

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE CONCURRENT RESOLUTION NO. 4013
(Senators Sickler, Erbele, Klein, Meyer)
(Representative Bahl)

A concurrent resolution to support the electoral college, denounce the National Popular Vote Interstate Compact, and invite interested states to form the Electoral College Interstate Compact.

WHEREAS, the electoral college system respects states as the essential units in our federal republic, protecting states' power and voice in presidential elections; and

WHEREAS, the electoral college system creates an appropriate balance between rural and urban interests and ensures the winning candidate has support from multiple regions of the country; and

WHEREAS, the electoral college system ensures each state's electoral votes are awarded based on how the state's citizens vote; and

WHEREAS, the nation's founders' rejected a national popular vote for president and instead created the Electoral College; and

WHEREAS, the National Popular Vote Interstate Compact diminishes the importance of individual states in presidential elections, creates the potential for nationwide recounts, and opens the door to greater federal control of elections; and

WHEREAS, the constitutionality of the National Popular Vote Interstate Compact is doubtful because it appears to violate the Compact Clause of the United States Constitution and the intent of the electoral college clauses;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Sixty-ninth Legislative Assembly supports the Electoral College and believes the National Popular Vote Interstate Compact may be unconstitutional; and

BE IT FURTHER RESOLVED, in response to the creation of the National Popular Vote Interstate Compact, North Dakota and all other interested states should consider forming an Electoral College Interstate Compact, which would prohibit requiring state electors to cast electoral college votes in accordance with the national popular vote count for President and require the compact states to legally challenge the constitutionality of the National Popular Vote Interstate Compact; and

BE IT FURTHER RESOLVED, this state proposes forming the Electoral College Interstate Compact when four other states declare intent to form the Electoral College Interstate Compact, at which time the interested states shall take appropriate steps to organize and form the compact; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretaries of State and majority and minority leaders in each legislative chamber in the states of Alabama, Alaska, Arkansas, Arizona, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, Wisconsin, and Wyoming.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House