

HARSA D

ROPS			
1	D. 1646		
2	Date: 10/20/17 Report D (Filing No. H-569)		
3	VETERANS AND LEGAL AFFAIRS		
4	Reproduced and distributed under the direction of the Clerk of the House.		
5	STATE OF MAINE		
6	HOUSE OF REPRESENTATIVES		
7	128TH LEGISLATURE		
8	FIRST SPECIAL SESSION		
9 10	COMMITTEE AMENDMENT " $C$ <sup>1</sup> " to H.P. 1137, L.D. 1646, Bill, "An Act To Bring Maine's Ranked-choice Voting Law into Constitutional Compliance"		
11	Amend the bill by striking out the title and substituting the following:		
12 13 14	'An Act To Implement Ranked-choice Voting in 2019 for All State Primary Elections and for General Elections for Offices of United States Senator and United States Representative to Congress'		
15 16	Amend the bill in section 1 in subsection 27-C in paragraph A in the last line (page 1, line 7 in L.D.) by inserting at the end the following: 'and'		
17 18	Amend the bill in section 1 in subsection 27-C in paragraph B in the last line (page 1, line 9 in L.D.) by striking out the following: ": and" and inserting the following: ":		
19 20	Amend the bill in section 1 in subsection 27-C by striking out all of paragraph C (page 1, lines 10 to 16 in L.D.)		
21 22	Amend the bill in section 5 in subsection 1 by striking out all of the first sentence (page 2, lines 5 to 8 in L.D.) and inserting the following:		
23 24 25 26 27 28 29	'In a primary election <u>held before December 1, 2019</u> , the person who receives a plurality of the votes cast for nomination to any office, as long as there is at least one vote cast for that office, is nominated for that office, except for write-in candidates under paragraph A. In a primary election held on or after December 1, 2019, the person who is determined the winner pursuant to section 723-A for nomination to any office, as long as there is at least one vote cast for that office, is nominated for that office, except for write-in candidates under paragraph A.'		
30	Amend the bill by adding after section 9 the following:		
31 32	'Sec. 10. 21-A MRSA §723-A, sub-§6, as enacted by IB 2015, c. 3, §5, is amended to read:		
33 34	6. Application. This section applies to elections held on or after January 1, 2018 December 1, 2019.		

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# ROFS

# COMMITTEE AMENDMENT "C" to H.P. 1137, L.D. 1646

Sec. 11. Secretary of State to report. The Secretary of State shall conduct an evaluation of implementation of ranked-choice voting for primary elections for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative and general and special elections for the offices of United States Senator and United States Representative to Congress, including, but not limited to, identification of statutory conflicts between Initiated Bill 2015, chapter 3 as amended by this Act and relevant provisions of the Maine Revised Statutes. The evaluation must include an estimate of the costs associated with the implementation of ranked-choice voting. No later than January 2, 2019, the Secretary of State shall submit a report to the joint standing committee of the Legislature having jurisdiction over election matters, including recommended legislation, for the administration of ranked-choice voting for the elections as described in this section. The joint standing committee of the Legislature having jurisdiction over election matters is authorized to submit legislation based on the report described in this section to the First Regular Session of the 129th Legislature.'

#### SUMMARY

This amendment removes the requirement in the bill that the Constitution of Maine be amended before ranked-choice voting takes effect for the election of Governor, State Senator and State Representative. Instead, this amendment changes the definition of "elections determined by ranked-choice voting" to exclude the election of Governor, State Senator and State Representative. The ranked-choice voting method would still be applied to primary nomination elections for these offices. The amendment delays the implementation of ranked-choice voting for applicable offices until elections held after December 1, 2019. The amendment requires the Secretary of State to submit a report on the implementation of ranked-choice voting to the joint standing committee of the Legislature having jurisdiction over election matters no later than January 2, 2019.

27	FISCAL NOTE REQUIRED
28	(See attached)

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COMMITTEE AMENDMENT



Approved: 10/18/17 Incec

## **128th MAINE LEGISLATURE**

### LD 1646

#### LR 2379(04)

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

Fiscal Note for Bill as Amended by Committee Amendment C: (H -569) Committee: Veterans and Legal Affairs Fiscal Note Required: Yes

### **Fiscal Note**

Unbudgeted savings on delay - General Fund Unbudgeted savings on delay - Highway Fund

#### Fiscal Detail and Notes

Costs related to ranked-choice voting were estimated in the fiscal note for LD 1557 of the 127th Legislature, which was introduced as Initiated Bill 2 in response to a successful citizen initiated petition drive. As LD 1557 was indefinitely postponed, there was no opportunity to put funding for the Secretary of State (SOS) or the Department of Public Safety (DPS) into that bill. Subsequent approval by the voters in November of 2016 meant any funding would have to wait for implementing legislation. Delaying implementation of ranked-choice voting until elections held after December 1, 2019 will eliminate any funding that would have been required by the SOS and the DPS in the current biennium. As no funding has ever been budgeted, no savings will be booked on delay.

Additional costs to the Department of Secretary of State associated with conducting an evaluation and recommending legislation for the administration of ranked-choice voting can be absorbed within existing budgeted resources. Any appropriations and allocations associated with implementing ranked-choice voting would need to be included within that subsequent legislation.