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**HOUSE BILL 2146**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representative Van Werven

AN ACT Relating to withdrawing from the interstate compact to elect the president by national popular vote; amending RCW 29A.56.320; creating a new section; repealing RCW 29A.56.300; and repealing 2009 c 264 s 1 (uncodified).

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

NEW SECTION. **Sec.**  The legislature recognizes that our founding fathers created the electoral college as a check on the more populous states to prevent them from imposing their will on smaller states. The electoral college obligates presidential candidates to appeal to the varied interests of all states and not just the interests of large, monolithic population centers. Requiring such widespread appeal is necessary to ensure that the diverse geographical, agricultural, and cultural voices in this country are represented.

The legislature finds that assigning presidential electors based on the national popular vote will result in presidential candidates campaigning in populous states while ignoring the voices of voters in states with smaller constituencies. This will have the effect of diminishing Washington state's influence in presidential elections. Assigning presidential electors based on the national popular vote will also outsource Washington state's electoral votes to the will of the nation as a whole, instead of giving effect to the will of its own voters. In effect, the agreement to assign presidential electors based on the national popular vote is an end run around the United States Constitution, and it effectively abolishes the electoral college for partisan purposes.

The legislature therefore intends to withdraw from the interstate agreement to elect the president by national popular vote.

**Sec.**  RCW 29A.56.320 and 2013 c 11 s 56 are each amended to read as follows:

In the year in which a presidential election is held, each major political party and each minor political party or independent candidate convention that nominates candidates for president and vice president of the United States shall nominate presidential electors for this state. The party or convention shall file with the secretary of state a certificate signed by the presiding officer of the convention at which the presidential electors were chosen, listing the names and addresses of the presidential electors. Each presidential elector shall execute and file with the secretary of state a pledge that, as an elector, he or she will vote for the candidates nominated by that party. The names of presidential electors shall not appear on the ballots. The votes cast for candidates for president and vice president of each political party shall be counted for the candidates for presidential electors of that political party((~~; however, if the interstate compact entitled the "agreement among the states to elect the president by national popular vote," as set forth in RCW 29A.56.300, governs the appointment of the presidential electors for a presidential election as provided in clause 9 of Article III of that compact, then the final appointment of presidential electors for that presidential election shall be in accordance with that compact~~)).

NEW SECTION. **Sec.**  The following acts or parts of acts are each repealed:

(1)RCW 29A.56.300 (States' agreement—Presidential election—National popular vote) and 2009 c 264 s 2; and

(2) 2009 c 264 s 1 (uncodified).

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