin can determine the elimination order and ultimately change the winner, yet a candidate eliminated before the final three may have no right to request a recount. Even technical rules governing elimination and ties can cause the same ballots to produce different outcomes.

Plurality voting is not perfect, but that is not the standard by which RCV should be judged. The relevant question is whether RCV's added complexity produces benefits that are substantial and dependable enough to justify its costs. After nearly a decade of use, the evidence suggests that it does not. RCV has left Maine with a fractured, administratively demanding, and difficult-to-explain election system without consistently delivering the advantages used to justify it.

Maine should repeal ranked-choice voting and restore a uniform plurality system. Where lawmakers believe majority support is necessary, a traditional runoff would give voters a direct choice between the finalists. Election rules should make voter intent easy to express, results easy to understand, and counts easy to administer and verify. Ranked-choice voting moves Maine farther from those goals.

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