



Cameron Reny
Senator, District 13

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Testimony of Sen. Cameron Reny introducing
LD 1666, "An Act to Include in the Ranked-choice Election Method for General and Special Elections the Offices of Governor, State Senator and State Representative and to Make Other Related Changes,"

Before the Joint Standing Committee on Veterans and Legal Affairs
Thursday, April 24, 2025

Senator Hickman, Representative Supica, and honorable members of the Joint Standing Committee on Veterans and Legal Affairs, I am Senator Cameron Reny, and I represent District 13, which includes most of Lincoln County and the towns of Washington and Windsor. Today, I am presenting LD 1666, "An Act to Include in the Ranked-choice Election Method for General and Special Elections the Offices of Governor, State Senator and State Representative and to Make Other Related Changes."

This bill would expand ranked choice voting (RCV) to gubernatorial and legislative general elections. The bill modifies the RCV statute to clarify that a ranking is not a vote, but is instead a preference expressing how the voter would like their vote to count in the tabulation process.

The changes in this bill are a technical update to ensure our statutory language aligns more clearly with important provisions in our state's constitution. The Maine Supreme Judicial Court issued an advisory opinion in 2017 stating that RCV appeared to be in conflict with provisions in the Maine constitution that require certain elections be decided by a "plurality" of the vote.¹ This non-binding opinion seems to have been based on an assumption that a voter's "first-preference ranking" was equivalent to the voter's "vote."

In the intervening years since the Justices first examined this novel question in an advisory posture, ranked choice voting has gained greater prominence and wider use. A broad consensus has emerged that draws a distinction between a preference and a vote. For example:

- The Alaska Supreme Court unanimously held in 2022 that ranked choice voting complied with the Alaska constitution's "greatest number of votes" provision because "the vote count is not complete until the final round of tabulation" and "there is no question that a ranked-choice vote is a single vote."²
- The Federal Elections Commission issued an advisory opinion in 2024 that agreed: "[T]he individual rounds of vote tallying in Maine's ranked-choice voting system do not qualify as separate elections."³

¹ Op. of the Justs., 2017 ME 100, ¶ 70, 162 A.3d 188, 212.

² *Kohlhaas v. State*, 518 P.3d 1095 (Alaska 2022).

³ Federal Election Commission *Advisory Opinion 2024-12*.

- A law review article published in 2021 examined RCV statutes and state constitutions across the country and observed that “plurality- and majority-provisions in state constitutions and state law should pose no legal obstacle to properly drafted RCV legislation.”⁴

These developments build on earlier case law suggesting a distinction between a preference and a vote under RCV laws.⁵

This bill aligns our statutory language with the way courts have more typically viewed RCV, and should clarify the ways in which RCV can be used for general elections for governor and state legislature consistent with the text, history, and purpose of our state constitution.

Maine voters made their wishes clear by voting to adopt RCV in both 2016⁶ and 2018.⁷ They adopted ranked choice voting because it would ensure that the candidate with the broadest popular support — the most votes — would win in a single election. This advances the same core democratic value that underlies our state constitution’s “plurality” provisions. A consistent system of electing state and federal officials through RCV will respect the will of the voters and honor the important history behind our state constitution.

Maine voters understand RCV and have used it successfully for several election cycles. In polling for the 2024 general election, 82% of Maine voters said they find it easy to rank their choices, an increase since 2018, and 57% support ranking candidates, compared to 35% opposed.⁸

The 2026 governor’s race will likely see a crowded field. By passing LD 1666, we can honor our state’s rich history of independent and third-party candidates by allowing them to run without splitting the vote, while also respecting the wishes of Maine voters who voted in favor of RCV twice in the last decade.

Thank you for your time and consideration. I am happy to answer any questions you may have. However, legal questions may be better answered by folks testifying after me.

Sincerely,



Cameron Reny

State Senator, District 13

Representing Lincoln County and the towns of Washington and Windsor

⁴ Richard H. Pildes & G. Michael Parsons, The Legality of Ranked-Choice Voting, Cal. L. Rev. (2021).

⁵ *Dudum v. Arntz*, 640 F.3d 1098 (9th Cir. 2011) (“The series of calculations required by the algorithm to produce the winning candidate are simply steps of a single tabulation, not separate rounds of voting.”); *Moore v. Election Commissioners of Cambridge*, 35 N.E.2d 222 (Mass. 1941) (“[C]andidates receiving the largest numbers of effective votes counted in accordance with the plan are elected . . .”).

⁶ Maine Question 5, Ranked-Choice Voting Initiative (2016). Ballotpedia.

⁷ Maine Question 1, Ranked-Choice Voting Delayed Enactment and Automatic Repeal Referendum (June 2018). Ballotpedia.

⁸ New Ranked Choice Poll in Maine: Harris Leads Statewide and in 1st District, Trump leads in 2nd District, FairVote, 2024.