

# Ranked Choice Voting in Maine from the Perspective of Election Authorities

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## Abstract

In 2018, Maine became the first state in the nation to use ranked choice voting in statewide and congressional elections. In a decentralized system of election administration local election officials play an important role in implementing new voting rules. We examine the implementation of ranked choice voting based on a survey sent to municipal clerks and interviews with several election officials in Maine. The survey asked local officials about their experience with ranked choice voting, including its impact on election costs, administrative burden, poll worker training, and voter education. We test hypotheses derived from policy implementation theory in assessing election officials' evaluations of ranked choice voting. In our results, we find that most municipal clerks in our sample are not enthusiastic about implementing ranked choice voting and do not want to continue its use in Maine. In addition, there are strong partisan divisions, with Democratic clerks offering much more positive assessments of ranked choice voting than Republican clerks. We also find evidence that a mixed ballot design in Maine may increase administrative burden on local election officials. We also find differences in voter outreach and education efforts across jurisdictions.

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Ranked choice voting (RCV) is an election reform that appears to be gaining attention and support in the United States. Rather than asking voters to indicate one preferred candidate, RCV allows voters to rank candidates in order of preference. While roughly a dozen municipalities across the United States employ ranked choice voting in some fashion, in 2018 Maine became the first state to use RCV for some statewide and federal elections. Maine allows voters to rank as many preferences as there are candidates in ranked choice races.

The ballot-counting process for ranked choice voting is more complex than plurality (winner-take-all) systems. In RCV contests, voters' first choices are counted, and if no candidate receives a majority, then the counting process continues. The candidate with the lowest share of the votes is eliminated in the next round of counting, and those voters' second choices are allocated to the remaining candidates. This process continues until one candidate receives a majority of the available votes.

Evaluations of ranked choice voting elections in the United States are mixed. Some find that ranked choice voting systems increase civility and decrease negative campaigning (Donovan, Tolbert and Gracey 2016; Mauter 2014). Additionally, there is some evidence that RCV elections tend to attract more candidates to run for office, which can lead to a more representative field of candidates and a more diverse set of elected officials (John, Smith and Zack 2018). On the other hand, however, ranked choice voting makes the ballot more complicated, and voters may be confused by new rules that allow them to choose multiple candidates (Donovan, Tolbert and Gracey 2019). Additionally, as is the case with Maine, some ballots may be split between RCV contests and races that follow plurality

rules. These new rules and mixed ballot designs could cause voter confusion, leading to more voting errors.

This study examines the role of local election officials as implementers of state election reforms. The primary data come from a survey of municipal clerks in Maine conducted after the 2018 general election, as well as interviews with many local election officials. Local election officials play a crucial role in election administration, and the municipal clerks in Maine were able to observe how RCV worked in their towns. We draw on policy implementation theory to test several hypotheses about how local election officials evaluate ranked choice voting. The clerks who answered our survey are not very fond of ranked choice voting. We also find substantial partisan differences in support for the goals of RCV and perceptions of the administrative burden imposed by the new voting rules. These attitudes are strongly associated with overall assessments of RCV and support for continuing its use in Maine elections.

### **Why the Opinions of Local Election Officials Matter**

In a decentralized system of election administration local officials play a crucial role in implementing election laws. The conditions facing local administrators vary dramatically, depending in part on the size and composition of the local electorate. The attitudes of local officials partly reflect differing local conditions (Moynihan and Silva 2008; Montjoy 2008). Local election officials typically have many responsibilities, which include hiring and training poll workers, purchasing and maintaining voting equipment, designing and printing ballots, and maintaining a list of registered voters. While local administrators

are supposed to comply with state and federal election laws, those laws leave some room for interpretation and local officials may vary in how they implement those laws. There is considerable variation across local jurisdictions in election outputs like voter turnout, residual votes, and provisional ballots, and some of that variation is attributed to local election administration (e.g., Ansolabehere and Stewart 2005; Kropf and Kimball 2012; Fullmer 2015). Local officials play an influential role in administering elections.

In addition, the views of local election officials may shape how they implement election laws. A wide range of evidence indicates that the attitudes of local government officials influence how they enforce the law (e.g., Farris and Holman 2015). In particular, the views of local officials toward election reforms help determine whether they embrace or resist those reforms (Moynihan and Silva 2008; Burden et al. 2012). Furthermore, the opinions of local officials toward election laws help predict local outputs, like the casting and counting of provisional ballots (Kropf, Kimball and Vercellotti 2013). Similarly, the party affiliations of local election officials are associated with their vigor in removing people from the list of registered voters (Stuart 2004) and the implementation of straight-party voting mechanisms (Hamilton and Ladd 1996). The opinions of local election officials may influence how they use their discretion in enforcing the law.

Finally, local officials offer an important perspective on election law and administration. As “street level bureaucrats” (Lipsky 1980), local administrators have more direct contact with voters and local officials have a closer seat to observe the voting experience than state or national officials. The public tends to evaluate local election officials more positively than state and national government institutions (Atkeson 2011;

Adona and Gronke 2018). While legislatures may not always enact their preferred policies, local election officials are frequently asked to share their perspective on reform proposals with state and national policymakers (Kimball and Baybeck 2013; PCEA 2014). The views of local election officials carry some weight with policymakers and the public.

### **Maine's Adoption and Implementation of Ranked Choice Voting**

Efforts to adopt RCV in Maine date back at least to 2001 (Santucci 2018; Armstrong 2019). After several failed attempts in the legislature, RCV supporters qualified a measure for the ballot in 2016 to adopt ranked choice voting for some state and federal elections. The reform effort was led by one of the major parties and some interest groups, but not by election officials. In fact, state and local election officials expressed some misgivings about the legality and cost of ranked choice voting (Armstrong 2019). Nevertheless, the ballot measure passed in the 2016 general election with 52 percent of the vote. Ranked choice voting was used for the first time for state and congressional primary elections in June 2018 and for congressional races in the November 2018 general election.

Maine is a state of roughly 500 relatively small towns. The largest city (Portland) had a bit less than 40,000 voters in the 2016 presidential election. More than ten percent of the state's towns had fewer than 100 voters in the same election. The vast majority of municipalities have a single polling place for state and federal elections. Nevertheless, Maine has a relatively high degree of state centralization of election administration, particularly when it comes to ranked choice voting. Every town in Maine votes on paper ballots that can be scanned or counted by hand. In the 2018 elections the Secretary of

State's office designed and printed all ballots, including the RCV sections, and distributed them to each town. In RCV contests that required additional vote counting the Secretary of State's office collected the ballots from each municipality and brought them to the state capital for further tabulation.

Nevertheless, municipal clerks have an important role in implementing ranked choice voting. Local clerks count the first choice votes in each of the RCV contests. More importantly, municipal clerks need to train poll workers and educate voters on how ranked choice voting works. The state played a supporting role here as well. The Secretary of State's office produced ballot instructions, posters, videos, and other RCV training materials which were shared with the municipal clerks. Finally, municipal clerks are in a position to directly observe the voting experience with RCV in their localities.

### **Explaining Clerk Evaluations of RCV**

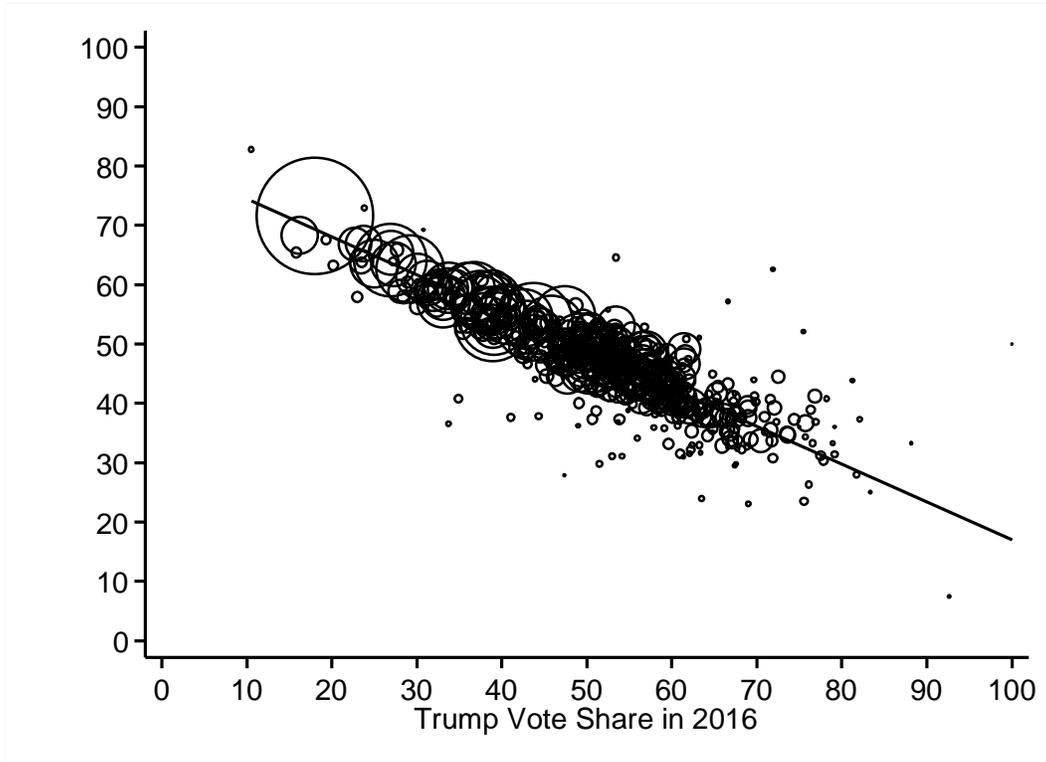
In this section we use policy implementation theory to develop hypotheses about how municipal clerks in Maine evaluate ranked choice voting. There is a well-developed framework in public administration for understanding views toward policy reforms that considers the attitudes of local officials, relationships between officials at different levels of government, and characteristics of the jurisdictions that local officials serve. In applying these ideas, we focus on municipal clerks in Maine and their response to the new voting rules.

The adoption and implementation of ranked choice voting in Maine has been and remains a highly partisan issue. The adoption movement accelerated after the election of

Republican Governor Paul LePage with a plurality of the popular vote in 2010 and again in 2014. There was a feeling in some quarters that Democratic and Independent candidates split the anti-LePage vote in both elections, allowing him to win under plurality rules (Santucci 2018; Armstrong 2019). The campaign to qualify an RCV measure for the ballot in 2016 was led by two experienced state legislators, one a Democrat and one an Independent. The RCV campaign was also supported by several liberal groups and the Independent candidate for governor in 2014. Governor LePage and the Maine Republican Party opposed the RCV ballot question, as did a conservative think tank closely aligned with the governor. Some GOP leaders saw ranked choice voting as an attack on Gov. LePage that would weaken the ability of conservative candidates to win closely contested elections in Maine (Gratz, Mistler and Leary 2018).

Partisan divisions over ranked choice voting in Maine can be seen in the results of the 2016 general election, when the measure to adopt ranked choice voting (Question 5) passed. Figure 1 plots voter support for the RCV ballot question by Donald Trump's share of the presidential vote in Maine's 502 municipalities (the data symbols are sized in proportion to the number of votes cast in each jurisdiction). As the graph shows, there is a strong linear relationship between partisanship and the vote on Question 5 (the correlation between support for Trump and the RCV measure is  $-.95$ ). As expected, voter support for ranked choice voting declines as Trump's vote share increases. Santucci (2018) estimates that roughly 80 percent of Democrats voted for the RCV measure while 80 percent of Republicans voted against the measure. The RCV measure also fared better in heavily populated municipalities and in jurisdictions along the southern coast of Maine (Gillespie, Levan, and Maisel 2019).

**Figure 1. Support for Ranked Choice Voting Measure by Trump Support in Maine Municipalities, 2016 General Election**



The partisan conflict continued past 2016. In 2017, the Maine Supreme Court issued an advisory opinion stating that ranked choice voting was unconstitutional in the general election for governor and state legislative contests. The legislature then passed a law to delay the use of RCV in Maine until voters passed a constitutional amendment to allow RCV. Republican leaders amended the legislation to delay all RCV contests even though the court opinion was limited to elections for governor and state legislature (Armstrong 2019). In response, the same groups behind the 2016 Question 5 campaign gathered petition signatures to place a “people’s veto” referendum on the ballot to repeal the legislation delaying RCV in Maine. The people’s veto qualified for the ballot in 2018. In the meantime,

GOP leaders in the state senate and the Maine Republican Party filed lawsuits to prevent the use of RCV in the June 2018 primary election. The lawsuits failed and ranked choice voting was used for the first time in the June 2018 primary elections for governor and congressional seats. Two contests, the Democratic nominations for governor and the 2nd congressional district, went to multiple rounds of ballot counting in order to determine the winner.

The RCV “people’s veto” was also passed by Maine voters in the June 2018 election, with 54 percent voting for the ballot measure. The 2018 statewide vote on ranked choice voting looks like a rerun of the 2016 RCV vote in important ways. At the municipal level, support for ranked choice voting in 2018 was strongly and positively correlated with support for RCV in 2016 ( $r = .90$ ). Once again, voter support for RCV in 2018 was negatively correlated with support for Trump in 2016 ( $r = -.92$ ). Party divisions over ranked choice voting did not dissipate in 2018.

Partisan battles over RCV continued in late 2018. In the fall Gov. LePage vetoed a bill to provide emergency funding for the additional costs of administering an election with ranked choice voting. The contest for Maine’s 2nd congressional district was a hard fought campaign where ranked choice voting rules played a critical role in determining the winner. The contest featured Republican incumbent Bruce Poliquin, Democratic challenger Jared Golden and two Independent candidates. After the first choice votes were counted, Poliquin led Golden by a little more than 2,000 votes. However, Poliquin only received a plurality of the vote (a bit over 46 percent), as the two Independent candidates garnered more than 23,000 votes between them. Under RCV rules, this triggered additional rounds

of vote tabulation. Both Independent candidates encouraged their supporters to select Golden as a second choice. Perhaps as expected, after those ballots were transferred to second and third choice candidates, Golden won a majority, defeating Poliquin by roughly 3,500 votes. Poliquin challenged the outcome in federal courts and requested a recount. The courts ruled against Poliquin and he eventually withdrew his request for a recount (Armstrong 2019). Governor LePage also criticized the use of ranked choice voting in that election. In certifying the official results of the 2nd congressional district contest Gov. LePage wrote “stolen election” on the certification document (Thistle 2018).

Finally, there were important differences in the ways candidates campaigned under RCV rules in Maine. Democratic and Independent candidates generally embraced the new voting rules and often encouraged their supporters to give their second choice votes to other candidates. In contrast, Republican candidates tended to criticize RCV and encouraged their supporters to only vote for their first choice (Armstrong 2019). In an exit poll of Maine voters in the November 2018 election, almost 81 percent of Democrats wanted to extend ranked choice voting to other elections while 72 percent of Republicans wanted to eliminate RCV (Shepherd 2018; Gillespie, Levan, and Maisel 2019). Given the intense partisan disagreements over RCV in Maine we expect that party affiliation will structure the assessments of town clerks toward ranked choice voting.

H<sub>1</sub>: Democratic municipal clerks will evaluate ranked choice voting more positively than Republican or unenrolled clerks.

A related factor is support for the goals of election reform among local election officials. Principal-agent theory is often used to understand challenges of public

administration in a decentralized environment. Delegation problems occur when a principal who adopts a new policy relies on agents to implement the policy. Principal-agent theory and implementation theory suggest that agreement between principals and agents on the goals of a new law reduces resistance to implementation (Sabatier and Mazmanian 1980; Brehm and Gates 1997; Montjoy and O'Toole 1979). Agreement on the goals of election reform is an important factor in local enforcement of the Help America Vote Act (HAVA) after the law was passed by Congress in 2002 (Moynihan and Silva 2008; Kropf, Vercellotti, and Kimball 2013). Similarly, agreement on the goals of election administration shapes whether poll workers faithfully execute the rules and procedures established by local election officials (Alvarez and Hall 2006). Here we use principal-agent theory to examine the relationship between the voters of Maine (who indicated majority support for RCV in two elections) and the municipal clerks charged with implementing the new voting rules. Agreement with the goals of election reform should boost support for reform among local election officials.

H<sub>2</sub>: Municipal clerks who support the goals of ranked choice voting are more likely to see RCV as a positive change and are more likely to support its continued use in Maine.

The burden associated with implementing a new policy is another important factor for local officials. Resources are needed to implement significant policy changes but are not always provided. Local officials tend to resist policy mandates that are unfunded or when they have sunk costs in status quo policies or technologies (Montjoy and O'Toole 1979; Sabatier and Mazmanian 1980). Concerns about the local costs of election reform, particularly some HAVA provisions, are common among local election officials and these

concerns tend to foster opposition to election reforms (Hale and Slaton 2008; Moynihan and Silva 2008; Creek and Karnes 2010; Montjoy 2010).

Moynihan and colleagues develop the concept of “administrative burden” to describe whether a new policy is experienced as being onerous (Burden et al. 2012). Administrative burden can apply to officials implementing a new law and to citizens who must comply with a new law. Administrative burden includes the costs of learning a new policy and the psychological stress of implementing a new policy while still carrying out an existing workload (Moynihan, Herd, and Harvey 2014). Concerns about administrative burden are widespread among local election officials and are strongly associated with attitudes toward proposed election reforms (Burden et al. 2012). In addition, perceptions of burden can be more important than objective measures of burden when officials evaluate a policy (Burden et al. 2012). Thus, local clerks concerned about resource or administrative burdens may have a less favorable view of enforcing new policies like RCV.

H<sub>3</sub>: Municipal clerks concerned about the increased costs and administrative burden associated with ranked choice voting are less likely to view RCV positively and are more likely to oppose its continued use in Maine.

A related local factor is the size of the jurisdiction. Smaller rural jurisdictions tend to struggle to find the resources to comply with state and federal election reforms (Creek and Karnes 2010). Larger jurisdictions tend to have the staff and budget needed to adapt to new policies. In addition, officials in large jurisdictions tend to see a greater need for innovation in election administration. As a result, local officials in larger urban jurisdictions tend to embrace election reforms more than officials in less populated jurisdictions (Burden et al. 2011; Kimball and Baybeck 2013). Portland, the largest city in Maine,

adopted RCV for local elections several years before the statewide adoption. Figure 1 also indicates that public support for RCV is stronger in larger Maine municipalities. Thus we expect clerks in larger municipalities to view ranked choice voting more positively.

H<sub>4</sub>: Municipal clerks in large municipalities will evaluate RCV more positively than clerks in small towns.

Similarly, we consider the congressional district where municipal clerks serve. While Maine has two congressional districts, the use of ranked choice voting has been more contentious in the 2<sup>nd</sup> congressional district (CD2).<sup>3</sup> In the 1<sup>st</sup> congressional district (CD1) the primary and general election winners were determined by first choice votes alone, so no extra tabulation was needed. The 2018 Democratic primary and 2018 general election in the 2<sup>nd</sup> congressional district went to additional rounds of vote tabulation to determine the winner. Thus, municipal clerks in the 2<sup>nd</sup> congressional district needed to provide all of their ballots, memory cards, and other vote tabulation devices to the Secretary of State for the additional vote count. Additionally, CD1 contains the largest city in Maine (Portland), and it is a more Democratic district than CD2. Congressional district 2 is also more rural and has many more small towns than CD1. Some clerks in these rural portions of the district served as collection points for other nearby small towns. This required additional paperwork and coordination with the state for municipal clerks, a frequent talking point in our interviews. As noted above, the outcome of the 2018 general election in the 2<sup>nd</sup> district, with the leader in first choice votes ultimately losing the election after the ranked choice voting tabulation, was difficult for some to accept.

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<sup>3</sup> We thank James Endersby for suggesting this hypothesis.

H<sub>5</sub>: Municipal clerks in the 2<sup>nd</sup> congressional district will evaluate RCV more negatively than clerks in the 1<sup>st</sup> congressional district.

Finally, we consider the views of voters being served by local election officials. The “representative bureaucracy” perspective posits that government officials tend to hold opinions that are representative of the constituents they serve, so that policy implementation should reflect local opinion (e.g., Meier 1993). In Maine, most municipal clerks are selected from the community they serve (and some are directly elected), so their views about election policies may reflect local opinion. In addition, two statewide votes provide clear indicators of voter opinion on ranked choice voting in each municipality. If clerks are interested in representing community sentiment then their views about RCV may be associated with the voting results in their municipality.

H<sub>6</sub>: Clerks’ evaluations of RCV will be correlated with the way their municipality voted on the RCV ballot measures.

## **Data and Methods**

The primary source of data for this study is a survey of Maine municipal clerks conducted in the spring and summer of 2019. The municipal clerk oversees polling place operations and ballot counting in Maine. A separate municipal registrar administers voter registration, although in most towns the same person does both jobs. We designed the survey to measure the responses of local election officials on 1) the goals of RCV and poll worker training, 2) the costs and administrative burden associated with RCV, 3) relationships with state election officials and relevant advocacy organizations, 4) voter education efforts and voter competence with the new voting rules, and 5) overall

assessments of ranked choice voting and how it worked in the 2018 elections. The appendix provides descriptive statistics and wording for survey questions used in this study.

We worked with the Maine Town and City Clerks' Association (MTCCA) to distribute the survey to the state's roughly 480 municipal clerks. We constructed the survey in Qualtrix and sent an email link to the survey through the MTCCA email listserv. We sent the first link to the survey on March 13, 2019, and we sent two subsequent requests with a link to the survey in the following weeks. In the process we discovered that a small number of municipal clerks serving small towns are not on the MTCCA listserv. We mailed printed surveys to a sample of municipal clerks that did not have access to the MTCCA listserv. In total, 110 clerks completed part of the survey and 99 made it to the end of the entire survey (roughly 21 percent of the clerks in the state).<sup>4</sup>

Some descriptive data provide a snapshot of our sample of municipal clerks. The average clerk in our sample has almost 14 years of experience in election administration and spends roughly 40 percent of her work time on election-related activities. Almost half of the clerks have a college degree. These figures are quite similar to national surveys of local election officials (Adona and Gronke 2019; Kimball et al. 2010).

We also gathered aggregate data on voting behavior in each municipality, including support for the RCV ballot measures (some of which is reported in Figure 1). The survey asked clerks the name of the municipality they served, which allowed us to merge

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<sup>4</sup> According to the directory provided by the state, as of 2018 there were 22 municipal clerks serving multiple towns, almost all very small towns. Thus, the sampling frame for our survey is approximately 480 clerks.

municipal-level voting data with the survey data. The aggregate voting data allow us to compare the municipalities in our survey sample to all municipalities in Maine (in those instances where the clerk identified the municipality). The results, summarized in Table 1, indicate that the towns in our sample are more liberal (by about 4 points on each measure) than the average town in Maine.<sup>5</sup> In addition, the average municipality in our sample is noticeably larger than the average town in the state. The mismatch may be due to the coverage error in the survey, described above. However, when we asked clerks in the survey to indicate their party affiliation, 41 percent are Republican, 38 percent are unenrolled, and just 21 percent are Democrats. We do not have data on the party affiliation of all clerks in the state, so we don't know how representative our sample is on that indicator.<sup>6</sup>

Finally, we also gathered qualitative data through face-to-face and telephone interviews with 14 municipal clerks and 2 state election officials in Maine. These local election officials represent rural, mid-sized, and urban jurisdictions across central and southern regions of the state. Local election officials interviewed represent both major political parties as well as the “unenrolled” affiliation, and these local officials also vary in their support or non-support of the change to RCV rules in Maine. The interviews allowed us to follow up on some of the issues covered in the survey and get a more in-depth understanding of the local experience with ranked choice voting. The names and

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<sup>5</sup> The statewide mean (across all municipalities) is several points to the right of the statewide vote percentages because the larger municipalities tend to be more Democratic and pro-RCV than the average municipality.

<sup>6</sup> Maine does not offer the option of registering as Independent, but “unenrolled” is the most common choice. As of May 1, 2019, the distribution of registered voters in Maine was 35.4% unenrolled, 33.0% Democratic, 27.3% Republican, and 4.1% Green.

jurisdictions of these local election officials have been kept anonymous throughout this paper.

**Table 1**  
**Comparing the Survey Sample to all Maine Municipalities**

<b>Voting measure</b>	<b>Sample mean</b>	<b>Statewide mean</b>
Support for Trump for president in 2016 election	48.9	53.4
Support for GOP gubernatorial candidate in 2018 election	47.5	50.8
Support for RCV ballot measures (averaged across both elections)	49.9	46.8
Number of ballots cast in November 2018 election	2428	1281
Observations	N=95	N=502

## **Results**

We start by examining support for the main goals of ranked choice voting. The survey asked clerks to rate different features of ranked choice voting as advantages or disadvantages on a five-point scale, where 1 equals “strong disadvantage” and 5 equals “strong advantage.” Table 2 shows the mean responses to these questions, with the sample segmented by the party affiliation of municipal clerks. [The overall mean score is roughly the same as the unenrolled mean score for each item.]

**Table 2**  
**Support for RCV Goals by Party Affiliation**

<b>RCV Feature</b>	<b>Democratic mean</b>	<b>Unenrolled mean</b>	<b>Republican mean</b>
Voters can show a preference for more than one candidate	4.0	2.8*	2.1*
Candidates can urge voters to support other candidates	3.2	2.5*	2.0*
Ballots are re-tallied if no candidate has a majority	3.7	2.4*	1.8*
Ballots are sent to SOS if more rounds of counting are needed	3.3	2.7	2.2*
Reduces the “spoiler effect” if more candidates run	3.6	2.3*	2.0*

1 = strong disadvantage, 5 = strong advantage.

\*Statistically different from Democratic mean (p<.05)

Overall, Maine municipal clerks do not express much support for the goals of RCV. The mean score on each question is between 2 (minor disadvantage) and 3 (neither/neutral) on the 5-point scale. Thus, clerks are more likely to rate the main features of RCV as disadvantages rather than advantages. Relatively speaking, allowing voters to indicate a preference for more than one candidate has the highest mean score and thus seems to be the most popular goal of RCV. The overall results mask substantial partisan divisions. On each question, the mean for Democratic clerks is at least one point higher than the mean for GOP clerks. Democratic clerks tend to view each feature of RCV as more of an advantage than a disadvantage. Thus, Democratic clerks support the goals of RCV significantly more than Republican and unenrolled clerks.

What do clerks see as the cost impact of ranked choice voting? The survey asked whether the implementation of ranked choice voting increased their election

administration costs in three areas: poll worker training, Election Day staffing, and voter education. Clerks could choose from one of three responses (1 = no change, 2 = minor increase, 3 = significant increase). Table 3 shows the mean responses to each item for separate partisan groups.

**Table 3**  
**RCV Costs by Party Affiliation**

<b>RCV Cost Impact</b>	<b>Democratic mean</b>	<b>Unenrolled mean</b>	<b>Republican mean</b>
Poll worker training	1.6	1.7	1.7
Election Day staffing	1.7	1.7	1.9
Voter outreach and education	1.7	1.6	1.6

1 = no change, 2 = minor increase, 3 = significant increase.

\*statistically different from Democratic mean (p<.05)

Municipal clerks generally don't see major new costs associated with ranked choice voting. The mean response for each item is between 1 (no change) and 2 (minor increase), so the clerks tend to report a minor impact on their local election costs due to RCV. We gave clerks the opportunity to report other budget impacts of RCV. Only seven availed themselves of that opportunity, mainly to mention additional equipment needs such as tabulators and thumb drives to count and transmit RCV results. Furthermore, there are no party differences in assessments of the specific cost impacts of RCV. We get a somewhat different picture when we ask whether ranked choice voting increases the administrative burden on local election officials. Almost two-thirds of the clerks in our sample agreed that RCV increased their administrative burden. This question also revealed partisan differences, as 83 percent of Republicans agreed that RCV increased their administrative burden as compared to 50 percent of Democratic clerks.

Interviews with election officials more specifically illuminated the nature and extent of the local administrative burden associated with RCV rules. Overall, the instances of increased burden imposed by RCV seemed manageable and were not directly onerous. Eight municipal clerks commented on how the tallying process for RCV elections delayed their ability to wrap up their local certification and election processes. As one clerk in a rural town stated, RCV elections “[make] the jobs of small town clerks harder, because we are not able to ‘tidy up’ the elections until the [statewide] RCV count is done.” The clerk stated that this is important because small town clerks generally have many duties in addition to running elections, such as licensing, revenue collection, and other civic obligations. Therefore, the longer processes of RCV vote tabulation cuts into the time local officials spend on these other job responsibilities (personal communication: October 22, 2019).

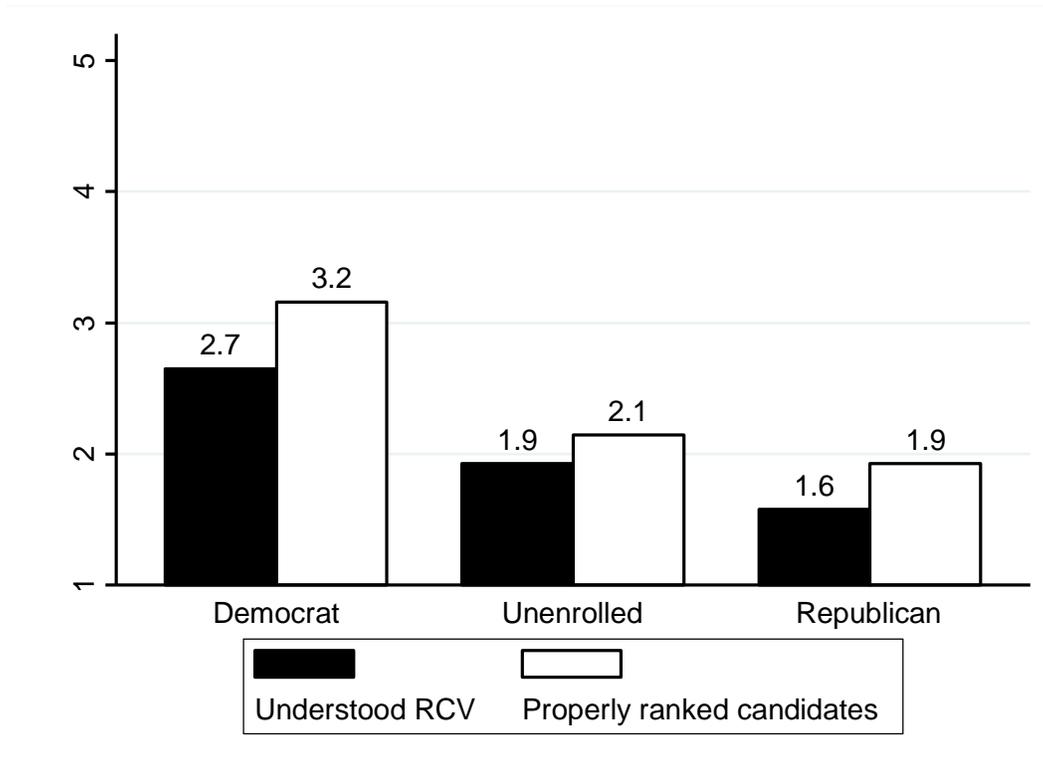
Most clerks interviewed stated that there were little to no changes in how elections were run on Election Day itself after RCV rules were implemented, though five clerks did note some changes. Of those who noticed increased responsibility due to RCV rules, most noted that it was due to the extra time it took some clerks to program and test voting equipment before Election Day to ensure that the ranking and tabulation systems worked properly. As indicated above, Maine uses a mixed ballot design, where statewide and federal races are on an RCV ballot, while municipal and state legislative races are on a plurality ballot. This difference in ballot design seemed to be the primary component increasing the administrative burden on local officials (the design also may have created some voter confusion). The mixed ballot design meant that some clerks had to use two different scanning machines to count the different ballot styles. Other clerks noted that

differences between plurality and RCV ballots meant that some contests had to be tallied by hand, while other contests were sent through electronic tallying machines (personal communications: October 21 and 22, 2019). These differing tabulation processes increased the time spent by local official on counting votes.

Only two of the local officials interviewed stated that their administrative burden in regard to costs increased due to RCV implementation. One clerk noted that her jurisdiction had to purchase additional flash drives to archive and send the ballot results to the Secretary of State's office for counting, because the ranking system took up a great deal of space on these flash drives. Another clerk stated that the switch to RCV meant that the county had to pay for two additional poll workers and longer hours for all of their poll workers, resulting in an increased hourly wage for the jurisdiction. While these instances of increased administrative burden are important to note, it appears that local election officials overall were largely not over-burdened in their new responsibilities after the shift to RCV rules.

A common concern with ranked choice voting is whether voters properly understand and comply with the new voting rules (Neely and Cook 2008; Neely and McDaniel 2015; Donovan, Tolbert and Gracey 2019). We also asked clerks to assess how voters performed with the new ranked choice voting rules. On a five-point scale (1 = strongly disagree, 5 = strongly agree) the clerks were asked whether voters in their municipality (1) clearly understood RCV rules, and (2) properly ranked candidates in RCV contests. The mean responses are reported in Figure 2.

**Figure 2**  
**Ratings of Voter Performance with RCV by Party Affiliation**



The survey results indicate that Maine municipal clerks take a dim view of the voter’s ability to understand ranked choice voting rules. The mean score on each question is near 2 (disagree somewhat) on the 5-point scale. More than two-thirds of the clerks in our survey do not believe that voters understood RCV rules. These results contrast sharply with surveys, including an exit poll of Maine voters in 2018, indicating that most voters find RCV rules easy to understand (Donovan, Tolbert, and Gracey 2019; Gillespie, Levan, and Maisel 2019). In addition, evidence available so far does not indicate high rates of voter confusion in Maine’s ranked choice voting elections (Gillespie, Levan, and Maisel 2019). Curiously, clerks were a bit more optimistic about voters’ ability to properly rank candidates on the ballot. Still, more than half of the clerks responding to the survey did not

think their voters properly ranked RCV candidates. In addition, almost 85 percent of the clerks see the complicated nature of the ballot as a disadvantage of ranked choice voting. Once again, there are strong partisan differences as Democratic clerks offer substantially more positive assessments of their voters than Republican and unenrolled clerks. On each measure of voter performance the mean rating from Democratic clerks is significantly higher than the mean rating offered by Republican and unenrolled clerks ( $p < .05$ ).

In interviews, all of the local election officials stated that they received more questions from voters than in previous, non-RCV elections. Several election officials clarified that it was not necessarily the new RCV rules that most confused voters, rather voters were confused by the mixed design that included both plurality and RCV contests on the same ballot. One clerk noted that the mixed ballot design was particularly confusing to older voters in her jurisdiction (personal communication October 22, 2019). A local election official in another rural jurisdiction remarked that it would be better for voters if the “entire ballot were comprised of RCV contests”—or have them all be plurality contests, however this scenario is not likely in her opinion (personal communication: October 22, 2019).

Six of the local election officials interviewed said that they believed most voters either did not properly rank their ballots, and/or voters only ranked one candidate in RCV contests. Two local officials interviewed thought that only around one-quarter of their voters properly and fully ranked their ballots. One election official, however, thought that the proportion of spoiled ballots with RCV was equivalent to the proportion in previous elections using only plurality rules (personal communication: October 21, 2019). Two

election officials noted that RCV contests made for longer ballots, and as such several voters in each of their jurisdictions did not see or vote the back sides of their ballots. Local election officials in larger jurisdictions also noted that the new RCV rules meant that it took some people longer to vote. One clerk also remarked on the length and the complexity of the ballot by saying, “[v]oters need[ed] a ruler to find the correct candidate on the RCV ballot” (personal communication: October 21, 2019).

One clerk stated that while she did not receive a lot of questions about RCV on Election Day itself, she overheard and was part of several conversations afterward that indicated some voters may not have fully understood the ranking system. For instance, the local election official said that she talked with a few people in the town after Election Day who had ranked the same candidate more than once, had marked a “1” beside all candidates, or who had otherwise spoiled their second and third choice votes. A clerk in a different rural jurisdiction also noted that voters were confused about RCV on Election Day, asking her if they “had to vote for more than one” candidate (personal communication: October 22, 2019). The beliefs of municipal clerks about voter confusion had important consequences: two local officials advised voters that they did not have to rank their ballots, and that they should vote for only one candidate in RCV contests.

### **Poll Worker Training, Voter Outreach and Education**

Because the Maine Secretary of State’s office handled the tallying of RCV races, local election officials largely noted that poll workers (a.k.a. “election clerks”) did not require a great deal more training for Election Day operations compared with previous plurality

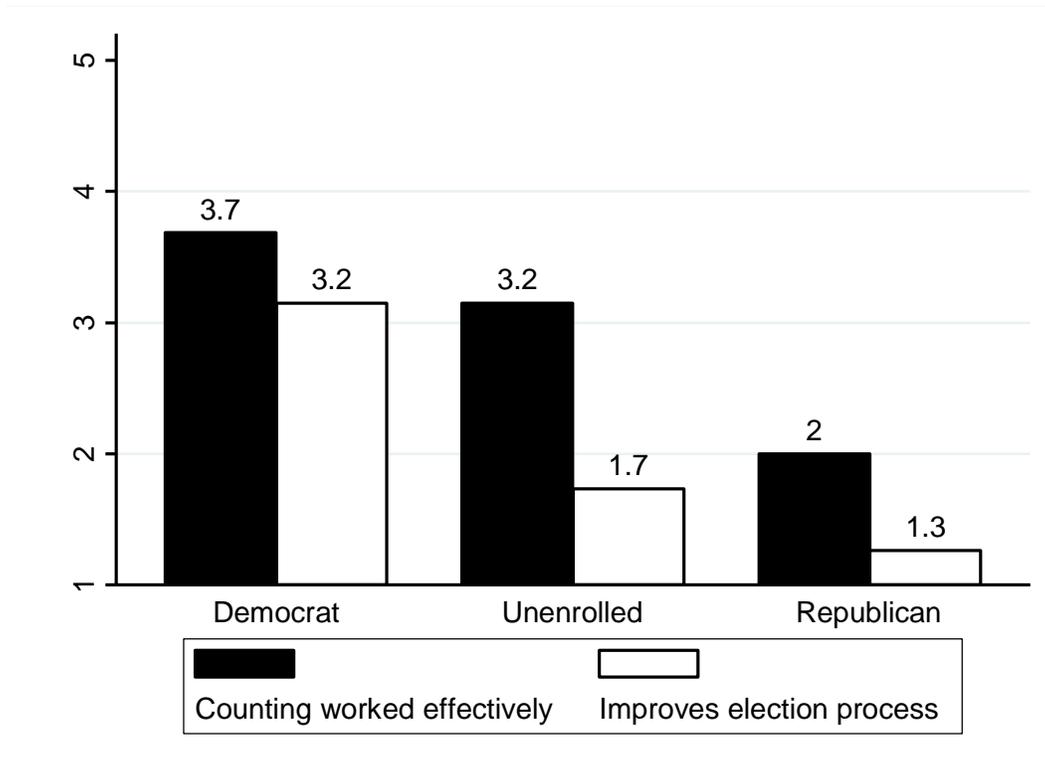
elections. Two local election officials did say that they had a slightly longer training for poll workers on the morning of Election Day; these new training components largely focused on how poll workers should answer voters' questions about RCV. One jurisdiction interviewed also provided a one-page guide on RCV to voters on Election Day. In rural jurisdictions, where there was only one polling place, local election officials were almost always on hand as well to directly answer voters' questions.

In regard to voter outreach and education, the SOS also provided educational materials and webinars to inform the public about the new RCV rules. Local election officials, therefore, largely did not do "anything extra" to communicate with voters about RCV (personal communication: October 21, 2019). Most of the local election officials interviewed who have an internet presence shared an animated video created by the Maine SOS on their Facebook pages and websites. This video seemed to be the primary tool used by local election officials in informing the public about the new RCV rules and procedures.

Our interviews revealed important differences in how some local election officials used outside materials as voter education guides, namely the RCV instruction guide developed and distributed by the Maine League of Women Voters. Two local election officials reported that they were directed by the office of the SOS to *not* distribute the LWV guides to voters, as they arguably took a less-than-neutral stance on the question of RCV adoption. Several other local election officials interviewed, however, stated that they *did* provide these guides to voters; one local official even mailed the guide to voters in advance of Election Day. These interviews suggest that voters in different jurisdictions may have received different and varying amounts of information on RCV before and on Election Day.

Our final set of survey questions examines overall evaluations of ranked choice voting in Maine. On a five-point scale (1 = strongly disagree, 5 = strongly agree) the clerks where asked to respond to two statements: (1) the process for counting votes in RCV contests worked effectively, and (2) ranked choice voting is improving the election process in Maine. The mean responses for these two items are reported by party affiliation in Figure 3.

**Figure 3**  
**Overall Assessments of RCV by Party Affiliation**



Previous measures indicated rather low marks for RCV and strong partisan differences. The same pattern holds here. Democratic clerks hold much more positive assessments of RCV than Republican and unenrolled clerks. Among survey respondents not a single GOP clerk, and only two unenrolled clerks, agree that RCV is improving the election process in Maine. Even Democratic clerks were almost evenly split on that question, with almost equal numbers agreeing and disagreeing that RCV is improving elections. Responses are more positive to the more mundane question about counting votes in RCV contests. Strong partisan differences remain, however, as Democratic and unenrolled clerks assessed RCV ballot counting more favorably than Republican clerks.

The survey also asked clerks whether Maine should keep RCV for future state and federal elections. Overall, 86 percent of respondents do not want to continue using RCV in Maine. None of the GOP clerks, and only 4 unenrolled clerks, want RCV to continue, while a majority of Democratic clerks want to keep RCV. The strong party differences in assessments of ranked choice voting clearly support our first hypothesis and reflect the widespread, intense and longstanding partisan conflict over ranked choice voting in Maine.

To test our remaining hypotheses we estimate regression functions with overall assessments of ranked choice, described in Figure 3 and the paragraphs above, as our dependent variables. The evidence above shows that partisanship is a predisposition that shapes opinions toward many aspects of ranked choice voting. In addition, GOP affiliation perfectly predicts opposition to ranked choice voting on two of our three outcome measures. To test our remaining hypotheses we exclude partisanship from these analyses.

We model overall assessments of RCV as a function of support for RCV goals, concerns about the impact of RCV on local costs, jurisdiction size, and constituent support for RCV. We measure support for RCV goals with a scale constructed by averaging the five items reported in Table 2 (Cronbach's  $\alpha = .84$ ). To measure concerns about local costs we create a scale by averaging responses to the three questions summarized in Table 3 ( $\alpha = .78$ ). We measure jurisdiction size as the natural log of the number of ballots cast in the municipality in the November 2018 election. We measure constituent support as the average percent voting yes on the two statewide RCV ballot measures. The results are presented in Table 4. Model 1 examines the process for counting RCV votes. Model 2 examines whether RCV is improving elections. Model 3 examines whether clerks want to keep RCV for future state and federal elections in Maine.

**Table 4**  
**Predictors of Assessments of Ranked Choice Voting**

<b>Independent variable</b>	<b>Model 1: Process for counting RCV votes</b>	<b>Model 2: RCV is improving elections</b>	<b>Model 3: Keep RCV for future elections</b>
Support for RCV goals	1.28* (0.22)	2.26* (0.41)	2.49* (0.73)
RCV impact on local election costs	-0.68* (0.32)	-0.08 (0.43)	0.49 (0.81)
Jurisdiction size (natural log of ballots cast in 2018 election)	-0.03 (0.17)	-0.41* (0.23)	-0.91* (0.44)
Voter support for RCV ballot measures (mean percent Yes)	0.03 (0.03)	0.03 (0.04)	0.08 (0.07)
In 2 <sup>nd</sup> congressional district	0.10 (0.50)	-1.11* (0.65)	-2.62* (1.09)
N	89	90	88
Pseudo-R2	.18	.33	.53

Models 1 and 2: Cell entries are ordinal logit coefficients (standard errors in parentheses). The dependent variable is a 5-point scale (1=strongly disagree, 5=strongly agree).

Model 3: Cell entries are logit coefficients (standard errors in parentheses). The dependent variable is binary (1=yes, 0=no).

\*p<.05 (one-tailed)

The main predictor of attitudes toward ranked choice voting, in addition to partisanship, is support for the goals of RCV. Increased support for the goals of ranked choice voting is strongly associated with more positive assessments of the election reform. Moving from low support (10<sup>th</sup> percentile) to high support (90<sup>th</sup> percentile) of RCV goals increases the expected probability of agreeing that RCV is improving the election process in Maine by 31 percentage points. The same increase in support for the goals of RCV increases the predicted probability of wanting to keep RCV for future elections by 44 percentage points. These results provide pretty clear support for our second hypothesis.

In two of three tests we also find support for our fifth hypothesis. Municipal clerks in the 2<sup>nd</sup> congressional district offered more negative assessments of ranked choice voting. According to our estimates in Model 2, Clerks serving in the 2<sup>nd</sup> congressional district were more likely than clerks in the 1<sup>st</sup> district to disagree with the statement that RCV was improving elections, by roughly 12 percentage points. According to Model 3, clerks in the 2<sup>nd</sup> district are less likely to support keeping RCV for future elections, by about 18 percentage points.

We find very little support for the remaining hypotheses. Concerns about the impact of RCV on local election costs are modestly associated with opposition to ranked choice voting in Model 1, but not in the other two models.<sup>7</sup> Contrary to our expectations, jurisdiction size is negatively associated with evaluations of ranked choice voting. Finally, constituent opinions on RCV are unrelated to the overall views of Maine municipal clerks toward the election reform. It is noteworthy that the party affiliation of municipal clerks is a strong predictor of support for ranked choice voting, but not resident opinion. The evaluations of ranked choice voting offered by municipal clerks do not reflect the preferences of their voters.

## **Conclusions**

This study examines the views of local election officials on the implementation of ranked choice voting in Maine. We find that Maine municipal clerks tend to dislike ranked

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<sup>7</sup> When we replace the cost variable with the administrative burden measure, the estimated impact of administrative burden is modest, negative, and statistically significant in two of the three models. When we include controls for election administration experience and familiarity with RCV those two variables do not produce statistically significant coefficients and do not change the other results. For the sake of simplicity we leave those two variables out the results reported in Table 4.

choice voting overall. The clerks express low levels of support for the main goals of RCV and they tend to believe that voters do not understand the new voting rules. Even though they report only minor increases in local election costs, most Maine clerks do not believe that RCV has improved the election process and a large majority do not want to continue its use in Maine state and federal elections.

The main predictors of clerk attitudes toward this election reform are partisanship and support for the goals of RCV. Municipal clerks who identify as Democrats offer much more positive appraisals of ranked choice voting than Republican clerks. Unenrolled (Independent) municipal clerks typically fall in between Democratic and Republican clerks in their assessments of RCV in Maine. GOP clerks in our sample are unanimous in their opposition to the continued use of RCV in Maine. Democratic clerks are more divided but they tend toward positive assessments of ranked choice voting. The partisan divisions among municipal clerks mimic similar divisions among the voters and the political class in Maine. However, in contrast to the strong partisan differences, the views of their constituents, as measured in two statewide ballot measures, are not reflected in the opinions of Maine municipal clerks toward ranked choice voting.

These results raise concerns about the implementation of ranked choice voting in Maine. The negative evaluations offered by municipal clerks differ substantially from the relatively positive views Maine voters expressed in a recent exit poll (Shepherd 2018; Gillespie, Levan and Maisel 2019) and in voting twice to adopt the reform. Perhaps municipal clerks are observing problems with ranked choice voting that are not as evident to voters and reform supporters. On the other hand, clerk assessments of ranked choice

voting seem to be driven by partisanship and opposition to the goals of RCV. It is worrisome that municipal clerks tend to oppose an election reform that seems to have solid political support in the state. Successful election reform depends, in part, on supportive implementation by local administrators. This is especially the case with ranked choice voting – voters need to understand and comply with the new rules, and local election officials are a primary source of voter education. However, it appears that municipal clerks in Maine are not enthusiastic about implementing ranked choice voting, to put it mildly.

As more cities and states move toward election reform and the adoption of RCV rules, it is important to understand how the implementation of these new systems impact state and local election officials, as well as voters. The perspectives of state and local election officials can provide valuable insights to increasing consistency in implementation of new electoral rules.

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## Appendix

### Survey Questions and Descriptive Statistics

#### Dependent Variables:

##### *Assessment of RCV:*

How much do you agree or disagree with the following statements: (1 = strongly disagree; 5 = strongly agree): The process for counting votes in RCV contests worked effectively; Ranked choice voting is improving the election process in Maine.

Item 1: Mean = 2.8, SD = 1.4

Item 2: Mean = 1.8, SD = 1.3

##### *Continue RCV:*

Should Maine keep RCV for future state and federal elections? (1 = yes; 0 = no)

Mean = .14

#### Independent Variables:

##### *Support for RCV Goals:*

What do you regard as the advantages and disadvantages of ranked choice voting? Mark your most preferred response for each characteristic: (1 = strong disadvantage; 5 = strong advantage): Voters can indicate a preference for more than one candidate for the same office; Candidates can urge supporters to make another candidate their second choice; Ballots are re-tallied if no candidate has a majority of votes; Ballots are sent to the Secretary of State if further rounds of counting are needed; Reduces the “spoiler effect” where new candidates may draw votes away from other candidates.

Cronbach's  $\alpha = .84$ , Mean = 2.53, SD = 1.16

##### *RCV Costs:*

Did the implementation of ranked choice voting increase your election administration costs in any of these areas? (1 = no change; 2 = minor increase; 3 = significant increase): Poll worker training; Election Day staffing; Voter education and outreach.

Cronbach's  $\alpha = .78$ , Mean = 1.71, SD = 0.65

##### *Administrative Burden:*

How much do you agree or disagree with the following statement: RCV increases the administrative burden on election officials like me: (1 = strongly disagree; 5 = strongly agree).

Mean = 3.86, SD = 1.30

*Voter Performance:*

How much do you agree or disagree with the following statement: (1 = strongly disagree; 5 = strongly agree):

Voters in my municipality clearly understood ranked choice voting rules

Mean = 1.93, SD = 1.24

Voters in my municipality properly ranked candidates in RCV contests

Mean = 2.25, SD = 1.30

*Experience:*

Approximately how many years have you worked in election administration?

Mean = 14.2, SD = 10.9

*Education:*

What is the highest level of education you have completed? (1 = completed some high school; 2 = high school graduate or equivalent; 3 = completed some college, but no degree; 4 = college graduate; 5 = completed some graduate school, but no degree; 6 = completed graduate school)

Mean = 3.5, SD = 1.0

*Party Identification:*

What is your party affiliation? (1 = Democratic, 2 = Unenrolled/NA, 3 = Republican)

Unenrolled = 38%, Republican = 41%, Democratic = 21%