

Testimony before the Joint Standing Committee on Veterans and Legal Affairs

LD 1646 An Act To Bring Maine's Ranked-choice Voting Law into Constitutional Compliance

October 16, 2017

Senator Mason, Representative Luchini, and members of the Joint Standing Committee on Veterans and Legal Affairs:

Thank you for the opportunity to testify on LD 1646 An Act To Bring Maine's Ranked-choice Voting Law into Constitutional Compliance.

My name is Anna Kellar, and I am the Program Director for Maine Citizens for Clean Elections.

Maine Citizens for Clean Elections (“MCCE”) is a nonpartisan organization that has advocated for open and accountable state elections for over two decades. MCCE spearheaded the effort to create the Maine Clean Election Act in 1996 and has been outspoken on nearly every major public policy matter relating to the conduct and financing of elections since its inception. MCCE endorsed the 2016 citizen initiative, and we believe ranked-choice voting will allow for a more representative democracy by giving more voice and more choice to Maine people.

Because RCV can affect who runs for office, how they run, and how they interact with voters during the campaign, it is important that we provide clarity and find a solution before the 2018 election is in full swing – not after the votes are cast.

We are testifying today in support of LD1646, because we believe above all, Maine voters must be able to have faith in our elections and in the institutions of our democracy. That faith requires clear information about how our votes will be cast and counted. It also requires the legislature to deal fairly and transparently with both citizen initiatives, and advice from the courts.

As you have heard, the best option now – one that preserves the voters’ intent while also honoring the constitution – is to suspend the use of RCV in elections for the three offices where the Supreme Court found it unconstitutional: the general elections for State Representative, State Senate, and Governor. The legislature should allow RCV to proceed in the other elections covered by the new law – primary elections for state and federal office, and general elections for U.S. Congress and Senate. When and if voters pass a constitutional amendment in the future, the law could take effect for all elections.

We believe that LD1646 represents a reasonable compromise, respecting both the will of the voters and the opinion of the court. As a compromise, we acknowledge that this may not fully please either advocates or skeptics of Ranked Choice Voting. However, partial implementation is the right path, and the responsible choice for this legislature to make, to maintain the faith of Maine voters in their democracy.