

Maine Democrats walked away from yesterday's 2018 midterm elections controlling a state government trifecta - flipping the Maine Senate, increasing their margin in the House of Representatives, and picking up a governorship that is as symbolic to them as it is substantive. Their victorious evening comes after nearly a decade of elections where the GOP stayed on an impressive electoral offensive.

No review of last night's results could begin without the state's marquee contest: the gubernatorial race between Democratic Attorney General Janet Mills and Republican Gorham businessman Shawn Moody. Unenrolled State Treasurer Terry Hayes failed to live up to expectations and may have even hindered Moody's vote totals, as Mills was declared the winner before midnight. The final tally of the race will likely show Moody trailing by the high single-digits as Mills' vote total currently sits at more than 52% of votes cast.

The Democrats will now find their own champion in the Blaine House following Governor Paul LePage's two terms as Maine's Chief Executive. LePage reshaped Maine's electoral and policy landscapes, and Democrats will view Mills' victory as a referendum on the tenor and direction that defined those years.

At the federal level, popular Unenrolled Sen. Angus King easily cruised to reelection in a three-way race with Republican Eric Brakey and Democrat Zak Ringelstein. U.S. Rep. Chellie Pingree also prevailed in Maine's more southerly 1st Congressional District over Republican Mark Holbrook and Democratic-turned-Unenrolled state representative Marty Grohman.

But one of the evening's headlining contests, and a race that could be counted among those intensely watched by national observers, was the 2nd Congressional District's battle between incumbent Republican Bruce Poliquin and State House Majority Whip Jared Golden. Despite the sprawling district's conservative bent, Golden was able to make use of a favorable environment, his credentials as a marine combat veteran, and formidable small-dollar digital fundraising to create the conditions for a competitive race. As such, he and Poliquin today find themselves tied at 46% apiece with two minor candidates taking the balance. This 7-8% of the vote will matter greatly when redistributed to the top two vote getters via Ranked Choice Voting, however. Expect an intense process with plenty of legal scrutiny down the stretch here.

Democrats are also riding high on their success in state legislative races. Rural populist Sen. Troy Jackson led the Democratic caucus out of an 18-17 minority and picked up seats in Hancock

(Ellsworth), Waldo (Belfast), and Androscoggin (Auburn) counties. At the time of this writing, a seat anchored by the towns of Scarborough and Gorham had just been called for former Rep. Linda Sanborn over popular Sen. Amy Volk. This will mean a state senate majority of 20-21 votes for legislative Democrats as one race remains to be called in southern Aroostook County.

House Democrats had a razor-thin plurality heading into Election Day and depended on a coalition of unenrolled members to sustain their Speaker's gavel. They emerge from the 2018 cycle with a greatly supplemented majority, however. At the time of this writing, Democrats expected at least 89 members of their incoming caucus, picking up 16 seats. Republicans are likely to return to Augusta with 57 seats when votes are tallied in a final outstanding race. There will be 5 unenrolled members of the next legislature.

Troy Jackson and Sara Gideon will continue leading the respective Democratic caucuses and preside over these chambers. Sen. Nate Libby and Sen. Eloise Vitelli are anticipated to round out the compliment of Democratic Senate leadership, while races for those leadership posts in the House lieutenant to Gideon are hotly contested. Senate Democrats will formally coronate their leaders tomorrow (11/8) while their House counterparts will hold a nominating caucus next week.

Republicans will choose between any number of candidates in interesting leadership contests. In both bodies, their current leadership is either termed out or was defeated Tuesday night. Republican legislative nomination caucuses will mirror the Democrats; Senate Republicans are ready to meet Thursday afternoon and their House colleagues will follow up next week.

Democratic Senate and House majorities mean Democratic constitutional officers. Governor-elect Mills leaves behind the attorney general's office for a wide pool of lawyers seeking the role. Secretary of State Matt Dunlap will likely return to his post unless he exits for the Mills Administration, and former State Rep. Henry Beck so far appears unchallenged for State Treasurer.

Further downballot a citizen's initiative to fund universal home care was soundly defeated by an unexpectedly large margin. The proposal sought to create a 3.8% surcharge on household income over \$128,000.

The incoming 129th Maine Legislature will be sworn in on December 5th. This will be followed up by cloture later that month, and the beginning of the first regular session during early January.

Looking forward, a Democratic trifecta of state government will have a number of policy implications. Most notable among these will be MaineCare expansion following its approval by voters at the polls in 2017. Paid sick-leave, pharmaceutical reform, and student debt relief are also likely to

be spearheaded by legislative Democrats with their newfound majorities. The incoming 129th Maine Legislature will mark the first time since 2010-12 that state government has been singularly controlled. What that means for a diverse range of policy priorities will be determined in the months ahead, and Preti Flaherty will be there to keep you up to speed.

As soon as all of the elections are finalized, we will circulate a complete list of the election results.

Dan Walker

Chair, Government Affairs Group
dwalker@preti.com

Chace Jackson

Legislative Liaison
chacejackson@preti.com