

# Ranked-choice Voting (RCV)

## Ranked-choice voting in Maine: Frequently Asked Questions

The June 12, 2018 primary election will be conducted using a method of ranked-choice voting, in which voters will mark the ballot for their first-choice candidate as well as their second, third and subsequent choices for each office. Voters will also decide on a People's Veto referendum question that asks if they would like to continue using ranked-choice voting for future elections in Maine -- for federal offices ONLY (U.S. Senate and U.S. Congress) in general elections, and for all state and federal offices in primary elections. Below is a list of frequently asked questions regarding this voting method and the June 12 primary election.

### [1. What is ranked-choice voting?](#)

Ranked-choice voting, sometimes called "instant run-off voting," allows voters to choose their candidates in order of preference, by marking candidates as their first, second, third, and subsequent choices. The votes are tabulated in rounds, with the lowest-ranked candidates eliminated in each round until there are only two candidates left. The one who is determined to have received the majority of the votes (more than 50%) in the final round is declared the winner. It is different from our previous method of voting, in which voters choose only one candidate for each office and the winner is determined by plurality (whoever gets the most votes).

### [2. What is being done to prepare for the implementation of RCV in the June primary?](#)

The Department of the Secretary of State is working on all the details of administering this first-in-the-nation statewide implementation of ranked-choice voting, based on our [implementation plan](#). This begins with finalizing and adopting rules; acquiring a high-speed ballot tabulator and software necessary to determine the voting results; creating the ballot layout and ballot instructions; creating materials for voter education and municipal officials' training; and booking a secure central location for conducting the RCV counting process.

### [3. Why are we using ranked-choice voting in the June 12 primary election?](#)

The [full timeline of ranked-choice voting in Maine](#) explains the path of legislation that led to the June 12, 2018 People's Veto vote. Ranked-choice voting was delayed by the Legislature until after December 1, 2021, with the provision that it would be repealed unless, by that date, a Constitutional amendment allowing its use in all state elections is approved (Public Law 2017, Chapter 316). This law did not go into effect, however, because it was suspended by the filing of a valid people's veto referendum petition in February of 2018. This people's veto referendum would repeal the parts of [Public Law 2017, Chapter 316](#) that delay implementation of ranked-choice voting and instead apply RCV to all of Maine's primary elections as well as general elections for federal offices. Thus, the primary elections for U.S. Senate, Governor, U.S. Congress, State Senate and State Representative will be decided by a system of ranked-choice voting on June 12, 2018.

### [4. How will the ranked-choice voting Peoples' Veto referendum question appear on the ballot?](#)

This is the wording of the Peoples' Veto on the June referendum ballot:

"Do you want to reject the parts of a new law that would delay the use of ranked-choice voting in the election of candidates for any state or federal office until 2022, and then retain the method only if the constitution is amended by December 1, 2021, to allow ranked-choice voting for candidates in state elections?"

### [5. What happens if voters approve the RCV People's Veto in June \(a "yes" vote\)?](#)

If voters approve the people's veto ballot question in June, then ranked-choice voting will be used for primary and federal elections, such as the offices of U.S. Senate and U.S. Congress for the general election in

November. Plurality voting would still be in place for statewide offices such as Governor, State Representative and State Senator in the general election.

## **6. What happens if voters do not approve the RCV People's Veto in June (a "no" vote)?**

If it is not approved, [PL 2017, Chapter. 316](#) will take effect and ranked-choice voting will not be implemented until after December 1, 2021 and then only if, by that date, the voters ratify an amendment to the Maine Constitution authorizing RCV for primary and federal elections, including the offices of U.S. Senate and U.S. Congress, Governor, State Representative and State Senator.

## **7. How will RCV work for the June 12 primary?**

The tabulation process and other details of implementing RCV are currently being finalized in the rules that will govern the process. You can read the [draft rules](#) for more detail and view our [examples of marked ballots](#) to learn how the tabulation rules will be applied. If no candidate wins a majority of votes on Election Night in the races that have three or more candidates, the ballots and memory devices from each municipality will be securely transported by a professional courier service to a central tabulation site in Augusta. There, the winner will be determined via rounds. The details of this process are explained in the [draft rules](#).

## **8. How are you making sure that my vote is secure and will be accurately counted?**

The Department of the Secretary of State takes security issues very seriously and has several measures in place to ensure the integrity of the voting process and validity of the results. Implementation of ranked-choice voting will not change the fact that the voting process in Maine is not online nor linked to any network, which makes it far less susceptible to cyberattacks. The RCV tabulation will not be online in any way, at any point in the process. All computers related to ballot layout and tabulation are also closed systems, not connected to any sort of network/internet. Ballots and memory sticks from tabulation machines are locked and sealed, with strict procedures establishing the chain of custody. Those procedures will be retained with RCV. The software to determine the results will be operated on hardwired computers that are on a closed system. None of the tabulator machines currently in use statewide have connectivity capability, and we use paper ballots for all elections, which are fully auditable.

The only aspect of Maine's voting system that is connected to the internet is the Central Voter Registration system, which allows municipal clerks to update voter information. However, it is password-protected and monitored by in-house Information Services staff for any attempts at unauthorized use. Additionally, Maine has same-day voter registration, so no voter can be disenfranchised at the polls due to an error related to their registration.

## **9. How can I learn more about the candidates and issues on the June 12 primary ballot?**

The Department of the Secretary of State will post a 2018 Special Referendum Voter Guide in May, on our [Upcoming Elections page](#). This non-partisan guide, published for every referendum election, explains the referendum issues. Information on candidates, including their positions on the issues of the day, is not available via our department. Voters should look to candidates' websites, social media and printed outreach materials, as well as Maine media outlets and public debates for this information.

## **10. What will it cost to implement RCV?**

A typical primary election costs approximately \$250,000. The additional cost to conduct ranked-choice voting in the primary election is about \$80,000. This includes the cost of: software/hardware upgrades, temporary staff to help with tabulation, lease of a high-speed ballot tabulator, and security for a central counting facility. In addition, implementation of ranked-choice voting for the gubernatorial and congressional primaries will require transportation of ballots or tabulator memory devices from municipalities across the state to a centralized RCV counting facility. A professional courier service will be contracted for this work, at an estimated cost of \$31,000. Thus, an RCV primary is estimated to cost a total of approximately \$360,000.

## **11. Hasn't RCV been deemed unconstitutional in Maine?**

The Justices of the Maine Supreme Judicial Court issue a unanimous [advisory opinion](#) at the request of legislators in May, 2017, concluding that the parts of the ranked-choice voting law that apply to general elections for State Representative, State Senator and Governor were unconstitutional under the Maine Constitution because the Maine Constitution requires the winners of those offices in a general election to be decided by a plurality. Primary elections in Maine and elections for federal offices are governed by statute and not by the Maine Constitution.

## **12. I don't want ranked-choice voting. Can't the Secretary of State or the Governor do something to stop this vote?**

Implementation of ranked-choice voting for the June 12 primary is mandated by law via the People's Veto process. The [Maine Supreme Judicial Court](#) confirmed this on April 17 in a ruling responding to a recent lawsuit brought by the Maine State Senate. It is not up to the opinion or discretion of the Secretary of State or the Governor.

## **13. How can I learn more about RCV?**

We will be providing educational materials for voters in the lead-up to the June 12 Primary/referendum election. This will be announced via our social media outlets, traditional media outlets, and our website in the coming weeks. Visit the Maine [Department of the Secretary of State Facebook page](#) and follow the [Maine Department of Secretary of State Twitter account](#).

## **14. What if I want to rank my choices among the write-in candidates?**

The [ranked-choice voting law](#) states that "a voter may include no more than one write-in candidate among that voter's ranked choices for each office." Thus, you will see only one space on your ballot to write in a candidate's name and rank that candidate. Please note: For the June 12 primary election, there is only one declared write-in candidate in a ranked-choice race, which is the Democratic gubernatorial primary. You can view the full list of qualified write-in candidates on our [Upcoming Elections page](#). All write-in candidates must be declared as such prior to the April 13 deadline; write-in votes for any undeclared persons will not be counted..