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**SB 432 AAC an Agreement Among the States to Elect the President of the United States by the National Popular Vote**

Good morning Senator Musto, Representative Jutila and distinguished members of the GAE Committee. I am Susan Pease and I am the Dean of Arts and Sciences at Central Connecticut State University. I am also a member of the Board of Directors of Common Cause in Connecticut.

I am here this morning to testify in favor of House Bill 6213, *An Act Concerning an Agreement Among the States to Elect the President of the United States by the National Popular Vote*. The National Popular Vote addresses the core tenet of democracy, one person one vote. It is how we elect every office in this country from Registrar of Voters to Governor. Every office, that is, except the President of the United States. Instead, we apply the "winner take all" rule, whereby whichever candidate wins the most popular votes in Connecticut receives all our electoral votes. This method creates a population of "safe" blue or red states in which there is little impetus for candidates to devote attention to these states, or for individuals to become engaged.

When every vote matters and counts equally, candidates will have a different set of incentives. Investments from national candidates will lead citizens to engage at the state level. State parties will have more resources to build their organizations. The grassroots work that powers groups on both sides of the aisle will be given a powerful boost.

The imbalance goes beyond civic engagement. In matters of policy, "swing" states consistently receive more attention and federal resources than "safe" states. The National Popular Vote would increase the incentive for the President to listen to the concerns of even small, safe states such as Connecticut which in turn would give our Congressional delegation increased leverage when it comes to advocacy for federal resources coming into our state.

Political equality in the United States matters, and the time has come for every vote cast for president to count. Opinion polls show the public wants a system where the most votes wins and every vote counts equally. A recent poll by Gallup verifies this: 62% of Americans now favor direct election of the president and only 35% are in favor of keeping the Electoral College.<sup>1</sup> The favorable opinion is even higher in Connecticut. A 2008 National Popular Vote poll shows that 73% of Connecticut voters support a National Popular Vote for president.<sup>2</sup> They want to avoid what has happened four times in our history, most recently in 2000, the candidate who received the most votes lost the presidency. They certainly would

<sup>1</sup> 73% of Connecticut Voters Support a National Popular Vote for President in April 2008 Poll.  
<http://nationalpopularvote.com/resources/CT-NPV-Poll-Apr-19-20-2008-SHORT.pdf>

<sup>2</sup> Americans would swap Electoral College for Popular Vote.  
<http://www.gallup.com/poll/150245/Americans-Swap-Electoral-College-Popular-Vote.aspx>

not stand for a scenario in which Congress picks the president for them—but that is exactly what could happen under the current system.

The Electoral College problem is exacerbated by the massive influx of special interest money unleashed into our elections by the Supreme Court's 2010 *Citizens United* decision. The flood of secret money threatens to destroy the fabric of our democracy. In 2012, in Connecticut state races, over \$500,000 in outside expenditures was spent by shadowy groups. Over \$1 billion was spent nationally. Adopting a system of National Popular Vote would dilute the effect of targeted independent expenditures and strengthen grassroots organizing in every state.

The Electoral College was established by the nation's founders in part to appease slave-owning states. It is based indirectly on population, and slaves were counted as three-fifths of a person. Each state now gets as many electoral votes as it has representatives in Congress.

The result can be what we all saw in 2000, where the votes of one state, Florida, decided the election despite the fact that Mr. Gore was the nation's choice by more than a half-million votes.<sup>3</sup>

The Constitution directs each state to select presidential elections however it sees fit and states have used a variety of methods for doing so throughout history. The Constitution also authorizes states to enter into binding agreements. So, states can mutually agree to use the national popular vote to choose electors within the existing constitutional framework. The following are some myths and facts about the mechanics of a national popular vote:

- **Myth:** Small states would be disadvantaged by a national popular vote.

**Fact:** The small states are the most disadvantaged group of states under the current system. Although the small states theoretically benefit from receiving two extra electoral votes corresponding to their U.S. Senators, this "bonus" does not, in practice, translate into political power. Political power in presidential elections comes from being a closely divided battleground state—not from the two-vote bonus conferred on the small states in the Electoral College. In the last six elections, 12 of the least populous states have reliably voted with a single party.

- **Myth:** The current system of electing the President was created and favored by the Founding Fathers.

**Fact:** In the debates of the Constitutional Convention and the Federalist Papers, there is no mention of the winner-take-all rule (i.e., awarding all of a state's electoral votes to the presidential candidate who receives the most votes in an individual state). When the Founding Fathers went back to their states in 1789 to organize the nation's first presidential election, only three state legislatures chose to employ the winner-take-all rule for awarding their electoral votes.

- **Myth:** It is inappropriate for state legislatures and Governors to choose the method by which the President is elected.

**Fact:** The Founding Fathers specifically gave the state legislatures the exclusive power to choose the manner of awarding the state's electoral votes as stated in article II of the U.S. Constitution.

- **Myth:** Only big states would matter under a national popular vote.

**Fact:** It is true that the 11 most populous states contain 56% of the population of the United States. However, the big states rarely act in concert on any political question. In terms of the 2004

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<sup>3</sup> New York Times (2010 June 21) Editorial, *One Person One Vote for President*, Retrieved from <https://nytimes.com>.

presidential election, five of the 11 largest states voted Republican (Texas, Florida, Ohio, North Carolina, and Georgia) while six voted Democratic (California, New York, Illinois, Pennsylvania, Michigan, and New Jersey).

- **Myth:** It might be difficult to coerce presidential electors to vote for the nationwide winner.

**Fact:** No coercion is required to get presidential electors to vote as intended under either the current system or the National Popular Vote system. Under both systems, each political party nominates strongly opinionated and very loyal party activists for the position of presidential elector. Under the National Popular Vote compact, the state's presidential electors would be the elector candidates associated with the presidential candidate who won the most popular votes in all 50 states and the District of Columbia. This bloc of at least 270 presidential electors would reflect the will of the voters nationwide.

I urge the committee to pass this important legislation and win a victory for democracy and our state's own political relevance in our one national election.

Thank you for the opportunity to speak this morning.

