

This week sees no shortage of action in Maine's political world as all eyes will be on Tuesday's primary election and Monday afternoon's meeting by the Appropriations Committee resulted in movement toward a special legislative session. The Legislature's respective caucuses will spend the next several days polling their members on returning to Augusta and meanwhile Secretary of State Matthew Dunlap's Elections Bureau may need weeks to properly certify ranked-choice election results.

Following an abbreviated 2nd Regular Session where several hundred pieces of legislation, including bonds, spending bills, and medical marijuana reform were left hanging in limbo, a special session to address such documents has been sought by legislators and stakeholders alike. Legislative leaders, along with key members of the Appropriations & Financial Affairs Committee have met regularly for the past several weeks in hopes of striking a deal that would result in the 128th Legislature's return. This effort achieved some traction on May 29th when Appropriations unanimously passed a spending bill (LD 924) that would address funding lapses in advance of the fiscal year's end on June 30. While this crucially included rate increases set to expire for community service providers, the bulk of the committee's work remained without a vote.

Significant movement toward the goal of a special session began to occur on Friday, June 8th when legislative leaders agreed to a tentative spending deal that incorporated fifteen individual legislative documents addressing lead abatement, the opioid crisis, behavioral health services, and badly needed rate increases for nursing facilities. This preliminary agreement survived the weekend and was quickly passed by a unanimous vote of the Appropriations Committee when they met yesterday afternoon (June 11th). This spending package, LD 925, is expected to help dislodge stalemate over returning for a special session as its component pieces collectively draw the support of a broad partisan and ideological swath of the Legislature.

However, the eighteen bills fused into LDs 924 and 925 represent only a fraction of those that still remain on the Special Appropriations Table or are in possession of the House and Senate. Several dozen bond proposals still pend before the Appropriations Committee as well. As AFA Chairs Sen. Jim Hamper (R-Oxford) and Rep. Drew Gattine (D-Westbrook) cautioned yesterday, the Legislature still has a great deal of work to do and leaders will continue to negotiate the terms on which these bills without final disposition may be addressed. Caucus members are expected to be polled on returning throughout the coming week and while anything is possible, a special session may reasonably be assumed to occur next week. Preti Flaherty's legislative team will be closely monitoring these developments.

Legislators may be forgiven for their distraction over the next several days as the outcome of Tuesday's primary election will determine the course of Maine politics for years to come. Maine's Democratic and Republican parties will each be selecting their gubernatorial nominees, as will Democrats in the state's more

northern, Second Congressional District. In addition, several state legislative primaries will be determined and the balloting system known as Ranked-Choice Voting faces yet another hurdle as referendum Question #1 asks voters to decide if this new voting system should survive after this election. If these outcomes weren't already being closely watched by Maine's political observers, the tension is only heightened by RCV's potential to leave the results in question for days or even weeks.

In the Democratic gubernatorial primary seven candidates will appear on a ranked-choice ballot in the following order:

- Adam Cote, veteran and energy entrepreneur
- Mark Eves, non-profit executive and former Speaker of the House
- Donna Dion, former Biddeford Mayor
- Mark Dion, State Senator and former Cumberland County Sherriff
- Janet Mills, Attorney General
- Diane Russell, former State Representative
- Betsy Sweet, activist and social services advocate

These candidates each seek to succeed Republican Paul LePage as Governor following his eight year tenure. Democrats are optimistic about their chances as the national environment appears favorable to them and several nationwide ratings outfits consider the race "leans Democratic" or "tossup". However, Democrats have not won a statewide race since then-Governor John E. Baldacci's 2006 reelection when he was returned to the Blaine House with a plurality of the vote, and they have not won an outright majority since George Mitchell's final reelection to the US Senate in 1988.

The Republican primary will feature the following candidates on the GOP ballot:

- Ken Fredette, House Minority Leader
- Garrett Mason, Senate Majority Leader
- Mary Mayhew, former Commissioner of the Department of Health & Human Services
- Shawn Moody, businessman and 2010 unenrolled candidate

Whichever Republican may emerge from the primary will seek to capitalize on the legacy of LePage who, despite contrary polling, was able to win reelection on the strength of his connection to traditionally Democratic constituencies. Maine has taken a generally rightward turn over the last several years but Republicans have a major test in their first statewide race following the Obama-era and realignment of their party in Maine.

The Democratic primary to challenge sophomore Rep. Bruce Poliquin in Maine's Second Congressional District will consist of a battle between House Majority Whip Jared Golden, Craig Olsen, and environmental activist Lucas St. Clair. Progressive activist Jonathan Fulford's name will appear on the ballot but he has dropped out of the race. While the 2nd CD has trended red in recent years it is generally considered by national Democrats as an important seat in their quest to recapture a majority in the US House of Representatives.

In addition to several state legislative primaries, Democrats and Republicans alike will formally nominate Zak Ringelstein and Erik Brakey, respectively, as their standard bearers against popular independent United States Senator Angus King.

While a potential repeal of Ranked Choice-Voting will appear in the form of Question #1 on Tuesday's ballot, of more immediate importance will be RCV's effect on assessing election results once the polls close. Under Maine's prior balloting system, which is employed most often nationally, preliminary results generally revealed the outcome of an election before it was officially certified by the Secretary of State. However, RCV will mean only information on the first round of balloting will be available in an unofficial capacity this evening or early tomorrow. Over the next several days, municipalities will begin submitting their results to the Secretary of State via courier. Once there, the Bureau of Elections will begin tabulating results with high-speed machines that will count votes in successive rounds, knocking out each round's lowest vote getter and reallocating ballots until one candidate reaches 50% of the vote. This process is expected to begin Friday, and the Secretary of State's office has advised that they will be regularly updating results after each round of reallocations, making information on which candidates were removed from successive rounds available to the public. As such, the gubernatorial and congressional contests may not have clear victors until sometime during the week of June 18.

Preti Flaherty will be monitoring these developments each step of the way. Our firm has enjoyed decades of familiarity with Democratic and Republican Party politics, as well as the elections process, and we look forward to this new era as the latest in our history.

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