1 L.D. 1625

2 Date: (Filing No. S-   )

4 Reproduced and distributed under the direction of the Secretary of the Senate.

5 **STATE OF MAINE**

6 **SENATE**

7 **128TH LEGISLATURE**

8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "   " to S.P. 578, L.D. 1625, Bill, "An Act To
10 Repeal the Ranked-choice Voting Law"

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

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

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

17 '**Sec. 1. 21-A MRSA §1, sub-§27-C,** as enacted by IB 2015, c. 3, §1, is repealed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

19 **27-C. Elections determined by ranked-choice voting.** "Elections determined by
20 ranked-choice voting" means:

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

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

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

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

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

33 **1. How tabulated.** The Secretary of State shall tabulate all votes that appear by an
34 election return to have been cast for each question or candidate whose name appeared on

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1   the ballot.   For ~~offices elected~~ <u>elections determined</u> by ranked-choice voting, the
2   Secretary of State shall tabulate the votes according to the ranked-choice voting method
3   described in section 723-A. The Secretary of State shall tabulate the votes that appear by
4   an election return to have been cast for a declared write-in candidate based on a recount
5   requested and conducted pursuant to section 737-A, subsection 2-A.

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

8   **2. Procedures.** Except as provided in subsections 3 and 4, the following procedures
9   are used to determine the winner ~~in~~ <u>of</u> an election ~~for an office elected~~ <u>determined</u> by
10 ranked-choice voting. Tabulation must proceed in rounds. In each round, the number of
11 votes for each continuing candidate must be counted. Each continuing ballot counts as
12 one vote for its highest-ranked continuing candidate for that round. Exhausted ballots are
13 not counted for any continuing candidate. The round then ends with one of the following
14 2 potential outcomes.

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

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

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

21 **6. Application.** This section applies to elections held on or after ~~January~~ <u>December</u>
22 1, ~~2018~~ <u>2019</u>.

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

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

40 **SUMMARY**

41 This amendment replaces the bill. It amends the laws governing ranked-choice
42 voting to exclude the election of Governor, State Senator and State Representative. The

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1   ranked-choice voting method would still be applied to primary nomination elections for
2   these offices. The amendment delays the implementation of ranked-choice voting for
3   applicable offices until elections held after December 1, 2019. The amendment requires
4   the Secretary of State to submit a report on the implementation of ranked-choice voting to
5   the joint standing committee of the Legislature having jurisdiction over elections matters
6   no later than January 1, 2019.

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