

Re: SB19-042 National Popular Vote

To the Chairman and Committee Members of the House State, Veterans, and Military Affairs Committee:

The matter before the committee today is that of determining whether to join in alliance with other States to award Colorado's electoral votes to the winner of the national popular vote in a Presidential Election. The issue is one that protects both the State of Colorado, and the voice of the minorities.

When the Founders, who disagreed vehemently and diametrically in their views, backgrounds, and goals for the infant nation, formed the Constitution and, by so doing, the function of the several branches and bodies, they grappled with many issues. Each State had different needs and different priorities. Larger States, such as Virginia, Massachusetts, and Pennsylvania, wanted representation in the legislature to be determined by the population of each State. Smaller States, like Connecticut, Rhode Island, and Delaware, in fearing the tyranny of the majority in the new Congress, wanted equal representation and for each State be seen as equal, having equal voice and equal vote, regardless of population.

Three plans were presented by the delegates, one of them by James Madison of Virginia, one by William Paterson of New Jersey, and one by Alexander Hamilton of New York. Hamilton's plan was based off the British Parliament structure and was rejected outright. The other two plans were based off population proportionality and equally by State, respectively. It wasn't until Connecticut Delegate Roger Sherman suggested what became known as the Great Compromise that the legislature became what it is today, one house of Congress based proportionally off population and the other equally numbered by State.

Like this Great Compromise, the creation of the Electoral College was a vehement battle that split small States and large States. The same problems that existed in the creation of the legislature existed when it came to the election of the President and the Vice President. The fear of tyranny of the majority in selection of the executive echoed through the smaller States. These smaller States saw, and rightfully so, that the voice of those in smaller States would be dismissed for the voices of those in more densely populated areas. The creation of what we call "fly-over States" would have been more widely prominent. The States of Virginia and Massachusetts would have been the only States to determine the President and Vice President, and thus their needs would be the only ones paid attention to by the Executive Branch.

A similar compromise was reached, awarding Electoral Votes based on both equality amongst the States, as the smaller States wanted, and by proportionality to population, as the larger States wanted, the awarding of these votes being determined by the legislative assemblies of each State.

Today, our nation has grown in size and population. We have grown from 13 States to 50, and from 3,929,214 in 1790 to 329,093,110. That is a growth of nearly 8300% in population and nearly quadruple the number of States. The number of Electoral Votes has grown from 69 in

George Washington's election in 1788-1789 to 538 (a growth of about 680%). The number is based on the number of members of Congress for each State, in Colorado's case, 9 electoral votes (two votes for two Senators and seven votes for seven Representatives or seven Congressional Districts). The number of Representatives in the House was set in 1911, making the 435 members the total number possible.

Though we have grown in size, we have similar issues as those original 13 States. We see the division between large States, like California, New York, Texas, and Florida, and smaller States, like Wyoming, Rhode Island, Vermont, Delaware, the District of Columbia, and, our own Colorado. Of the States, only nine, including, of course, California, have a population greater than Los Angeles County and only eleven States have a population greater than that of New York City, including, of course, New York State.

I have lived in Virginia, New York City, Connecticut, and Utah. Each of these States has needs that the others do not need. This is the purpose of federalism—to address the needs of each State specifically. Here, in Colorado, where my family has lived for nearly two centuries, we have many diverse needs. I drove four hours to be here today from a town called La Jara, with a population of roughly 800 people. The area in which I live, the San Luis Valley, which has a population of around 47,000 people. We make up 8,000 square miles and have the six of Colorado's 64 counties, three of which are of the four poorest counties in the State. The San Luis Valley houses two National Historic Landmarks, one National Park, multiple State parks, and over 4000 historic sites, structures, and agricultural deposits. We also are home to areas of significance to populations of birds and other animal life. But these resources are disappearing because our voices were not heard because of the voices of the majority.

We are a highly agricultural community that depend on water for our livelihoods and our survival as well as of the animal life in the Valley. In 1939, decisions were made by the legislatures of Colorado, New Mexico, and Texas to export water from the San Luis Valley to these States. Since that time, the area of the San Luis Valley has experienced several droughts, during which, the water from runoff, which otherwise would be able to sustain life in the Valley, has been sent to Elephant Butte in New Mexico, where it must meet a certain demarcation line, and down to El Paso, Texas, where a similar demarcation line is met.

In dryer years, the obligations of Colorado to Elephant Butte have been short by roughly 80,000 acre feet of water. This means the San Luis Valley was unable to send enough water down the Rio Grande to satisfy the obligations to the compact. This compact has affected the people of the Valley and such endangered species as the Rio Grande Silvery Minnow.

Reservoirs in Colorado, which citizens of the Valley depend on, are unable to retain water because of the Compact. Various congressmen, including John Salazar and former Secretary of the Interior in the Obama Administration Ken Salazar, both of which grew up in the San Luis Valley and have family living there, promised to fight for Colorado's water, but we never saw water come back to the Valley, and we continue to struggle for water. Last year, being particularly difficult. The impact of a very dry year had a negative effect on the economy of the

Valley, including many farmers being unable to get a third cutting on alfalfa, meaning less food for cattle.

Often, people in the Valley, in particular the people of the Valley off the Highway 160 corridor, feel forgotten and ignored. Many in the Denver Metro area, Boulder, and other large Metro Areas can pinpoint areas where the Governor's Office has had direct influence on their communities. We, in the Valley, cannot point to one. We often feel the Governor is elected to be the Governor of Denver and Boulder, and not the Governor of Colorado. Our needs are ignored for those of areas where money is easier to come by.

I can promise the members of this Committee, if this bill, SB19-042, becomes the way Colorado assigns its Electoral Votes, the same thing will happen to this State. The Executive Branch will ignore Colorado's needs. It will ignore our desires. Our needs will be swallowed up by the wills of California, New York, Texas, and Florida.

I wish to close with an example. Let's imagine an election where every Colorado voter—Democrat, Republican, Independent, and Third-Party—voted for Candidate A. Candidate A has great support throughout the country, but Candidate B gets one more vote in the popular vote. The voice of Colorado voters is not heard and our Electoral Votes, against all of our desires, go to Candidate B, because of one vote. With the right combination, or wrong depending on one's viewpoint, of State Electoral Votes, the single vote in the popular vote will flip our votes to the opponent which none of us want.

This isn't a Republican issue or a Democrat issue. This isn't about who won or lost the last presidential election. This isn't about politics. This is about representing our voice. Representing our needs. Representing Colorado. Vindictiveness and vengeance are fruitless. If we want to be more representative of the people of Colorado, let's revisit how we dole out our electoral votes. Let's look at splitting our votes, like Nebraska and Maine. There are issues with the Electoral College, yes. But let's not throw the baby out with the bathwater. The invalidation of the Electoral Votes by deferring to the national popular vote can look good, as a means of having "every vote heard," but, ultimately, it invalidates every Colorado vote. It disenfranchises all of us.

I have attached several articles expressing the need for the Electoral College.

Thank you for your time.

Signed,

A handwritten signature in black ink that reads "Ryan Glenn Williams". The signature is written in a cursive, flowing style.

Ryan Glenn Williams
Attachments:

“Why the Electoral College Matters” —Huffington Post

https://www.huffingtonpost.com/entry/understanding-the-electoral-college_us_58246825e4b044f827a79930?fbclid=IwAR1EL_SuhP-NkUifOrGCyEu89zpUq6lP-kYX19D1W4KpxbMfzx5cq50adaA

“How the Electoral College Works -- And Why It Works Well” —Cato Institute

https://www.cato.org/publications/commentary/how-electoral-college-works-why-it-works-we-ll?fbclid=IwAR080awaowrR91FtmKHw-dPZkIoL_vB7asxVA0hy6bKs0p-YxbxctQUdWVQ

“Don’t abandon the electoral college — it’s good for our democracy” —Washington Post

https://www.washingtonpost.com/opinions/dont-abandon-the-electoral-college--its-good-for-our-democracy/2016/12/30/384db1e4-cc75-11e6-85cd-e66532e35a44_story.html?utm_term=.ec4ae674007b

“Popular vote plan would do more harm than good” —American Enterprise Institute

<http://www.aei.org/publication/popular-vote-plan-would-do-more-harm-than-good/>