

Government Administration and Elections Committee

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Committee Chairs, Vice Chairs, Ranking Members and Members:

Thank you for the opportunity to offer these comments in opposition to S.B. 432, the adoption of the National Popular Vote compact. Until I retired last month I was a member of this house and enjoyed the privilege of serving with many of you.

If the proposed National Popular Vote compact is adopted, Connecticut's six electoral votes for President would be cast for whomever received the most popular votes nationally regardless of how the voters of our state actually voted. This raises very serious problems that appear to be poorly understood.

First, the compact opens the way for a fringe candidate to succeed over a divided field of mainstream contenders. That is because the compact does not require a majority vote or even a substantial plurality to win. Obviously the more candidates that are running, the fewer votes that are needed to be elected. France, a country that elects its president directly by popular vote, wisely requires a runoff election if no candidate receives 50 percent.

Second, the NPV compact almost assures delay and uncertainty in our Presidential Elections. An official in each state would have to rule not only who won in that particular state, but also decide who won across the country. Then there is the issue of what happens if an elector refuses to obey the compact and chooses instead simply to vote for the express choice of the voters who elected him or her. Under our Constitution, once elected an elector is free to vote as he or she wishes. With the stakes so high, disputes and litigation are a sure bet. Also, Article 10, Section 10 of the US Constitution prohibits compacts among individual states without the consent of Congress. The provision has been largely ignored for years, but it certainly offers the basis for an additional lawsuit if an attempt is made to implement the NPV compact.

If the American people wish do away with the Electoral College, the Constitution provides a path for amendment. It has been used successfully 27 times. Let's proceed in the same way so as to assure a full understanding and open discussion by our entire country. For the good of this democracy, I respectfully urge rejection of the proposed National Popular Vote compact.

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