



# LEAGUE OF WOMEN VOTERS OF MAINE

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TO: The Honorable Senator Garrett P. Mason  
The Honorable Representative Louis J. Luchini, Co-chairs  
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: June 2, 2017

RE: LD 1625 An Act To Repeal the Ranked-choice Voting Law

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Good morning. My name is Ann Luther. I'm the Advocacy Chair of the League of Women Voters of Maine, a volunteer, and a resident of Trenton. The League of Women Voters of Maine submits the following testimony in opposition to LD 1625.

The League of Women Voters of Maine supports election systems for offices in single seat elections that require the winner to receive a majority of the votes, as long as the majority is achieved by Ranked Choice Voting, rather than a second, separate runoff election.

Here's why the League supports Ranked Choice Voting (RCV):<sup>1</sup>

- RCV ensures a majority winner
- It minimizes "strategic" voting
- It allows voters to express their sincere preferences among candidates
- RCV eliminates problems of spoiler candidates knocking off major candidates
- RCV does not require separate run-off elections
- It promotes civility in campaigns
- RCV is most likely to elect a candidate with broad appeal
- It may improve voter participation

Following the advisory opinion offered last week by the Maine Supreme Judicial Court in the Senate's solemn occasion request, we must presume that full implementation of RCV in Maine requires a constitutional amendment. Because we support RCV, and because we are joined in this by a sizable majority of Maine voters, we support such an amendment. At the same time, we urge this committee to reject this proposal to repeal the law outright, and urge you to move forward instead with implementation of RCV in those races where there is no constitutional impediment.

Doing so respects the will of the voters, respects the Maine state constitution and the democratic process, and preserves and advances the benefits for which Maine people endorsed this reform. Those benefits accrue to primary elections and elections for federal offices just as they do for general elections for governor. Let's be clear: this is not now -- and never was -- just about RCV for governor.

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<sup>1</sup> Read the League of Women Voters' briefing paper on Ranked Choice Voting at <http://www.lwvme.org/files/lwvmeIRV.pdf>.

So let's get on with it.

We've heard the concern that voters would be unable to handle having both RCV and pick-one races on the same ballot. We are not persuaded. It's done all the time in municipalities using RCV in Maine and around the country. Maine voters are as good as any. Voters will need education and training, it's true. Let's start now.

Moreover, implementing RCV for this smaller set of races is feasible for election officials. The Secretary of State's office has repeatedly given assurance on the record that they are prepared to implement RCV by 2018 for all eligible races. A partial implementation as proposed here would be even easier, with fewer races, many of which will be uncontested. It gives our election officials a chance to start out on a slightly smaller scale. Our election officials are as good as any. We can do this.

Voters asked for this under their right granted by the Maine state constitution. We may not be happy with the court's decision in the solemn occasion, but we respect their authority to decide. You may not be happy with the outcome of this election, but you should respect the authority of voters to decide. Such respect requires you to do your best to honor the will of those voters. Don't undermine them by repealing provisions that are perfectly valid under the constitution and the court opinion.

There is a clear and easy solution – one that honors both the court opinion and the will of the voters. We have attached language to our testimony that simply suspends those portions of the law called into question by the court until such time as a constitutional amendment is enacted to remove the impediment. Supporting this approach will show the voters that you heard their call for change and have acted responsibly to honor it. We support this amendment and hope you will give it your consideration.

## **An Act To Establish Ranked-choice Voting**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 6. Application.** This Act applies to elections held on or after January 1, 2018 except that it is inoperative with respect to elections that are the subject of Opinion of the Justices of the Supreme Court in Docket No. OJ-17-1 (May 23, 2017) until ratification of a constitutional amendment permitting ranked choice voting.