

HOUSE RESOLUTION NO. 10

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE KELLER

Introduced: 1/17/12

Referred:

A RESOLUTION

1 **Supporting the Electoral College and opposing the Agreement Among the States to Elect**
2 **the President by National Popular Vote interstate compact.**

3 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:**

4 **WHEREAS** the Constitutional Convention of 1787 established the United States of
5 America founded as a union of states and bound by republican principles of government; and

6 **WHEREAS** the Constitution of the United States protects the rights of the individual
7 states by providing numerous checks and balances to thwart the vertical concentration of
8 political power in the federal government; and

9 **WHEREAS** the Electoral College established in art. II, sec. 1, Constitution of the
10 United States, as well as the Twelfth and Twentieth Amendments to the Constitution of the
11 United States, provides an orderly presidential election process that protects the rights and
12 interests of the United States Congress, the individual states of the union, and the people of
13 the United States; and

14 **WHEREAS** AS 15.30, which governs Alaska's process for selecting electors to the
15 Electoral College, represents the collective interests of the citizens of the state; and

16 **WHEREAS** the founding fathers of the United States considered a purely democratic

1 government as hostile to liberty, discriminatory against minorities, and governed by a
2 licentious tyranny of the majority; and

3 **WHEREAS** the Electoral College reflects the founding fathers' strong belief that the
4 states should play a pivotal role in electing the President of the United States; and

5 **WHEREAS**, by requiring candidates to secure a broad coalition of electoral votes, the
6 Electoral College discourages candidates from campaigning solely in high population states;
7 and

8 **WHEREAS** the Electoral College protects and increases the ability of minorities to
9 participate in and influence presidential elections through state elections; and

10 **WHEREAS** the Electoral College encourages voter turnout by increasing the power
11 of an individual citizen's vote by encouraging participation in state presidential primaries; and

12 **WHEREAS** the Electoral College confines voter fraud to individual states rather than
13 the nation as a whole; and

14 **WHEREAS** the Electoral College encourages moderation and compromise while
15 minimizing the rise of divisive and illiberal factions; and

16 **WHEREAS** the United States Congress has rejected more than 700 proposed
17 constitutional amendments related to the Electoral College, including amendments favoring a
18 national popular vote; and

19 **WHEREAS** the Agreement Among the States to Elect the President by National
20 Popular Vote interstate compact proposes to elect the President of the United States by
21 awarding all electoral votes to the winner of the popular vote; and

22 **WHEREAS** the nationalization of the presidential election fundamentally rejects our
23 nation's founding principles of federalism and republicanism; and

24 **WHEREAS** the proponents of the Agreement Among the States to Elect the President
25 by National Popular Vote interstate compact have expressed their intent to enter into that
26 compact without the consent of the United States Congress; and

27 **WHEREAS** entering into a compact without the consent of the Congress would
28 clearly violate art. I, sec. 10, Constitution of the United States, and Congress' constitutional
29 authority and would, therefore, precipitate a constitutional debate that would not be in the best
30 interest of the people of the United States or the individual states; and

31 **WHEREAS** the Agreement Among the States to Elect the President by National

1 Popular Vote interstate compact bypasses the proper means of amending the Constitution of
2 the United States under art. V, Constitution of the United States, and violates the legitimacy
3 of the presidential election process; and

4 **WHEREAS**, by encouraging presidential candidates to focus on large population
5 centers rather than nurturing a broad coalition of large and small state interests, the
6 Agreement Among the States to Elect the President by National Popular Vote interstate
7 compact would diminish the interests of the 50 states during the presidential campaign
8 process; and

9 **WHEREAS** the Agreement Among the States to Elect the President by National
10 Popular Vote interstate compact would subject the electoral system to a series of potentially
11 destabilizing legal challenges because of concerns about the constitutionality of the compact,
12 the handling of disputed votes, the enforceability among the states in and outside of the
13 compact, voter eligibility, and uncertainty regarding what constitutes a winning majority of
14 voters; and

15 **WHEREAS** the Electoral College has successfully resolved prior contested
16 presidential elections without diminishing the representation of the people of the United
17 States or the individual states;

18 **BE IT RESOLVED** that the House of Representatives asserts its belief that the
19 Agreement Among the States to Elect the President by National Popular Vote interstate
20 compact would detrimentally reduce Alaska's voice in electing the President of the United
21 States; and be it

22 **FURTHER RESOLVED** that the House of Representatives affirms its support of
23 republican principles and the Electoral College as the most prudent means of preserving and
24 protecting the rights of all Americans.

25 **COPIES** of this resolution shall be sent to the Honorable Joseph R. Biden, Jr., Vice-
26 President of the United States and President of the U.S. Senate; the Honorable John Boehner,
27 Speaker of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of
28 the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the
29 Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; and the
30 Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the
31 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.