

TO: The Honorable Craig Hickman - Chair
The Honorable Laura Supica - Chair
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: April 24, 2025

RE: 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

Good afternoon Senator Hickman, Representative Supica, Members of the Joint Standing Committee on Veterans and Legal Affairs.

My name is Chris Cayer and I'm a political director from Stratton, Maine. For three years, I worked on statewide ranked-choice voting initiatives in Maine. In 2016, I served as a field organizer for the advocacy group, Fairvote Maine and from 2016 to 2018, I served as the Field Director for The Committee for Ranked-Choice Voting. I am writing to you today as a member of the state committee for the Maine Green Independent Party.

The support for ranked-choice voting among Maine people is undeniable. The 2016 referendum passed with a margin of more than 30k votes. During the people's veto campaign in 2018, hundreds of Mainers came together to protect ranked-choice voting, collecting over 80k signatures in just *two and half months* during a particularly harsh Maine winter. I've worked on dozens of initiatives in Maine and I've never seen such a rapid and robust response from volunteers.

The referendum that Maine people voted into law in 2016 called for ranked-choice voting to be used in elections for U.S. Senate, Congress, Governor, State Senate, and State Representative.

However, the referendum faced numerous attacks following its passage in 2016 which led to parts of the law being nullified. The Maine Legislature attempted to nullify the law for *all* races in 2017 but faced immense pushback from the Maine people.

The legislature's decision was based on an advisory opinion by the Maine Supreme Court which suggested that parts of the new law could violate the plurality requirement

in the Maine constitution. This was not an official ruling, however, and the opinion was based on limited legal precedence.

Since 2017, several other states and municipalities have passed ranked-choice voting laws and have faced similar legal challenges. These states have reached the opposite conclusion regarding the plurality requirement. Alaska has a nearly identical provision in its State Constitution and in 2024 the Alaska Supreme Court ruled that RCV elections comply with the plurality requirement. These court rulings in other jurisdictions have illuminated why RCV should prevail in “plurality” states. Given this new information, there is good reason to believe that the Maine Supreme Court would reach a different decision if it considered the question today.

This bill, LD 1666, aims to restore RCV to the elections that were originally outlined in the 2016 referendum campaign. Standardizing general elections in Maine will simplify the process for voters and town clerks who are currently using two types of voting for statewide elections. The bill will also bring the law into compliance with the will of the public who originally voted to adopt RCV for *ALL* state and federal elections.

The plurality requirement was always a shaky argument for limiting the use of ranked-choice voting. The requirement was initially intended to protect the will of Maine voters from the influence of the state legislature. Ironically, Maine’s original 1820 constitution did not contain a plurality requirement. The plurality requirement was added via constitutional amendment after the state legislature attempted to thwart the will of Maine voters and throw out statewide election results from the 1879 election so the party in power could maintain control.

Let’s not make this mistake again. The Maine people want RCV for statewide elections. It’s time to restore the RCV law to its intended form and uphold the will of Maine voters!

Thank you for your time today.

Christopher Cayer

Stratton, Maine

April 24, 2025

Testifying in Support of LD 1666