



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 252

H.P. 161

House of Representatives, January 21, 2025

An Act to Withdraw from the National Popular Vote Compact

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BAGSHAW of Windham.
Cosponsored by Representative FAULKINGHAM of Winter Harbor and
Representatives: ADAMS of Lebanon, COLLINS of Sidney, COOPER of Windham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA §723-A, sub-§1, ¶C**, as amended by PL 2023, c. 628, §1, is
3 further amended to read:

4 C. "Continuing candidate" means a candidate who has not been ~~removed from~~
5 ~~consideration~~ defeated.

6 **Sec. 2. 21-A MRSA §723-A, sub-§2**, as amended by PL 2023, c. 628, §2, is further
7 amended to read:

8 **2. Procedures.** Except as provided in subsections 3; and 4 ~~and 7~~, the following
9 procedures are used to determine the winner of an election determined by ranked-choice
10 voting. The ranked-choice voting count must proceed in rounds. In each round, the number
11 of votes for each continuing candidate must be counted. Each continuing ballot counts as
12 one vote for its highest-ranked continuing candidate for that round. Exhausted ballots are
13 not counted for any continuing candidate. The round then ends with one of the following
14 2 potential outcomes.

15 A. If there are 2 or fewer continuing candidates, the candidate with the most votes is
16 declared the winner of the election.

17 B. If there are more than 2 continuing candidates, the last-place candidate is ~~removed~~
18 ~~from consideration~~ defeated and a new round begins.

19 **Sec. 3. 21-A MRSA §723-A, sub-§3**, as amended by PL 2023, c. 628, §3, is further
20 amended to read:

21 **3. Ties.** A tie under this section between last-place candidates in any round must be
22 decided by lot, and the candidate chosen by lot is ~~removed from consideration~~ defeated.
23 The result of the tie resolution must be recorded and reused in the event of a recount. A tie
24 between candidates for the most votes in the final round must be decided as provided in
25 section 732.

26 **Sec. 4. 21-A MRSA §723-A, sub-§7**, as enacted by PL 2023, c. 628, §4, is
27 repealed.

28 **Sec. 5. 21-A MRSA §801, sub-§2**, as amended by PL 2023, c. 628, §5, is further
29 amended to read:

30 **2. Counting of ballots.** Counting of ballots for candidates for President must proceed
31 according to the ranked-choice method of counting votes described in section 723-A, ~~with~~
32 ~~the exception of subsection 7. If the National Popular Vote for President Act governs the~~
33 ~~manner of appointing presidential electors, counting of ballots must proceed according to~~
34 ~~the ranked-choice method of counting votes as described in section 723-A, subsection 7.~~

35 **Sec. 6. 21-A MRSA §803**, as repealed and replaced by PL 2023, c. 628, §6, is
36 repealed.

37 **Sec. 7. 21-A MRSA §803-A** is enacted to read:

38 **§803-A. Duties of Governor**

39 As soon as possible after the presidential electors are chosen, the Governor shall send
40 a certificate of the determination of the electors to the Archivist of the United States under
41 the state seal. The certificate must state the names of the electors and the number of votes

each candidate for President received statewide and for each congressional district in the final round of tabulation under section 723-A. The Governor shall deliver 6 certificates under the state seal to the electors on or before the first Monday after the 2nd Wednesday of December, following their election.

Sec. 8. 21-A MRSA §805, sub-§2, as amended by PL 2023, c. 628, §7, is further amended to read:

2. Presidential electors. ~~Except as provided in subsection 2-A, the~~ The presidential electors at large shall cast their ballots for the presidential and vice-presidential candidates who received the largest number of votes in the State according to the ranked-choice method of counting votes described in section 723-A. The presidential electors of each congressional district shall cast their ballots for the presidential and vice-presidential candidates who received the largest number of votes in each respective congressional district according to the ranked-choice method of counting votes described in section 723-A.

Sec. 9. 21-A MRSA §805, sub-§2-A, as enacted by PL 2023, c. 628, §8, is repealed.

Sec. 10. 21-A MRSA c. 17, as amended, is repealed.

SUMMARY

This bill repeals the National Popular Vote for President Act and makes changes to other election statutes to reflect that repeal.