

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED SENATE BILL NO. 2271**

Introduced by

Senators Erbele, Dever, Kreun

Representatives D. Johnson, Trottier

1 A BILL for an Act to provide a statement of legislative intent regarding presidential elections; to
2 provide for a legislative management study; and to provide a directive.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. LEGISLATIVE INTENT - OPPOSITION TO NATIONAL POPULAR VOTE**

5 **INTERSTATE COMPACT - APPEAL TO CONGRESS.** It is the intent of the sixty-seventh

6 legislative assembly to oppose the national popular vote interstate compact, which would

7 circumvent the electoral process set forth in the United States Constitution. If the compact

8 becomes effective, the compact will require each signatory state to award the state's electoral

9 college votes to the presidential candidate who received the most popular votes in all fifty states

10 and the District of Columbia. Fifteen states and the District of Columbia have adopted the

11 compact. However, the current system for awarding electoral college votes to the winners of

12 state elections fulfills the requirements for appointing electoral college electors under Article II of

13 the United States Constitution and ensures states have proportionate representation in

14 presidential elections. The sixty-seventh legislative assembly urges Congress not to consent to

15 the interstate compact and to oppose any efforts to seek a national popular election of a

16 president other than through an amendment to the Constitution.

17 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - NATIONAL POPULAR VOTE**

18 **INTERSTATE COMPACT.** During the 2021-22 interim, the legislative management shall

19 consider studying how to defeat the effort of the national popular vote interstate compact to

20 ensure the electoral college process is preserved as prescribed in the United States

21 Constitution. The study also must include examination of how states report presidential election

22 results and whether states report the results using vote percentages or vote totals. The

23 legislative management shall report its findings and recommendations, together with any

24 legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

1 **SECTION 3. DIRECTIVE TO SECRETARY OF STATE.** The secretary of state shall forward
2 a copy of the enrolled version of this bill to the president of the United States Senate, the
3 speaker of the United States House of Representatives, and each member of the North Dakota
4 congressional delegation.