



LEAGUE OF WOMEN VOTERS OF MAINE

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TO: The Honorable Senator John L. Tuttle, Jr.
The Honorable Representative Louis J. Luchini, Co-chairs
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: April 22, 2013

RE: LD 518 An Act To Establish Ranked-choice Voting in the State

LD 860 An Act To Require That the Governor, Senators and Members of the
House of Representatives Be Elected by the Ranked-choice Voting Method

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 support of LDs 518 and 860.

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):¹

- 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
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In general, League members believe that the winner of single seat elections should be determined by a majority vote, and they support a system of Ranked Choice Voting for determining the majority winner. While there is strong support among our members for majority-winner elections, that support diminished if the winner has to be determined by a traditional runoff election. Some of the factors that were important in diluting the consensus included:

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

- Increased opportunity for strategic voting during the original election
- Expense to the state and municipalities in conducting the run-off election
- Extending the campaign season
- Driving up the cost of campaign financing
- Loss of civility during the runoff election
- Potential for reduction in voter engagement and turnout in traditional runoff elections.

Plurality voting, in which the candidate with the most votes wins, can be thorny in elections with more than two candidates. Voters may sometimes be reluctant to vote for the candidate they most strongly support for fear of facilitating the election of the candidate they most strongly oppose. The winning candidate may be one fervently supported by a minority of voters – albeit a winning plurality – but lacking the broad support of a majority of voters.

Ranked Choice Voting, on the other hand, encourages candidates to reach out to more voters, alleviates concerns about the “spoiler effect,” and ensures the election of candidates who have majority support.

We understand that because Maine's Constitution specifies that candidates be elected by a plurality of the vote, there is a question whether or not instituting Ranked Choice Voting would require an amendment to our State Constitution. Proponents believe that a Constitutional Amendment is not necessary and that RCV is defensible under our current Constitution, but the League would support such an amendment, if required.

In addition, we know that there are numerous logistical issues to be resolved in order for Ranked Choice Voting to be practical in a statewide election, and there are several options to be considered. Which options to choose depend on our tolerance for taking time and spending money. Are we willing to wait 3 days for election results? Probably. Three weeks? Maybe. Two months? Probably not. Are we willing to spend a few hundred thousand dollars over a few years? Probably. A million dollars or more? Maybe, but not so easily.

At the least, implementing RCV would require an upgrade to our current optical scanning technology for those jurisdictions that already have it. Some or all of those that don't have optical scanning currently might need to get it for the first time. Whether it would be mandatory for every voting jurisdiction is a question. In any case, we will need a plan for physically or electronically transferring local election results and/or ballots to a central facility for 2nd and subsequent round tabulations. Electronic transmittal would require additional enabling legislation, along with new telecommunications capabilities. Physical transfer would require a manual transport plan with secure chain-of-custody provisions that would need to be deployed for every affected election. Neither of the bills before you answers these questions or makes these choices. But the choices will have to be made and supported by appropriations, and we encourage you to do so.

Now, as to some of the differences between these two bills, LD 518 covers federal elections for U.S. Congress and U.S. Senate; LD 860 does not. The League's position

League of Women Voters of Maine

Testimony on LDs 518 & 860 before the Veterans and Legal Affairs Committee

April 22, 2013

Page 3

supports use of Ranked Choice Voting in all of these instances. It is an open question whether RCV would be used in the primaries, as well as in the general elections.

LD 860 caps the number of counting iterations at three rounds and declares the winner to be the candidate with the greatest number of votes after the third round. We note that this could be a plurality winner, not a majority winner. Assuming that the central tabulation of ballots will not be a manual process, but will be automated in some way, this seems like a needless compromise. LD 518 specifies that the counting iterations continue until only two candidates remain. We note that it would be possible for a majority winner to emerge before all but one other candidate was eliminated.

LD 860 requires the question of Ranked Choice Voting to be put to referendum. LD 518 does not. The League believes in representative government, and we endorse the notion that this body is fully empowered to pass this legislation if you believe it to be in the best interests of the people of Maine.

Which we hope you will do.

Ann Luther
LWVME Advocacy Chair
Trenton