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Government Administration and Elections Committee
Connecticut General Assembly
Legislative Office Building, Room 2200
Hartford, CT 06106
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RE: Testimony in Support of HB 5421

March 17, 2018

Co-chairs Fox, Flexer and McLachlan and distinguished members of the GAE Committee:

I am writing in support of HB 5421, “An Act to Adopt the Interstate Compact to Elect the President of the United States by National Popular Vote,” which will change the procedure for appointing electors from Connecticut in order to bind those electors to vote for whomever wins the popular vote nationally.

Our federal electoral system, which is designed to preserve federalism while promoting the democratic process, no longer serves those ends. One reason for the Electoral College was to prevent disorder by ensuring that experienced, educated and highly qualified people were actually the ones doing the electing. These electors were intended prevent a demagogue or other highly undesirable figure from being elected president. In reality, the Electoral College, in its current incarnation, no longer serves these original purposes. State electors serve symbolic and ceremonial functions. In fact, because the result of a presidential election within most states is rarely in doubt, the current Electoral College actually gives undue power and influence to a very small number of swing states such as Florida or Ohio. An interstate compact of the kind HB 5421 would solve this problem by ensuring that every vote in the nation actually counted equally.

Moreover, concerns about HB 5421’s constitutionality are premature and therefore not a reason to reject the bill. States have very broad authority to assign electors. Scholars have raised concerns that such an interstate compact might violate the “Compact Clause” of Article I of the U.S. Constitution, which specifies that “No state shall, without the Consent of Congress...enter into any Agreement or Compact with another state.” However, there is no reason to assume that Congress would not consent. More importantly, the United States Supreme Court has interpreted this clause to mean that interstate compacts require congressional approval only if they interfere with federal supremacy by increasing the power of a group of states to the disadvantage of the federal government. The National Popular Vote does not eliminate the Electoral College, and it is a legitimate use of the broad authority of the State of Connecticut to determine electors.

While the original intent of the Electoral College may have been laudable, its current iteration is problematic and outmoded. HB 5421 provides a much-needed update to our electoral procedures that will result in Connecticut voters knowing that their votes in presidential elections actually matter. It will spur participation in our democratic process.

Sincerely yours,



Sujata Gadkar-Wilcox