

## Testimony on SB17-099 National Popular Vote Agreement Ralph E Burns, P.E.

Thank you Chair, Senator Ray Scott and Vice Chair, Senator Vicki Marble, and members of the Committee. I am here today to address concerns in advocacy for the National Popular Vote Agreement.

I am Ralph Burns, a 5<sup>th</sup> generation Coloradoan, an engineer with 32 utility patents and a volunteer firefighter. My engineering inventions include a device that saves the lives and limbs of our soldiers by ameliorating primary battlefield threats while saving many millions of taxpayer dollars. As a firefighter, I have spent half of every day this past month volunteering my time. This past weekend a fellow firefighter and I saved three homes from wildfire.

### **I would like to address a common concern of a National Popular Vote, which is that it would allow California to dominate the nation's elections.**

- a) California is the nation's most populous state with 55 electoral votes, and has winner-take-all electoral vote rule, so the 2<sup>nd</sup> place candidate gets nothing.
- b) When comparing the population of California to the rest of the nation with respect to electoral votes, changing to a popular vote will increase California's total aggregate voting clout by 16%. <sup>[1][2]</sup>
- c) But California has at most voted a landslide 62% for one candidate, and the National Popular Vote would divide the state's influence according to popular vote results. <sup>[3]</sup>
- d) The net effect of California's influence compared to today's winner-take-all scheme would then be the  $116\% \times 62\% = 72\%$ . **This means that under National Popular Vote, California's influence for one single candidate would be reduced by about 28%.** Running more numbers reveals that there is nothing particularly biased about any other large or small state.

National Popular Vote removes anomalies from states' winner-take-all electoral votes. In doing so it gives dis-enfranchised voters relevancy. Those are voters who live anywhere except swing states: if their vote is unlikely to change the winner-take-all outcome, they might as well stay home. That applies to a conservative living in either a solidly

<sup>[1]</sup> [en.wikipedia.org/wiki/File:State\\_population\\_per\\_electoral\\_vote.png](http://en.wikipedia.org/wiki/File:State_population_per_electoral_vote.png)

<sup>[2]</sup> Longley, Lawrence D.; Peirce, Neal (1999). *Electoral College Primer 2000*. Yale University Press.

<sup>[3]</sup> [ballotpedia.org/Presidential\\_election\\_in\\_California,\\_2016](http://ballotpedia.org/Presidential_election_in_California,_2016)

blue or solidly red state, and vice versa for a liberal. It's no wonder that US voter turnout is one of the lowest in the developed world.<sup>[4]</sup>

The final and most motivating part of this is that political parties will adapt to the change to a National Popular Vote. Instead of working to campaign to the Electoral College, successful campaigns will address the concerns and campaign to citizen voters. It will result in a better American republic.

### **National Popular Vote will prevent Florida and Ohio from continuing to dominate our nation's political landscape.**

Florida has 29 electoral votes, which is equal to the aggregate number of electoral votes combining Hawaii, Idaho, Kansas, Maine, Montana, West Virginia and Wyoming. However in 2016, Florida received 71 campaign events and none of the others received a single campaign event, making Florida a "battleground" state and all the others "flyover" states.<sup>[5]</sup>

Similarly, Ohio has 18 electoral votes and received 73 of the 2012 campaign events, 29% of all the nation's campaign events. The aggregate electoral vote tally from Alaska, Delaware, Montana, North Dakota, South Dakota and Wyoming is also 18 electoral votes, but none of those states received even a single campaign event.<sup>[6]</sup>

"Flyover" states are so irrelevant that candidates do not even bother polling them to determine what issues are of concern to their voters.<sup>[7]</sup> Within a few years evolution, Colorado can easily become one of those irrelevant "flyover" states.

### **National Popular Vote removes anomalies from winner-take-all states.**

The resulting disenfranchisement of winner-take-all is why in 1966 the small state of Delaware attempted to sue the large state of New York in the Supreme Court.<sup>[8]</sup> We all like the rules when we win, and the GOP has written against a National Popular Vote, but mathematically these anomalies can just as easily flip against either party.

*Thank you,*

*Ralph E Burns, P.E. (& BMFPD)*

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<sup>[4]</sup> [pewresearch.org/fact-tank/2016/08/02/u-s-voter-turnout-trails-most-developed-countries/](http://pewresearch.org/fact-tank/2016/08/02/u-s-voter-turnout-trails-most-developed-countries/)

<sup>[5]</sup> [nationalpopularvote.com/written-explanation](http://nationalpopularvote.com/written-explanation)

<sup>[6]</sup> [nationalpopularvote.com/campaign-events-2016](http://nationalpopularvote.com/campaign-events-2016)

<sup>[7]</sup> David Schultz, et. al., (2015) *Presidential Swing States: Why Only Ten Matter*, Lexington Books.

<sup>[8]</sup> [www.scribd.com/document/331930037/Delaware-v-New-York-1966](http://www.scribd.com/document/331930037/Delaware-v-New-York-1966)