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James C. Condos, Secretary of State
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February 21, 2014

Senator Anthony Musto
Representative Ed Jutila
Co-Chairs
Government Administration & Elections Committee
Room 2200, Legislative Office Building
Hartford, CT 06106

Dear GAE Committee Chairs,

This written testimony is in support of House Bill 5126, AN ACT CONCERNING AN AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT OF THE UNITED STATES BY NATIONAL POPULAR VOTE.

In Vermont, as a State Senator and former Chair of Senate Government Operations (with responsibility for Elections), I was the lead sponsor of the National Popular Vote (NPV) bill. NPV was enacted the same year I was elected as Vermont's Secretary of State.

I urge Connecticut to join with three other New England states (VT, MA, RI) in enacting the legislation. For too long, our region of the country, along with dozens of other states, have been completely ignored in Presidential elections - except, of course, for New Hampshire. This dynamic has a detrimental impact on not just our elections, but also the way Washington governs. The current system is broken and must be fixed.

In addition, it has come to my attention that a question has arisen about how the presidential vote count would take place. More specifically, once the NPV is in effect, could one or more states thwart the ability to ascertain the exact national vote count?

This same question came up during our debate from one of the bill's more creative opponents. At the time, the Vermont House and Senate were satisfied with the answer. Now that I have been Secretary of State through a Presidential cycle I can confirm first-hand that the presidential vote count would occur in a timely fashion for three specific reasons:

1. Every state in the country has a state law providing a statutory deadline for certification of the popular-vote count for president by a specific date, long before the meeting of the Electoral College in December.
2. Federal law requires creation and delivery of a certificate of ascertainment detailing the popular-vote count for president prior to the meeting of the Electoral College.
3. And, in the unlikely event a Secretary of State wanted to frustrate the publication of the count, other records of it do exist.

It was our conclusion that no problem exists that would prevent the presidential count from being completed prior to the meeting of the Electoral College.

If I can provide any further information, please do not hesitate to contact me.

Sincerely,


James Condos
Vermont Secretary of State