

# National Popular Vote

**The Most Votes Should Win and  
Every Vote Should Count Equally**

# National Popular Vote Summary

- National Popular Vote is a compact between states to pledge their respective electoral votes to the Presidential candidate who receives the highest national popular vote.
- The compact goes into effect when enough states totaling 270 electoral votes join the compact.
- To date, 11 states (RI, VT, CT, HI, MD, MA, WA, NJ, IL, NY, CA) and the District of Columbia have joined the compact with a total of 172 electoral votes.
- 98 additional electoral votes from approximately 10 states are needed for the compact to go into effect.

# National Popular Vote Summary Cont.

- National Popular Vote compact would guarantee the Presidency of the United States to the candidate who receives the most popular votes in all 50 states and the District of Columbia.
- National Popular Vote ensures that every vote, in every state, will be treated equally in every presidential election – not just in battleground states.
- National Popular Vote compact improves and enhances the Electoral College (it does not eliminate it) to make the United States a more perfect union.

# National Popular Vote Summary Cont.

- National Popular Vote compact preserves state control of elections.
- Article II, Section I of the United States Constitution gives each state complete and “plenary” control to “appoint, in such manner as the Legislature may direct, a Number of Electors.”
- States join the compact by passing a bill with a simple majority in the State House, the State Senate, and the Governor’s signature.
- In 2019, approximately seven states (CO, OR, MN, NV, NM, ME, MI) are expected to join the National Popular Vote compact. The compact will go into effect before the 2024 Presidential election.

# Constitutionality of National Popular Vote

- In 1892, the United States Supreme Court upheld states rights in *McPherson v. Blacker*.
- “The appointment and mode of appointment of electors belong exclusively to the states under the United States Constitution.”
- *McPherson v. Blacker* decision confirmed in *Bush v. Gore* in 2000.

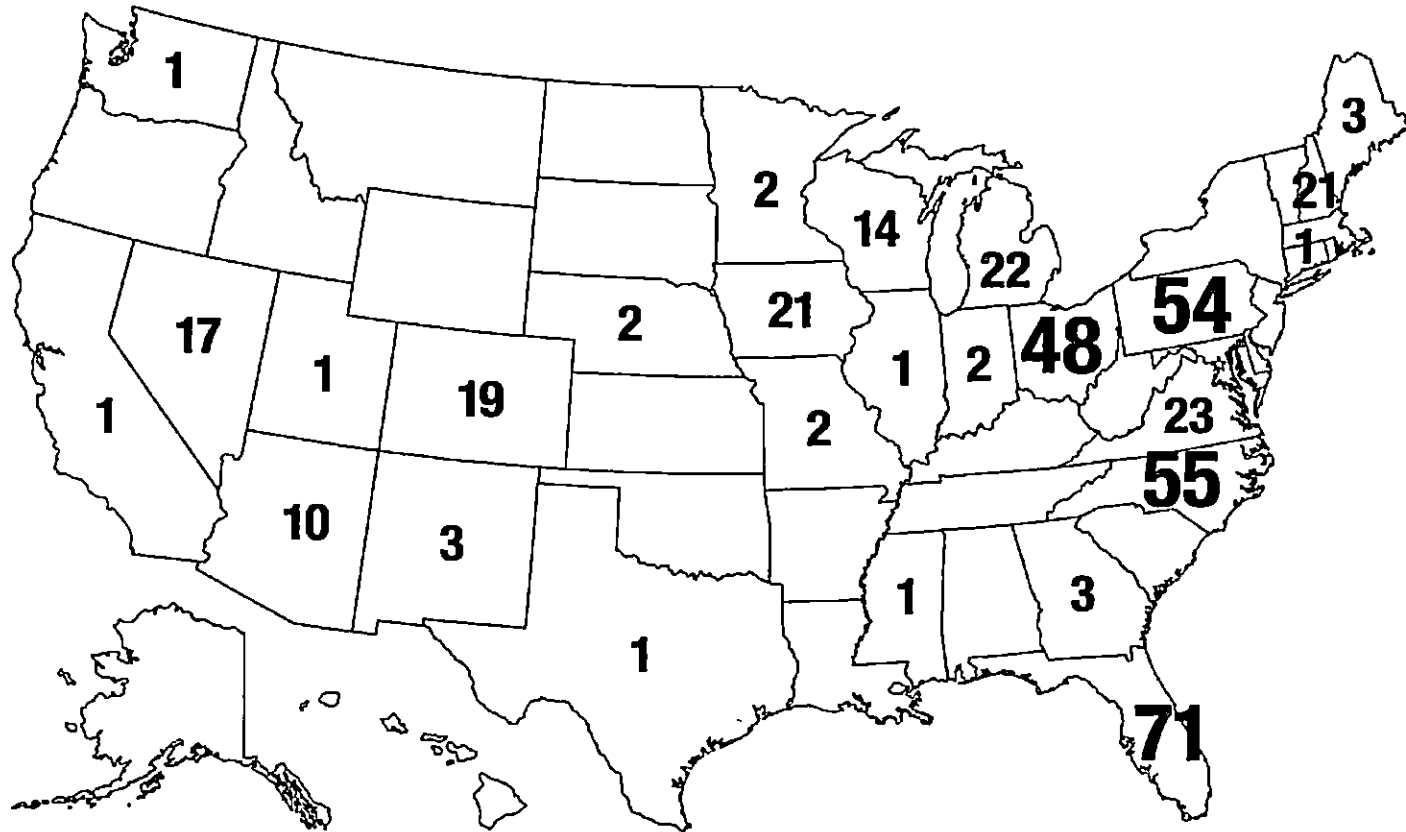
# ***Every* voter in *every* state should count the same in *every* presidential election**

- President and Vice President are the **ONLY** major offices not directly elected.
- All Governors, State Legislators, and Members of Congress are elected by popular vote.
- An individual's voting power should not be diluted or strengthened by virtue of the state they live in.

# History of “Winners” & Second Place Presidential Finishers

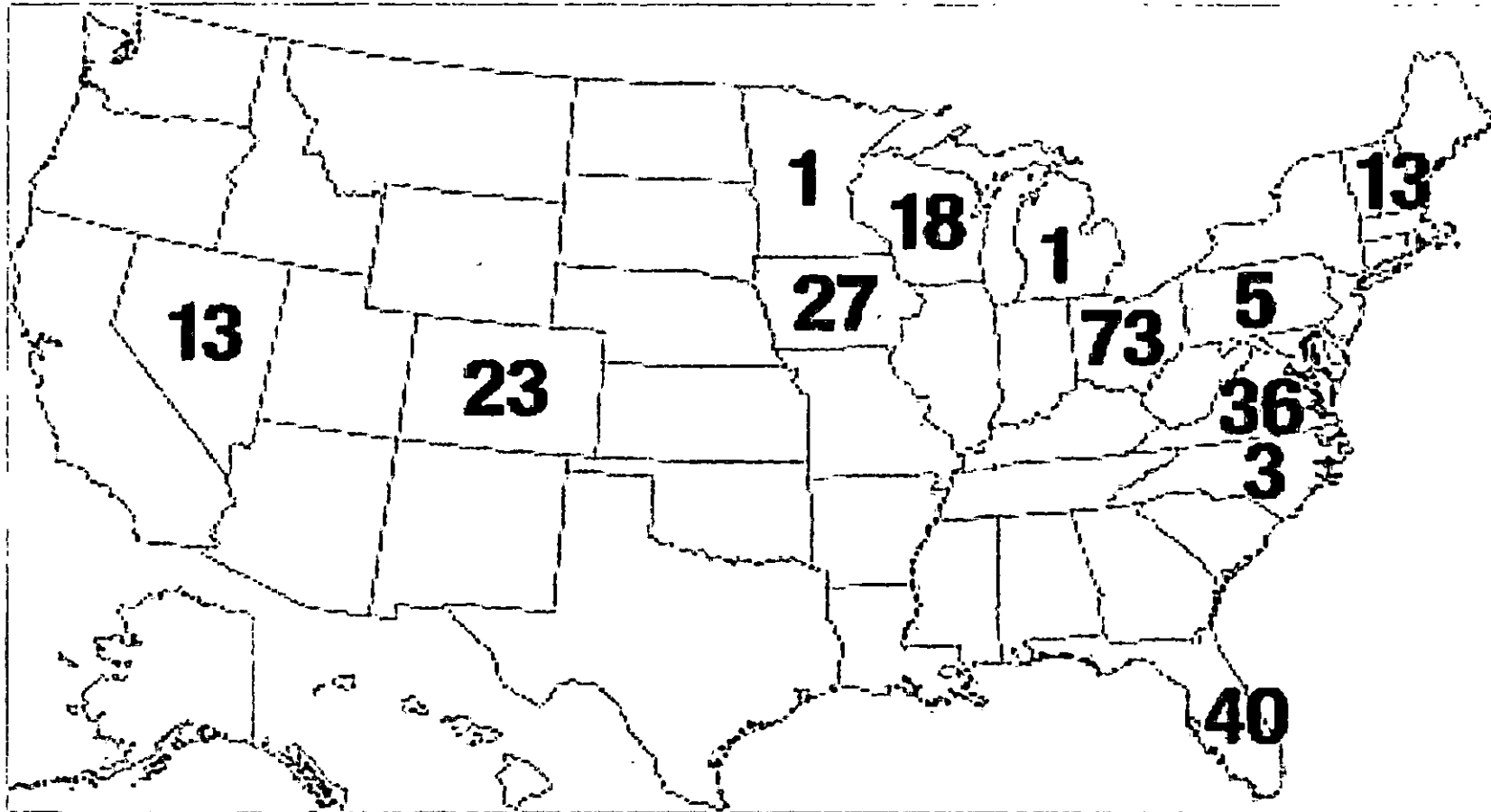
- Five of 45 Presidents came into office (11%) without receiving the most popular votes nationwide. There have been 58 presidential elections and hundreds of presidential candidates.
- Andrew Jackson lost to John Quincy Adams in 1824; Samuel Tilden lost to Rutherford B. Hayes in 1876; Grover Cleveland lost to Benjamin Harrison in 1888; Al Gore lost to George W. Bush in 2000, and Hillary Rodham Clinton lost to Donald Trump in 2016.

# Unequal Voting



In 2016, 94% of post-convention campaign events were held in 12 Battleground States. Two thirds of the events were in just 6 states (OH, FL, VI, IA, NC, MI) while 38 states were ignored.

# Unequal Voting



In 2012, there were 12 battleground States. Two thirds of the events were in 4 states (OH, FL, VI, IA) while 38 were ignored.

# Unequal Voting Cont.

“The nation as a whole is not going to elect the next president. Twelve states are.”

Scott Walker, September 2, 2015  
Former Governor of Wisconsin  
and 2016 Presidential candidate

# Unequal Voting Cont.

- In 2016 roughly 95 Million Americans were in those 12 battleground states. **215 Million Americans were ignored.**
- Battleground states receive:
  - 7% more presidentially controlled grants
  - Twice as many disaster declarations
  - More Superfund and No Child Left Behind exemptions
  - Trade protection – ex. steel and coal

# Voter turnout is significantly reduced in “fly-over” states.

**Battleground States: 60% of age eligible voters turn out to vote:**

- FL 56.9%
- PA 61%
- OH 61%

**Non-Battleground States: 45% of age eligible voters turn out to vote:**

- HI 38.3%
- TX 43.4%
- CA 47%
- AZ 48.9%

# Colorado is Becoming a Flyover State

“Republicans, who fancy themselves saviors of “flyover country,” might just as well fly over Colorado.”

George Will  
Washington Post  
November 28, 2018

# Colorado is Becoming a Flyover State Cont.

On average, a state is only a battleground state for approximately three Presidential elections. For example, in 2016, the state of Ohio was not a battleground state.

“Colorado and Virginia have become the Democrats’ Ohio — those states are no longer battleground states, but reliable blue states.”

Matt Mayer, President of Opportunity Ohio, a conservative policymaking think tank and former president of The Buckeye Institute, a free-market think tank.

**The Cook Report:** “One-time swing states Virginia and Colorado are behaving more like dark blue states than purple ones. Both are in Likely Democrat.”

# National Popular Vote Status in Other States

National Popular Vote legislation has been passed in the following legislative chambers:

## House

- Arizona
- Arkansas
- Delaware
- Michigan
- Nevada Assembly
- New Mexico
- Oregon
- Colorado

## Senate

- Maine
- New Mexico (different year than NM House)
- North Carolina
- Oklahoma
- Colorado (different year than CO House)

# National Popular Vote History in Colorado

- Passed in the Colorado Senate in 2006 and 2007 – with bi-partisan support.
- Passed in the Colorado House in 2009.
- Introduced in Senate in 2017 and killed in committee.



# Bi-Partisan Support of National Popular Vote

- National Popular Vote compact has been endorsed by diverse politicians, including: Newt Gingrich, Tom Tancredo, Bernie Sanders, Howard Dean, and President Donald Trump.
- National Popular Vote has passed in both Republican and Democratic controlled legislative chambers in both red and blue states.
- Approximately 2,800 state legislators have endorsed the National Popular Vote compact.
- Eight former American Legislative Exchange Council (ALEC) National Chairs and the League of Women Voters have endorsed the National Popular Vote compact.

# Bi-Partisan Support of National Popular Vote Cont.

- Conservatives support National Popular Vote based on states rights (especially the 10<sup>th</sup> Amendment) and principles of Federalism.
- Liberals support National Popular Vote based on equality of voting principles.

# The United States is a Purple Country

## Total Presidential Vote 1960–2016

<b>Election</b>	<b>Democratic</b>	<b>Republican</b>
1960	34,226,731	34,108,157
1964	43,129,566	27,178,188
1968	31,275,166	31,785,480
1972	29,170,383	47,169,911
1976	40,830,763	39,147,793
1980	35,483,883	43,904,153
1984	37,577,185	54,455,075
1988	41,809,074	48,886,097
1992	44,909,326	39,103,882
1996	47,402,357	39,198,755
2000	50,992,335	50,455,156
2004	59,028,111	62,040,610
2008	69,456,898	59,934,814
2012	65,897,727	60,930,782
2016	<u>65,853,652</u>	<u>62,985,134</u>
<b>TOTAL</b>	<b>697,043,157</b>	<b>701,283,987</b>

# Most Common Objections to National Popular Vote

## Cities will gain too much power:

- The 100 largest cities contain just *one-sixth* of the U.S. population, and they vote *63%* Democratic.
- The rural communities contain *one-sixth* of the U.S. population, and they voted *63%* Republican.
- The remaining two thirds of the U.S. population are *suburban* areas that are evenly divided politically.

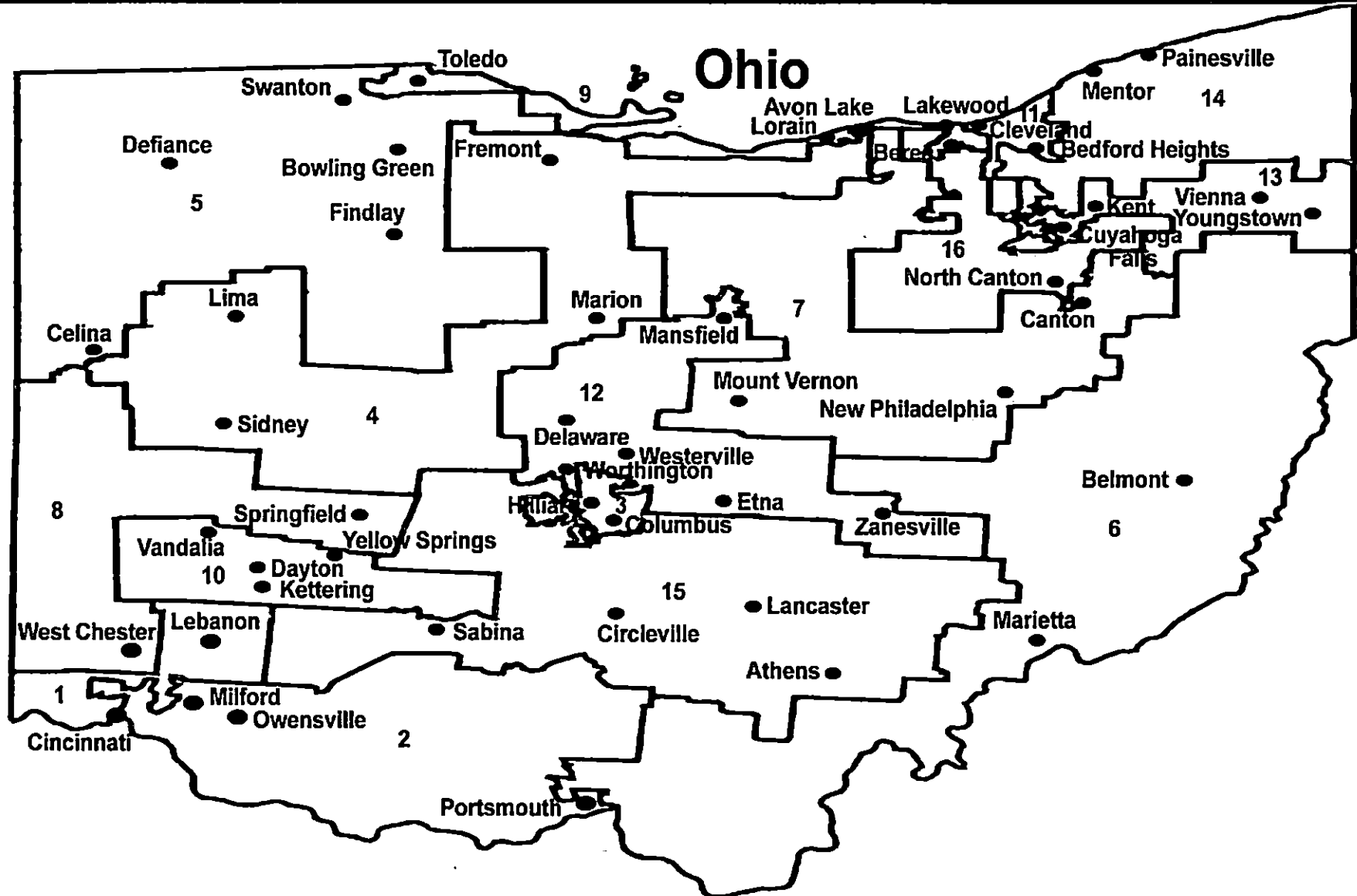
# Most Common Objections Cont.

- Campaigning in just the 100 largest cities will not be enough votes to win the White House.
- The 100 most populous cities have just 16% of U.S. population. The 50 largest cities contain 15% of the U.S. population.

# Case Study: 2012 Ohio Presidential Campaign Summary by Obama & Romney

	<b>Percent of Ohio's Population</b>	<b>Percent of Campaign Events</b>
4 largest cities	54%	52%
7 medium-sized cities	24%	23%
53 rural counties	22%	25%

# Case Study: Ohio Obama & Romney Presidential Campaign Visits in 2012



# Most Common Objections to National Popular Vote Cont.

## **Diminish Influence of Small States:**

- 13 small states with less than five electoral votes currently receive no Presidential campaign visits.
- Six small states (AK, ID, MT, ND, SD, WY) are Republican and five small states (DE, HI, ME, RI, VT) and D.C. are Democratic.
- These 11 states & D.C. total 40 electoral votes – more than double Ohio's 18 electoral votes.
- New Hampshire is a battleground state because it is politically divided.
- **Colorado is the 24<sup>th</sup> largest state.**

# Most Common Objections to National Popular Vote Cont.

## **Recounts and Voter Fraud:**

- Under National Popular Vote compact, all electoral college votes would have to be counted by the third Monday in December in a Presidential election year as is current law.
- Under current winner-take-all state system, there have been five litigated state counts in 57 Presidential elections – which is higher than any other office.
- Under National Popular Vote compact, recount and fraud reduce dramatically due to one large voting pool instead of 51 separate voting pools.

# Benefits of National Popular Vote

- Strengthen our country's democracy.
- Increase voter turnout and civic engagement.
- Reduce cynicism.
- Increase election security.
- The most votes should win an election.
- Every vote should count equally.

# What You Can Do

- Get involved
  - Contact your state legislators to support passage of the National Popular Vote compact.
- Stay informed
  - Sign up for NPV newsletter at [www.ColoradoNPV.org](http://www.ColoradoNPV.org)
- Educate yourself
  - [www.ColoradoNPV.org](http://www.ColoradoNPV.org)
  - [\*\*www.NationalPopularVote.com\*\*](http://www.NationalPopularVote.com)