

TIMELINE of RANKED-CHOICE VOTING IN MAINE

March 2018, Department of the Secretary of State

2001: First bill proposed in Maine Legislature related to the establishment of an instant runoff/ranked-choice voting system, LD 1714. The bill dies in committee.

2003: The Joint Standing Committee on Legal and Veterans' Affairs of the 122nd Maine Legislature directs the Department of the Secretary of State to conduct a feasibility study of instant runoff voting in Maine. The study report is issued January 2005:

http://lldc.mainelegislature.org/Open/Rpts/jk2890_m32_2005.pdf

2005-2013: Additional RCV bills are proposed and rejected by the Legislature.

October 2014: Proponents of ranked-choice voting receive approval to circulate a citizens' initiative petition to enact RCV, gathering signatures to bring the proposed law directly to Maine voters.

Nov. 18, 2015: The Secretary of State determines that the citizens' initiative petition has enough valid signatures to qualify for the November 2016 ballot if not enacted by the 128th Legislature during its first regular session in 2016.

<http://maine.gov/sos/news/2015/rankedchoiceinitiative.html>

June 23, 2016: Secretary of State Matthew Dunlap finalizes the wording for all November ballot questions, including the initiative entitled "An Act To Establish Ranked-Choice Voting" that will become Question 5: "Do you want to allow voters to rank their choices of candidates in elections for U.S. Senate, Congress, Governor, State Senate, and State Representative, and to have ballots counted at the state level in multiple rounds in which last-place candidates are eliminated until a candidate wins by majority?"

Nov. 8, 2016: Voters approve the ranked-choice voting question, 388,273 to 356,621. The RCV law takes effect on January 7, 2017, but does not apply to elections until after January 1, 2018.

February 2, 2017: The Maine Senate requests the opinion of the Justices of the Maine Supreme Judicial Court on the constitutionality of RCV as applied to general elections for State Representative, State Senator and Governor.

March 2017: Legal briefs on the constitutional questions are filed with the Maine Supreme Judicial Court.

April 13, 2017: The Maine Supreme Judicial Court hears oral argument on the constitutional questions and on whether there is a "solemn occasion" permitting the Justices to answer the questions.

May 23, 2017: The Justices of the Maine Supreme Judicial Court issue a unanimous [advisory opinion](#) at the request of legislators, finding a solemn occasion and concluding that the parts of

the ranked-choice voting law that apply to general elections for State Representative, State Senator and Governor are unconstitutional under the Maine Constitution.

June 2017: Based on this Opinion, the Legislature considers either a full repeal of the ranked-choice voting law or initiating the Constitutional amendment process, which would require a 2/3 vote of both the House and Senate plus the approval of Maine voters in a statewide election. Both efforts fail.

October 23, 2017: During a special session, the Legislature passes “An Act to Implement Ranked-choice Voting in 2021,” which delays the implementation of ranked-choice voting until December 1, 2021 unless, prior to that date, the voters of the State ratify an amendment to the Constitution of Maine; and it indefinitely postpones implementation if the constitutional change is not made. This becomes law without the Governor’s signature on November 4, 2017. Public Law 2017, Chapter 316.

Oct. 27, 2017: Proponents of RCV begin the People’s Veto process, seeking to overturn the portions of Public Law 2017, Chapter 316 which delay the implementation of ranked-choice voting until after December 1, 2021.

Nov. 6, 2017: The Secretary of State approved the Peoples’ Veto petitions for circulation.

Feb. 2, 2018: Proponents of the People’s Veto submit their signed petitions to the Elections Division for a determination of validity – a process that takes up to 30 days.

March 5, 2018: The Elections Division determines that the people’s veto of “An Act to Implement Ranked-choice Voting in 2021” has enough valid signatures to move forward to a statewide vote on June 12, 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.

March 28, 2018: In preparation for a scheduled update to the Veterans and Legal Affairs Committee from Secretary Dunlap regarding ranked-choice voting, legislative staff raises questions about whether conflicting language in the election statutes would affect the use of ranked-choice voting in the June 12 primary.

March 29, 2018: Secretary Dunlap, in his presentation to the VLA committee, states that his office intends to move forward with ranked-choice voting while awaiting any legal or legislative guidance that may affect that decision.

March 30, 2018: The Committee for Ranked-choice Voting files a motion for a temporary restraining order with the Kennebec County Superior Court, stating that the conflicting statute is “repealed by implication” and therefore the ranked-choice voting law applies. The order seeks to require Secretary Dunlap to implement ranked-choice voting for the June 12 primary.

April 2, 2018: The Senate authorizes Senate President Michael Thibodeau to hire legal counsel to challenge the use of ranked-choice voting in the June 12 primary.

April 3, 2018: Justice Michaela Murphy grants the Committee for Ranked-choice Voting’s temporary restraining order, requiring Secretary Dunlap’s office to continue implementing ranked-choice voting for the June 12 primary. Later the same day, the Senate files a lawsuit against the Secretary of State in Kennebec County Superior Court seeking a declaratory judgment and injunctive relief. Justice Murphy encouraged the Senate and the Secretary of State to try to reach agreement on questions of law and facts to present to the Maine Law Court, in order to reach a final resolution as expeditiously as possible.

April 5, 2018: Sen. Michael Carpenter proposes a joint order (S.P. 730) directing the Joint Standing Committee on Veterans and Legal Affairs to report out a bill that would specifically authorize implementation and funding language for RCV to address the Senate concerns. The bill fails.

April 9, 2018: Justice Murphy grants a request by the Committee for Ranked-choice Voting to become a party in the Senate’s lawsuit.

April 11, 2018: The Superior Court reported the Senate’s case to the Maine Law Court, with seven questions of law to be addressed based on a record agreed to by the parties. These are posted on the Law Court’s website at: http://www.courts.maine.gov/news_reference/high_profile/index.shtml

April 17, 2018: The Law Court issues its decision on the Senate’s case, finding that ranked-choice voting is in effect for the June 12, 2018 primary election. The decision is posted on the Law Court’s website, http://www.courts.maine.gov/opinions_orders/supreme/lawcourt/2018/18me052.pdf Secretary Dunlap [acknowledges the ruling](#) and reaffirms his intention to move ahead with ranked-choice voting implementation.

JUNE 12, 2018: Voters will have their say on RCV once again. If voters approve the people’s veto ballot question in June, then ranked-choice voting will be used for the offices of U.S. Senate and U.S. Congress for the general election in November. 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 in all gubernatorial and legislative elections.