

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST SPECIAL SESSION**

**August 26, 2019**

**SECOND REGULAR SESSION**

**January 8, 2020 to March 17, 2020**

**THE GENERAL EFFECTIVE DATE FOR  
FIRST SPECIAL SESSION**

**NON-EMERGENCY LAWS IS**

**NOVEMBER 25, 2019**

**THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION**

**NON-EMERGENCY LAWS IS**

**JUNE 16, 2020**

**PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine  
2020**

**CHAPTER 539**  
**S.P. 315 - L.D. 1083**

**An Act To Implement  
Ranked-choice Voting for  
Presidential Primary and  
General Elections in Maine**

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

**Sec. 1. 21-A MRSA §1, sub-§27-C**, as repealed and replaced by PL 2017, c. 316, §1, is amended to read:

**27-C. Elections determined by ranked-choice voting.** "Elections determined by ranked-choice voting" means any of the following elections in which 3 or more candidates have qualified to be listed on the ballot for a particular office or at least 2 such candidates plus one or more declared write-in candidates have qualified for that particular office:

A. Primary elections for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative;

B. General and special elections for the offices of United States Senator and United States Representative to Congress; ~~and~~

D. General elections for presidential electors; and

**Sec. 2. 21-A MRSA §1, sub-§27-C, ¶E** is enacted to read:

E. Primary elections for the office of President of the United States.

**Sec. 3. 21-A MRSA §723-A, sub-§5-B** is enacted to read:

**5-B. Presidential primary elections; selection of delegates.** Notwithstanding any provision of this section to the contrary, selection and allocation of delegates to a party's national presidential nominating convention must be in accordance with any reasonable procedures established at the state party convention.

**Sec. 4. 21-A MRSA §801, sub-§2** is enacted to read:

**2. Counting of ballots.** Counting of ballots for candidates for President must proceed according to the ranked-choice method of counting votes described in section 723-A.

**Sec. 5. 21-A MRSA §805, sub-§2**, as enacted by PL 1985, c. 161, §6, is amended to read:

**2. Presidential electors.** 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. 6. Contingent effective date.** Those sections of this Act that enact the Maine Revised Statutes, Title 21-A, section 1, subsection 27-C, paragraph E and Title 21-A, section 723-A, subsection 5-B take effect upon the enactment of laws adopting a presidential primary election in this State.

See title page for effective date, unless otherwise indicated.

**CHAPTER 540**  
**H.P. 808 - L.D. 1104**

**An Act To Clarify the State's  
Commitments Concerning  
Certain Public Service  
Retirement Benefits**

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

**Sec. 1. 5 MRSA §17801, sub-§1, ¶B**, as enacted by PL 1999, c. 489, §3, is amended to read:

B. The protections established under the provisions listed in subparagraph (1) constitute solemn contractual commitments of the State protected under the contract clauses of the Constitution of Maine, Article I, Section 11 and the United States Constitution, Article I, Section 10, under the terms and conditions set out in subparagraph (2).

(1) The commitment provided by this section applies to the protections established under the specific following provisions:

(a) Section 17001, subsection 4; and subsection 13, paragraph B, subparagraph (1) and paragraph C, subparagraph (2);

(b) Section 17806, ~~subsection~~ subsections 1 to 4;

(c) The subsection of section 17851, that is applicable to each member;

(d) The paragraph of subsection 2 of section 17851-A, that is applicable to each member;

(e) The paragraph of subsection 4 of section 17851-A, that is applicable to each member; and

(f) The subsection of section 17852, that is applicable to each member.