

1 twenty-four hours to the chief election official of each other
2 member state.

3 The chief election official of each member state shall
4 treat as conclusive an official statement containing the number
5 of popular votes in a state for each presidential slate made by
6 the day established by federal law for making a state's final
7 determination conclusive as to the counting of electoral votes
8 by congress.

9 In event of a tie for the national popular vote winner, the
10 presidential elector certifying official of each member state
11 shall certify the appointment of the elector slate nominated in
12 association with the presidential slate receiving the largest
13 number of popular votes within that official's own state.

14 If, for any reason, the number of presidential electors
15 nominated in a member state in association with the national
16 popular vote winner is less than or greater than that state's
17 number of electoral votes, the presidential candidate on the
18 presidential slate that has been designated as the national
19 popular vote winner shall have the power to nominate the
20 presidential electors for that state and that state's
21 presidential elector certifying official shall certify the
22 appointment of such nominees. The chief election official of



1 each member state shall immediately release to the public all
2 vote counts or statements of votes as they are determined or
3 obtained.

4 This article shall govern the appointment of presidential
5 electors in each member state in any year in which this
6 agreement is, on July 20, in effect in states cumulatively
7 possessing a majority of the electoral votes.

8 ARTICLE IV

9 OTHER PROVISIONS

10 This agreement shall take effect when states cumulatively
11 possessing a majority of the electoral votes have enacted this
12 agreement in substantially the same form and the enactments by
13 such states have taken effect in each state.

14 Any member state may withdraw from this agreement, except
15 that a withdrawal occurring six months or less before the end of
16 a President's term shall not become effective until a President
17 or Vice President shall have been qualified to serve the next
18 term.

19 The chief executive of each member state shall promptly
20 notify the chief executive of all other states of when this
21 agreement has been enacted and has taken effect in that



1 official's state, when the state has withdrawn from this
2 agreement, and when this agreement takes affect generally.

3 This agreement shall terminate if the electoral college is
4 abolished.

5 If any provision of this agreement is held invalid, the
6 remaining provisions shall not be affected.

7 **ARTICLE V**

8 **DEFINITIONS**

9 For the purpose of this agreement,

10 "Chief executive" shall mean the Governor of a State of the
11 United States or the Mayor of the District of Columbia;

12 "Elector slate" shall mean a slate of candidates who have
13 been nominated in a state for the position of presidential
14 elector in association with a presidential slate;

15 "Chief election official" shall mean the state official or
16 body that is authorized to certify the total number of popular
17 votes for each presidential slate;

18 "Presidential elector" shall mean an elector for President
19 and Vice President of the United States;

20 "Presidential elector certifying official" shall mean the
21 state official or body that is authorized to certify the
22 appointment of the state's presidential electors;



1 "Presidential slate" shall mean a slate of two persons, the
2 first of whom has been nominated as a candidate for President of
3 the United States and the second of whom has been nominated as a
4 candidate for Vice President of the United States, or any legal
5 successors to such persons, regardless of whether both names
6 appear on the ballot presented to the voter in a particular
7 state;

8 "State" shall mean a State of the United States and the
9 District of Columbia; and

10 "Statewide popular election" shall mean a general election
11 in which votes are cast for presidential slates by individual
12 voters and counted on a statewide basis."

13 SECTION 2. Section 14-24, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§14-24 [Certificate] Designation of state popular vote**
16 **winner; certificate of election, notice of meeting.** For
17 purposes of this section, "state popular vote winner" shall mean
18 the presidential slate comprised of the president and vice
19 president who have received the majority of individual votes at
20 a general election in which votes are counted on a statewide
21 basis. The chief election officer shall designate the



1 presidential slate with the largest statewide popular vote as
2 the "state popular vote winner".

3 Not later than 4:30 p.m. on the last day in the month of
4 the election, or as soon as the returns have been received from
5 all counties in the State, if received before that time, the
6 chief election officer shall certify to the governor the names
7 of the presidential electors and alternates of the same
8 political party or group as the candidates for president and
9 vice president [~~receiving the highest number of votes~~] according
10 to the number of votes received by each state as elected as
11 presidential electors and alternates. Thereupon the governor
12 shall in accordance with the laws of the United States,
13 communicate by registered mail under the seal of the State of
14 Hawaii to the administrator of general services of the United
15 States, the certificates of persons elected as presidential
16 electors, setting forth the names of the electors and the total
17 number of votes cast for each elector. The chief election
18 officer shall thereupon, together with a notice of the time and
19 place of the meeting of the electors, [~~cause to~~] issue and
20 transmit to each elector and alternate a certificate of election
21 signed by the governor in substantially the following form:

22 **CERTIFICATE OF ELECTION OF**



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PRESIDENTIAL ELECTORS

I,.....Governor of the State of Hawaii, do hereby certify that....., a member of the.....party or group, was on the.....day of....., [19] 20....., duly elected a Presidential Elector for the State of Hawaii for the presidential election of [19] 20.....

CERTIFICATE OF ELECTION OF

ALTERNATE PRESIDENTIAL ELECTOR

I,.....Governor of the State of Hawaii, do hereby certify that....., a member of the.....party or group, was on the.....day of....., [19] 20....., duly elected.....Alternate Presidential Elector for Presidential Elector.....for the State of Hawaii for the presidential election of [19] 20....."

SECTION 3. Section 14-28, Hawaii Revised Statutes, is amended to read as follows:

"§14-28 Convening and voting for president and vice president; [~~party vote~~] state popular vote winner. The electors, when convened, if both candidates are alive, shall vote by ballot for that person for [~~president~~] President and that person for [~~vice president~~] Vice President of the United States, [~~who are, respectively, the candidates of the political~~]

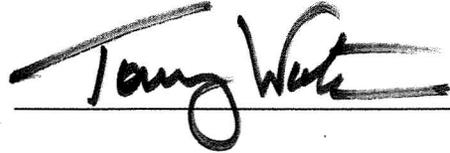
1 ~~party or group which they represent,~~] one of whom, at least, is
2 not an inhabitant of this State. The electors shall vote for
3 the President and Vice President according to the state popular
4 vote, pursuant to section 14-24."

5 SECTION 4. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 5. Upon its approval, this Act shall take effect
8 pursuant to the requirements of Article IV of the Agreement in
9 section 1 of this Act.

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INTRODUCED BY:



JAN 18 2008



Report Title:

Elections; President; National Popular Vote

Description:

Adopts multi-state compact for election of President of the United States by national popular vote.

