

JAN 24 2007

A BILL FOR AN ACT

RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE
PRESIDENT BY NATIONAL POPULAR VOTE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 **AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL**

6 **POPULAR VOTE**

7 **ARTICLE I**

8 **MEMBERSHIP**

9 Any State of the United States and the District of Columbia
10 may become a member of this agreement by enacting this
11 agreement.

12 **ARTICLE II**

13 **RIGHT OF THE PEOPLE IN MEMBER STATES TO VOTE FOR PRESIDENT AND**

14 **VICE PRESIDENT**

15 Each member state shall conduct a statewide popular
16 election for President and Vice President of the United States.

17



1 24 hours to the chief election official of each other member
2 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;

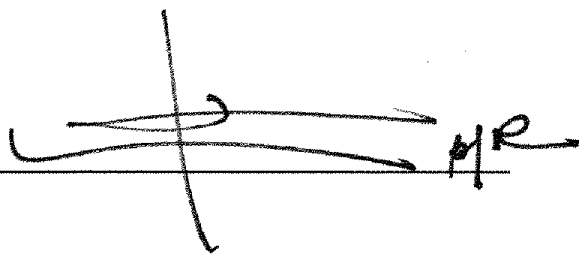


1 "presidential slate" shall mean a slate of two persons, the
2 first of whom has been nominated as a candidate for President of
3 the United States and the second of whom has been nominated as a
4 candidate for Vice President of the United States, or any legal
5 successors to such persons, regardless 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. This Act shall take effect upon its approval.
14
15

INTRODUCED BY: 

Report Title:

Agreement among the states to elect the president by national popular vote

Description:

Adds a new chapter to Hawaii Revised Statutes to allow member states to determine the winner of a presidential election by "national popular vote."

