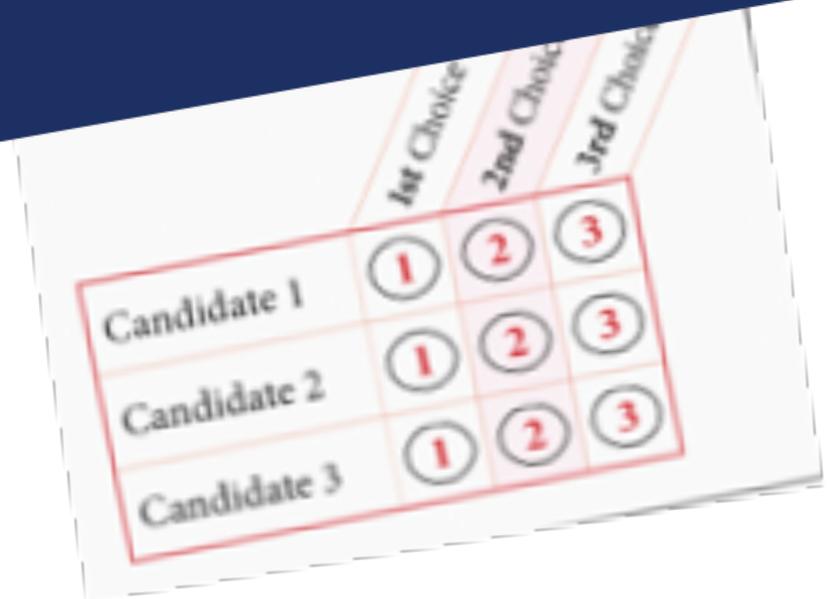


Maine Uses

**RANKED
CHOICE
VOTING**



Voting in Maine's Ranked Choice Election

A non-partisan guide to ranked choice elections

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DEMOCRACY
PARTNERSHIP

MCCE MAINE CITIZENS FOR CLEAN ELECTIONS
LWV LEAGUE OF WOMEN VOTERS OF MAINE

www.MaineRankedChoice.Vote



Summary: What is Ranked Choice Voting?

- A ranked choice ballot allows the voter to rank order the candidates: first choice, second choice, third choice, etc...
- The candidate who receives a majority of the votes (greater than 50%) wins.
- If no candidate receives a majority of voters' first choices, the last place candidate is eliminated and the election moves to a second round.
- In the second round, the ballots that were cast for the eliminated candidate are re-allocated. The ballots cast for the eliminated candidate now count for the ballot's second choice. The ballots cast for candidates who are still in the running continue to count for those same candidates.
- The totals for the candidates are re-counted. If any candidate has a majority, a winner is declared. If not, the last place candidate for that round is eliminated and the process continues on as before until one candidate has a majority.

What Does a Ranked Choice Ballot Look Like?

For a Ranked Choice contest, the ballot will have one row for each candidate and one column for each possible ranking.

A “first choice” is the voter’s favorite. A “second choice” is the candidate the voter wants support if the first choice candidate is eliminated from the race, and so on for third, fourth... choices.

A correctly marked ballot has one mark in each column:

Elected Office Statewide Rank one choice per column →	1 st Choice	2 nd Choice	3 rd Choice	4 th Choice
Candidate A	0	●	0	0
Candidate B	●	0	0	0
Candidate C	0	0	●	0
Candidate D	0	0	0	●

- One mark per column
- No skipped rankings
- No candidate ranked more than once
- No ranking used more than once

Why are the Candidates Ranked?

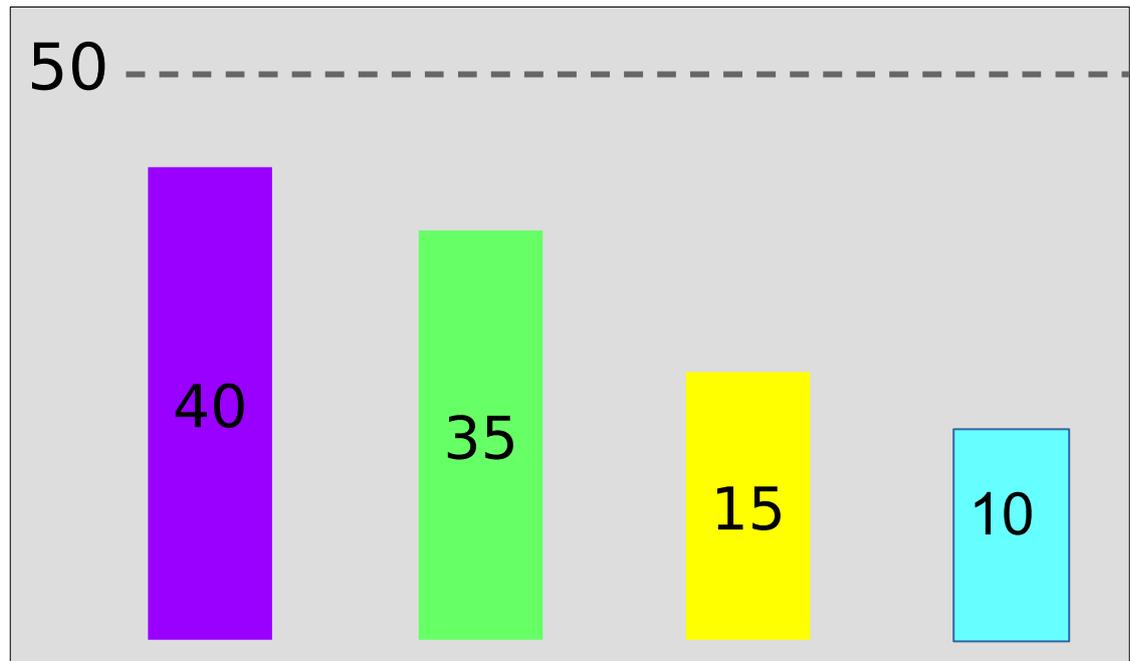
- Because ranked choice elections are decided by a majority, there is no declared winner until a candidate receives a majority.
- Elections in which no candidate receives a majority of first-choice votes have to be re-counted. The candidate with the lowest number of votes is eliminated so those ballots can be added to the totals of candidates who have the support of a greater number of voters.
- By ranking the candidates on the ballot, voters specify in advance who they want to support if their top choice candidate is eliminated (otherwise we would have to call a run-off election for another day, which would almost double the cost of the election).
- On the following pages we will look at how this counting is done using an election for “Symbol of Maine. The “candidates” are shown below:



First Round Result for an Election for “Symbol of Maine”

The election result shown below shows that the race is undecided because the winner in a majority election needs to surpass 50%. The top vote-getter (Moose) only has 40%. How can we determine the winner? One way is to hold a run-off election on another day. But this is expensive, inconvenient, and many people will not show up, which means that a smaller number of people will decide the result. But what if we knew in advance which candidate Blueberry’s supporters would vote for if their favorite candidate was eliminated from the contest? That’s what the ranked choice ballot is for.

For this example election there are 100 voters, so a majority of the votes means “greater than 50”



Example: One Voter's Ballot for the Symbol of Maine Election

Symbol of Maine Statewide Mark one choice per column	1 st Choice	2 nd Choice	3 rd Choice	4 th Choice
Puffin				●
Pine Tree		●		
Moose			●	
Blueberry	●			

On this ballot the voter has decided that Blueberry is their first choice (favorite).

The voter has also decided that if Blueberry is eliminated from the race in any round that their ballot should be counted for Pine Tree.

If Pine Tree has been eliminated, the ballot will count for Moose (their third choice).

But that's just one ballot of one voter. What actually happens in the second round to all the ballots for all of Blueberry's supporters? They are all different people with different second and third choices.

Round Two of the Symbol of Maine Election

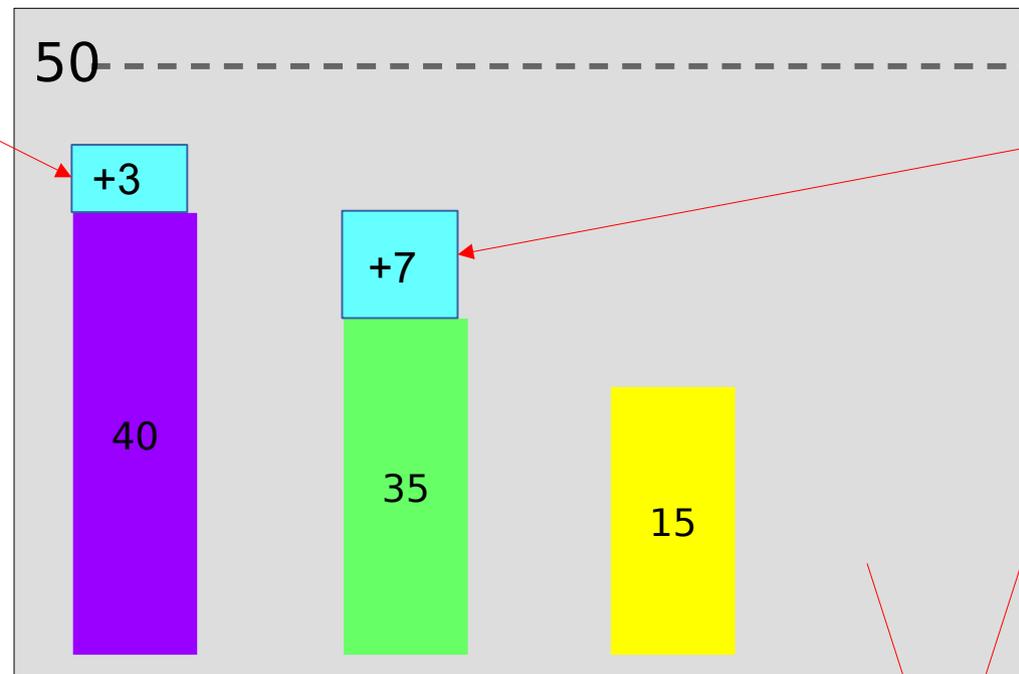
In Round Two, every voters' ballot still counts for their first choice unless their first choice has been eliminated. In this example, Blueberry is eliminated because Blueberry had the lowest vote total in Round One. The blue add-on segments, below, show us how Blueberry's supporters marked their second choices.

Moose received 3 second-choice votes in Round Two and is still the leader with 43 votes.

But there is still no majority winner.

The election must go to a third round.

The last place candidate in Round Two is Puffin, so Puffin will be eliminated.



Pine Tree received 7 second choice votes from Blueberry's supporters.

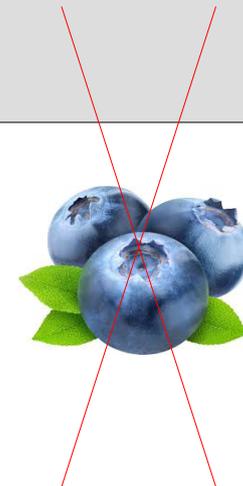
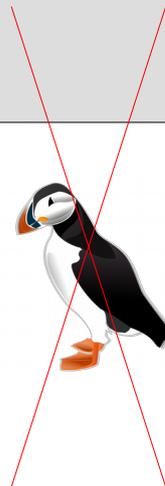
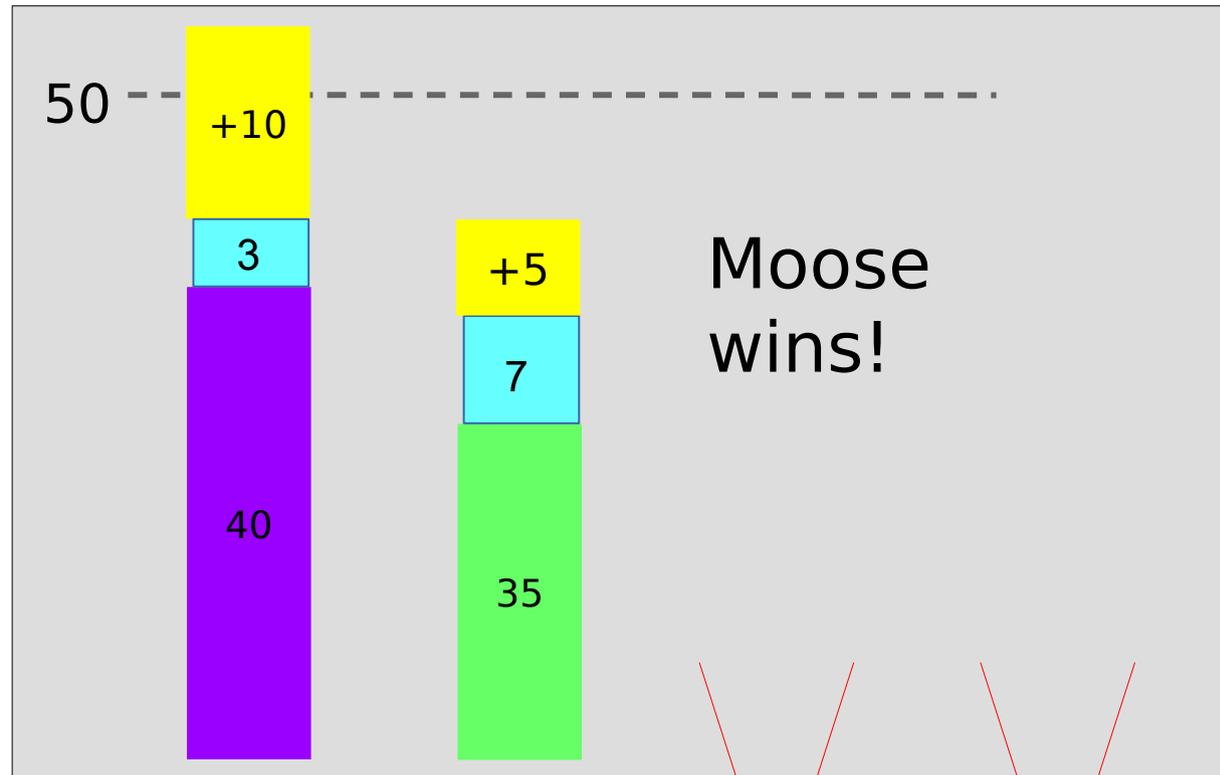


Round Three of the Symbol of Maine Election

10 of Puffin's supporters marked Moose as their second choice

5 of Puffin's supporters marked Pine Tree as their second choice.

Moose now has 53 votes. Since this is greater than the majority threshold (50), Moose wins in the third round.



Incorrect Marking: Double-Ranked Candidate

- We have already seen how to correctly mark a ballot. What do incorrect markings look like and what are the consequences?
- On this ballot, the voter may be trying to say “I really like Candidate A” by ranking Candidate their 1st and 2nd choice

Elected Office Statewide Rank one choice per column →	1 st Choice	2 nd Choice	3 rd Choice	4 th Choice
Candidate A	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate B	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate C	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Candidate D	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

- But the 2nd choice is only used if the 1st choice is out of the race
- This ballot will count for Candidate A in the first round.
- If there is a second round, and Candidate A has been eliminated, the ballot will count for Candidate C (the voter's third choice)

Incorrect Marking: “Overvotes”

Elected Office Statewide Rank one choice per column →	1 st Choice	2 nd Choice	3 rd Choice	4 th Choice
Candidate A	0	●	0	0
Candidate B	0	●	0	0
Candidate C	●	0	0	0
Candidate D	0	0	0	●

- The voter has marked two candidates as their second choice
- The voters intent cannot be known, so the second choice and all subsequent choices will not be counted
- Exception: if the overvoted candidates had already been eliminated, subsequent rankings can be counted (the 4th, in this example)

Incorrect Marking: A Skipped Rank

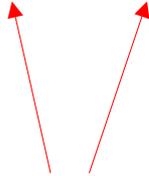
Elected Office Statewide Rank one choice per column →	1 st Choice	2 nd Choice	3 rd Choice	4 th Choice
Candidate A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate B	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Candidate C	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate D	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

- The voter has skipped the second column
- The next rank is used in place of the skipped rank
- For this example, the 3rd choice will be counted in place of the 2nd

Incorrect Marking: Double-Skipped Ranks

Elected Office Statewide Rank one choice per column →	1 st Choice	2 nd Choice	3 rd Choice	4 th Choice
Candidate A	○	○	○	○
Candidate B	●	○	○	○
Candidate C	○	○	○	○
Candidate D	○	○	○	●

Two skipped columns (ranks)



- The voter has skipped the second AND third columns
- The counter cannot know whether the 4th choice was intended as the least favorite, so it cannot be used in place of the skipped 2nd choice
- The counter also cannot know if the skipping was intentional: if the 4th choice really was the voter's next favorite
- In this example, the 1st choice is counted, but the 4th choice will not be counted

Questions and Answers

This section provides answers to some frequently-asked questions about Ranked Choice Elections

Question 1: I am still not comfortable filling out my ballot. What should I do?

Answer: First ask yourself who is your favorite candidate? Now that you know that, try asking yourself: “If this candidate can’t win, who would be my next choice?” If any of the available candidates appeal to you, you might mark them as a second choice. Now ask the same question about your second choice: “If even my second choice can’t win, is there any candidate still on the list that I would prefer to all the others? Repeat this process as many times as you can.

Questions and Answers

Question 2: I have heard that there are constitutional objections to Ranked Choice. Does this election violate the Maine Constitution?

Answer: No. The Supreme Court issued an opinion in 2017 stating that Ranked Choice would likely violate a provision of the Maine Constitution requiring plurality elections for Maine elected offices. A primary election is not an election to an office, it is a nomination process that political parties use to select candidates.

Question 3: Does this mean Ranked Choice would violate the Constitution for the election in November, 2018?

Answer: No. RCV will not be used for the elections of Maine state offices in November. It will be used for federal offices: US President, US Senator, and US Representative to Congress.

The table on the next page summarizes how RCV is legally applied to the June Primary and November General Election.

The Law and RCV

	June Primary (Candidate Nominations)	November General Election
Federal Offices	<p>All offices in a primary election must be held with RCV.</p> <p>Primary elections are the nominations of political parties for candidates to run for office in the general election. The Maine Constitution does not specify how to count the nominations elections of private political organizations.</p>	<p>Will be held using RCV unless the law changes.</p> <p>The method for counting Federal elections is not determined in the Maine Constitution.</p>
State Offices		<p>RCV cannot be used for election of state offices. Article IV of the Maine Constitution requires election by “plurality”</p>

Questions and Answers

Question 4: It seems like when someone's favorite candidate is eliminated that their vote gets counted more times than someone whose favorite candidate is still in the race. Is this true?

Answer: Actually, everyone's ballot is re-counted when there is an additional run-off round in the election. Voters whose favorite candidates are still in the race continue to vote for their favorite candidate. This does not violate the principle of one-person-one-vote any more than having a separate run-off election would.

Questions and Answers

Question 5: Is it possible for a candidate to be elected without a majority in an RCV election?

Answer: No. A majority means *more than 50% of votes cast in the current round*. Sometimes people get confused by using the votes cast in the first round to judge what the majority threshold (the number of votes required to win) for an election that moved past the first round should have been.

Let's say there were 100 votes cast in the first round. The threshold would be 50 votes. If no one received more than 50 votes then the election would continue to a second round. In the second round we may find some ballots cast by people who did not want to specify a second choice. If, for example, 20 people did not to mark a second choice, those 20 ballots are "exhausted" for the second round. It is like they decided not to show up for a run-off election. And since there is nothing on their ballot that can be counted *in the second round*, their ballots are not part of the second round total. Therefore there are 80 ballots cast in the second round and the threshold is 40 votes. If a candidate receives 41 votes, they win with a majority.

Questions and Answers

Question 6: I have heard that there can be a lot of spoiled ballots in an RCV election. Can this affect the results? Did these voters lose their vote?

Answer: Ballots are “spoiled” by voters when they discover a marking error on the ballot before putting it in the ballot box (or before the town clerk receives their sealed absentee ballot envelope). When a voter requests a replacement ballot their old ballot is “spoiled” so that it will not be counted in the election. If the old ballot was not spoiled then there is a chance that the voter would have two ballots counted in the election!

An RCV ballot requires voters to make more marks. When there are more marks there are always going to be more marking errors. When we see the numbers of spoiled ballots going up that means that these marking errors have been found and corrected, and that voters’ mistakes are not being counted in the election along with their corrections.

Questions and Answers

Question 7: Can I increase my voting power by ranking my first choice candidate as my second and third choice?

Answer: No. Your lower ranked choices are only used if the higher ones are eliminated. In other words, as long as your first choice candidate has not been eliminated your second choice won't be used. But if your first choice *is* eliminated that means the candidate is not in the race and so your lower rankings can't be counted (we can't count votes for candidates that aren't in the race any longer).

Question 8: Can I spoil the chances of my first choice candidate by voting for a second choice?

Answer: No. Your second choice would only be used after your first choice had been eliminated. If you want your voice to continue along in the election in the event that your first-choice can't win then you need to specify a second choice.