

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

'An Act To Implement Ranked-choice Voting in 2019 for All State Primary Elections and for General Elections for the Offices of United States Senator and United States Representative to Congress'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. 21-A MRSA §1, sub-§27-C, as enacted by IB 2015, c. 3, §1, is repealed and the following enacted in its place:

27-C. Elections determined by ranked-choice voting. "Elections determined by ranked-choice voting" means:

A. Primary elections for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative; and

B. General and special elections for the offices of United States Senator and United States Representative to Congress.

Sec. 2. 21-A MRSA §601, sub-§2, ¶J, as enacted by IB 2015, c. 3, §3, is amended to read:

J. For ~~offices elected~~elections determined by ranked-choice voting, the ballot must be simple and easy to understand and allow a voter to rank candidates for an office in order of preference. A voter may include no more than one write-in candidate among that voter's ranked choices for each office.

Sec. 3. 21-A MRSA §722, sub-§1, as amended by PL 2017, c. 141, §2, is further amended to read:

1. How tabulated. The Secretary of State shall tabulate all votes that appear by an election return to have been cast for each question or candidate whose name appeared on the ballot. For ~~offices elected~~elections determined by ranked-choice voting, the Secretary of State shall tabulate the votes according to the ranked-choice voting method described in section 723-A. The Secretary of State shall tabulate the votes that appear by an election return to have been cast for a declared write-in candidate based on a recount requested and conducted pursuant to section 737-A, subsection 2-A.

Sec. 4. 21-A MRSA §723-A, sub-§2, as enacted by IB 2015, c. 3, §5, is amended to read:

2. Procedures. Except as provided in subsections 3 and 4, the following procedures are used to determine the winner ~~in~~of an election for an office elected~~determined~~ by ranked-choice voting. Tabulation must proceed in rounds. In each round, the number of votes for each continuing candidate must be counted. Each continuing ballot counts as one vote for its highest-ranked continuing candidate for that round. Exhausted ballots are not counted for any continuing candidate. The round then ends with one of the following 2 potential outcomes.

A. If there are 2 or fewer continuing candidates, the candidate with the most votes is declared the winner of the election.

B. If there are more than 2 continuing candidates, the last-place candidate is defeated and a new round begins.

Sec. 5. 21-A MRSA §723-A, sub-§6, as enacted by IB 2015, c. 3, §5, is amended to read:

6. Application. This section applies to elections held on or after ~~January~~December 1, ~~2018~~2019.

Sec. 6. Secretary of State to report. The Secretary of State shall conduct an evaluation of implementation of ranked-choice voting for primary elections for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative and general and special elections for the offices of United States Senator and United States Representative to Congress, including, but not limited to, identification of statutory conflicts between Initiated Bill 2015, chapter 3 as amended by this Act and relevant provisions of the Maine Revised Statutes. The evaluation must include an estimate of the costs associated with the implementation of ranked-choice voting. No later than January 2, 2019, the Secretary of State shall submit a report to the joint standing committee of the Legislature having jurisdiction over elections matters, including recommended legislation, for the administration of ranked-choice voting as described in this section. The joint standing committee of the Legislature having jurisdiction over elections matters is authorized to submit legislation based on the report described in this section to the First Regular Session of the 129th Legislature.

Sec. 7. Application. This Act applies to elections described in the Maine Revised Statutes, Title 21-A, section 1, subsection 27-C, paragraphs A and B held on or after December 1, 2019.'

SUMMARY

This amendment replaces the bill. It amends the laws governing ranked-choice voting to exclude the election of Governor, State Senator and State Representative. The ranked-choice voting method would still be applied to primary nomination elections for these offices. The amendment delays the implementation of ranked-choice voting for applicable offices until elections held after December 1, 2019. The amendment requires the Secretary of State to submit a report on the implementation of ranked-choice voting to the joint standing committee of the Legislature having jurisdiction over elections matters no later than January 1, 2019.