Testimony in Support of LD 234:
"LD 234: An Act to Eliminate Ranked-choice Voting"

Senator Hickman, Representative Supica, and the distinguished members of the Committee on Veterans and Legal Affairs, my name is Harris Van Pate and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free market think tank, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to testify in strong support of LD 234, "An Act to Eliminate Ranked-Choice Voting."

At Maine Policy Institute, we advocate for policies that protect individual liberty, uphold constitutional principles, and preserve the integrity of our democratic processes. While well-intentioned, ranked-choice voting (RCV) undermines these values by complicating our election system, weakening voter confidence, and diluting the democratic process.

Ranked-choice voting is Unnecessarily Complex
RCV replaces a straightforward system—where the candidate with the most votes wins—with a convoluted process requiring voters to rank candidates in order of preference. While this might seem innovative and straightforward, evidence from Maine and beyond demonstrates that many voters are either confused by the system or disengaged altogether.

Even Maine officials are unsure as to how to interpret RCV. During the 2024 Second Congressional District race, there was much confusion over whether a ranked-choice voting runoff would be activated.[1] RCV is only meant to activate when no candidate receives above 50% of the first-place votes, and there are more than two valid candidates for the office in question. However, even though Rep. Jared Golden received over 50% of the "first-round votes" in this race, Secretary of State Shenna Bellows activated RCV anyway.

While many assumed that only valid first-round votes would be considered in this process, Secretary Bellows included more than 10,000 ballots with blank first-choice votes in her math. Because the denominator in the overall electoral fraction increased, Rep. Golden's share of first-place ballots dipped just below 50%, forcing an RCV runoff. Meanwhile, due to the law's vagueness, many falsely reported that Golden had already won the election, and others disagreed with Secretary Bellow's interpretation of the law's vague legal provisions.[2]

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[1] https://mainepolicy.org/ranked-choice-voting-makes-a-mess-of-maines-cd2-race/
[2] https://apnews.com/article/maine-house-congress-golden-theriault-bb072ca55aaab2ebae3fb8b6339cb545

In the end, Rep. Golden won reelection, meaning that the unnecessary performance of a time-consuming RCV runoff was wholly unwarranted. Even if it had changed the outcome, Maine possibly would've faced a major lawsuit over the correct interpretation of the law. Regardless of the election's outcome, the vagueness and complexity of the process have already caused an increase in distrust of the electoral process.

RCV Dilutes Majority Rule and Creates Electoral Disparities
Proponents of RCV claim it ensures winners are elected with majority support, but data contradicts this assertion. In several Maine elections conducted under RCV, including the 2018 2nd Congressional District race, the eventual winner was declared only after numerous rounds of ballot reallocation. In such cases, the number of "exhausted ballots" often exceeds the margin of victory, meaning that the elected official may represent less than a true majority of total voters who participated in the election.

There are numerous examples of this occurring, where more ballots are exhausted than those awarded to the winning candidate.[3] One is a 2010 Court of Appeals election in North Carolina, where the winning candidate received only 27.99% of the vote, but 44.37% of ballots were exhausted. Another is a Board of Supervisors Election in San Francisco, where the winner won 24.26% of the vote, but 53.95% of ballots were exhausted. While RCV claims to provide a more accurate representation of voters' interests, it often silences voters by removing their ballots from the final count used to determine a majority winner.

The Legal and Logical Problems with RCV
RCV has faced legal challenges nationwide due to its inconsistencies with state constitutions. Maine's constitution guarantees a plurality voting system in state-level general elections, and the implementation of RCV directly contradicts this framework. Thus, when RCV was initially passed in Maine, our State Supreme Court ruled that it was unconstitutional to apply it to state offices, and therefore, RCV has been limited to primaries and federal elections in Maine.[4]

Conclusion
Maine's electoral system must prioritize simplicity, transparency, and voter confidence. RCV fails on all these counts. LD 234 is an opportunity to return to a time-tested system that Mainers understand and trust. By eliminating RCV, we can restore faith in our democratic processes and ensure that every vote truly counts.

I urge this committee to vote "Ought to Pass" on LD 234 and eliminate ranked-choice voting in Maine. Thank you for your time and consideration.

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[3] https://mainepolicy.org/wp-content/uploads/RCV-Final-Booklet-.pdf
[4] https://ballotpedia.org/Maine_Supreme_Judicial_Court_advisory_opinion_on_ranked-choice_voting