

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1666

S.P. 660

In Senate, April 17, 2025

**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**

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Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator RENY of Lincoln.  
Cosponsored by Representative SUPICA of Bangor and  
Senators: President DAUGHTRY of Cumberland, GROHOSKI of Hancock, HICKMAN of  
Kennebec, PIERCE of Cumberland, TIPPING of Penobscot, Representative: MOONEN of  
Portland.

1       **Be it enacted by the People of the State of Maine as follows:**

2       **Sec. 1. 21-A MRSA §1, sub-§27-C, ¶B-1** is enacted to read:

3       B-1. General and special elections for the offices of Governor, State Senator and State  
4       Representative;

5       **Sec. 2. 21-A MRSA §1, sub-§35-A**, as enacted by IB 2015, c. 3, §2, is amended  
6       to read:

7       **35-A. Ranked-choice voting.** "Ranked-choice voting" means the method of casting  
8       votes and tabulating votes ballots in which voters rank candidates in order of preference,  
9       tabulation proceeds in sequential rounds in which the last-place candidates are defeated  
10       candidate is eliminated and the continuing candidate with the highest continuing ranking  
11       on the most votes ballots in the final round of tabulation is determined to have received a  
12       plurality of the votes cast and is elected.

13       **Sec. 3. 21-A MRSA §1, sub-§40-C** is enacted to read:

14       **40-C. Single-choice voting.** "Single-choice voting" means the method of casting  
15       votes and tabulating ballots in which voters may indicate only one candidate preference  
16       and tabulation proceeds by combining the totals of preferences indicated for each  
17       candidate, and the candidate that receives the most votes is determined to have received a  
18       plurality of the votes cast and is elected.

19       **Sec. 4. 21-A MRSA §605-A, sub-§2, ¶A**, as amended by PL 2019, c. 320, §4, is  
20       further amended to read:

21       A. The voting instruction poster must include information on how to mark the ballot,  
22       including how to mark a write-in vote or ranking; how to replace the ballot if the voter  
23       makes a mistake; and how to receive assistance in marking the ballot. It may include  
24       other voting information. The Secretary of State may design separate instruction  
25       posters to instruct the voters on how to mark a ballot for elections to be determined by  
26       ranked-choice voting and those to be determined by plurality single-choice voting.

27       **Sec. 5. 21-A MRSA §711, first ¶**, as amended by PL 2019, c. 320, §7, is further  
28       amended to read:

29       As soon as the results of the election have been declared, the election return must be  
30       prepared. The warden at each ward or precinct shall fill out the election return form  
31       provided by the Secretary of State, showing the number of votes cast for each candidate or  
32       question and recording the total number of state ballots cast in that ward or precinct. For  
33       elections determined by ranked-choice voting, the warden shall report on the election return  
34       only the first-choice votes cast number of ballots on which each candidate has the  
35       first-choice ranking. The warden and one other election official shall sign the return and  
36       immediately deliver it to the municipal clerk. The form provided by the Secretary of State  
37       must include the names of all candidates, including declared write-in candidates as  
38       determined by section 722-A.

39       **Sec. 6. 21-A MRSA §723, sub-§1**, as amended by PL 2019, c. 320, §8, is further  
40       amended to read:

41       **1. Primary election.** In a primary election, the person who receives a plurality of the  
42       votes cast for nomination to any office, as long as there is at least one vote cast for that

1 office, is nominated for that office, except for write-in candidates under paragraph A ~~and~~  
2 ~~elections determined by ranked-choice voting under~~. For an election determined by ranked-  
3 choice voting, the person who receives a plurality of the votes cast is determined according  
4 to section 723-A.

5 A. A write-in candidate who complies with section 722-A and who fulfills the other  
6 qualifications under section 334 may be nominated at the primary election if that person  
7 receives a number of valid write-in votes equal to at least twice the minimum number  
8 of signatures required under section 335, subsection 5 on a primary petition for a  
9 candidate for that office.

10 B. The Secretary of State shall immediately certify by mail the nomination of each  
11 person nominated by the primary election.

12 **Sec. 7. 21-A MRSA §723, sub-§2**, as amended by PL 2017, c. 316, §7, is further  
13 amended to read:

14 **2. Other elections.** In any other election except for those determined by ranked-choice  
15 voting, the person who receives a plurality of the votes cast for election to any office, as  
16 long as there is at least one vote cast for that office, is elected to that office, except that a  
17 write-in candidate must also comply with section 722-A. For an election determined by  
18 ranked-choice voting, the person who receives a plurality of the votes cast is determined  
19 according to section 723-A.

20 **Sec. 8. 21-A MRSA §723-A, sub-§1, ¶C**, as amended by PL 2023, c. 628, §1, is  
21 further amended to read:

22 C. "Continuing candidate" means a candidate who has not been ~~removed from~~  
23 ~~consideration~~ eliminated.

24 **Sec. 9. 21-A MRSA §723-A, sub-§1, ¶F**, as amended by PL 2019, c. 320, §9, is  
25 further amended to read:

26 F. "Last-place candidate" means the candidate with the highest continuing ranking on  
27 the fewest votes ballots in a round of the ranked-choice voting count.

28 **Sec. 10. 21-A MRSA §723-A, sub-§1, ¶I**, as enacted by IB 2015, c. 3, §5, is  
29 amended to read:

30 I. "Ranking" means the number assigned on a ballot by a voter to a candidate to express  
31 the voter's preference for that candidate relative to the other candidates on the ballot.  
32 The ranking on a voter's ballot is an instruction from the voter on the relative order in  
33 which a voter intends the ballot to count. Ranking number one is the highest ranking,  
34 ranking number 2 is the next-highest ranking and so on.

35 **Sec. 11. 21-A MRSA §723-A, sub-§1, ¶J**, as amended by PL 2019, c. 320, §11,  
36 is further amended to read:

37 J. "Round" means an instance of the sequence of ~~vote~~ ballot counting steps established  
38 in subsection 2 and in rules adopted by the Secretary of State.

39 **Sec. 12. 21-A MRSA §723-A, sub-§2**, as amended by PL 2023, c. 628, §2, is  
40 further amended to read:

**2. Procedures.** Except as provided in subsections 3, 4 and 7, the following procedures are used to determine the winner of an election determined by ranked-choice voting. The ranked-choice voting ballot count must proceed in rounds. In each round, ~~the number of votes for each continuing candidate must be counted. Each continuing ballot counts as one vote for its highest-ranked continuing candidate for that round.~~ Exhausted ballots are not counted for any continuing candidate. The round then ends with one of the following 2 potential outcomes.

A. If there are 2 or fewer continuing candidates, the ranked-choice voting count is complete and each ballot counts as one vote for its highest-ranked continuing candidate and the candidate with the most receiving a plurality of the votes cast is declared the winner of the election elected.

B. If there are more than 2 continuing candidates, the last-place candidate is ~~removed from consideration~~ eliminated and a new round begins.

**Sec. 13. 21-A MRSA §723-A, sub-§5**, as amended by PL 2017, c. 316, §9, is further amended to read:

**5. Effect on rights of political parties.** For all statutory and constitutional provisions in the State pertaining to the rights of political parties, the number of votes cast for a party's candidate for an office determined by ranked-choice voting is the number of ~~votes credited to~~ ballots upon which that candidate ~~after the initial counting~~ is the highest-ranked continuing candidate in the first round of counting described in subsection 2.

## SUMMARY

This bill provides for ranked-choice voting for general and special elections for the offices of Governor, State Senator and State Representative and clarifies the definition of "ranked-choice voting" by changing the use of the terms "vote" and "ballot," and provides that the winner of an election in which ranked-choice voting is conducted is the winner by a plurality of the votes.