



National Popular Vote

Colorado

A lot has changed since 1787

- Information flows instantaneously and freely
- Public education is widespread
- The country has expanded from 12 states to 50
- Slavery has been abolished
- African Americans, women, and 18 year olds vote
- Direct election of Senators
- Political parties emerged
- Winner-take-all systems of assigning electors in 48 states



Problem #1 – Second Place Winners

- 5 out of 45 presidents lost the popular vote but won the Electoral College.
- Two of those have been in this century
 - 2000, when Al Gore won 537,179 more votes than George Bush
 - 2016, when Hillary Clinton won 2,864,974 more votes than Donald Trump
- Almost happened in 2004



Problem #2

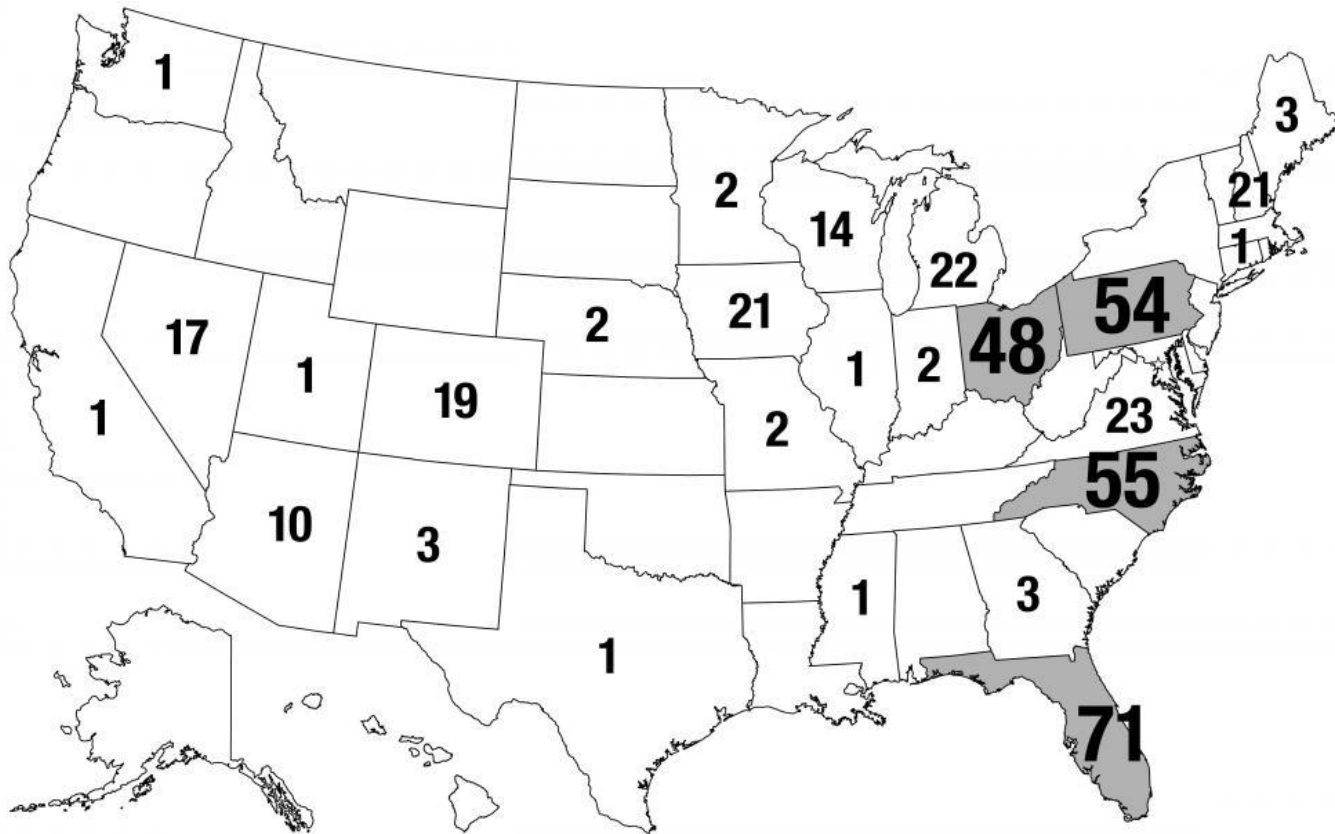
Swing States vs Safe States

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

Scott Walker, September 2, 2015

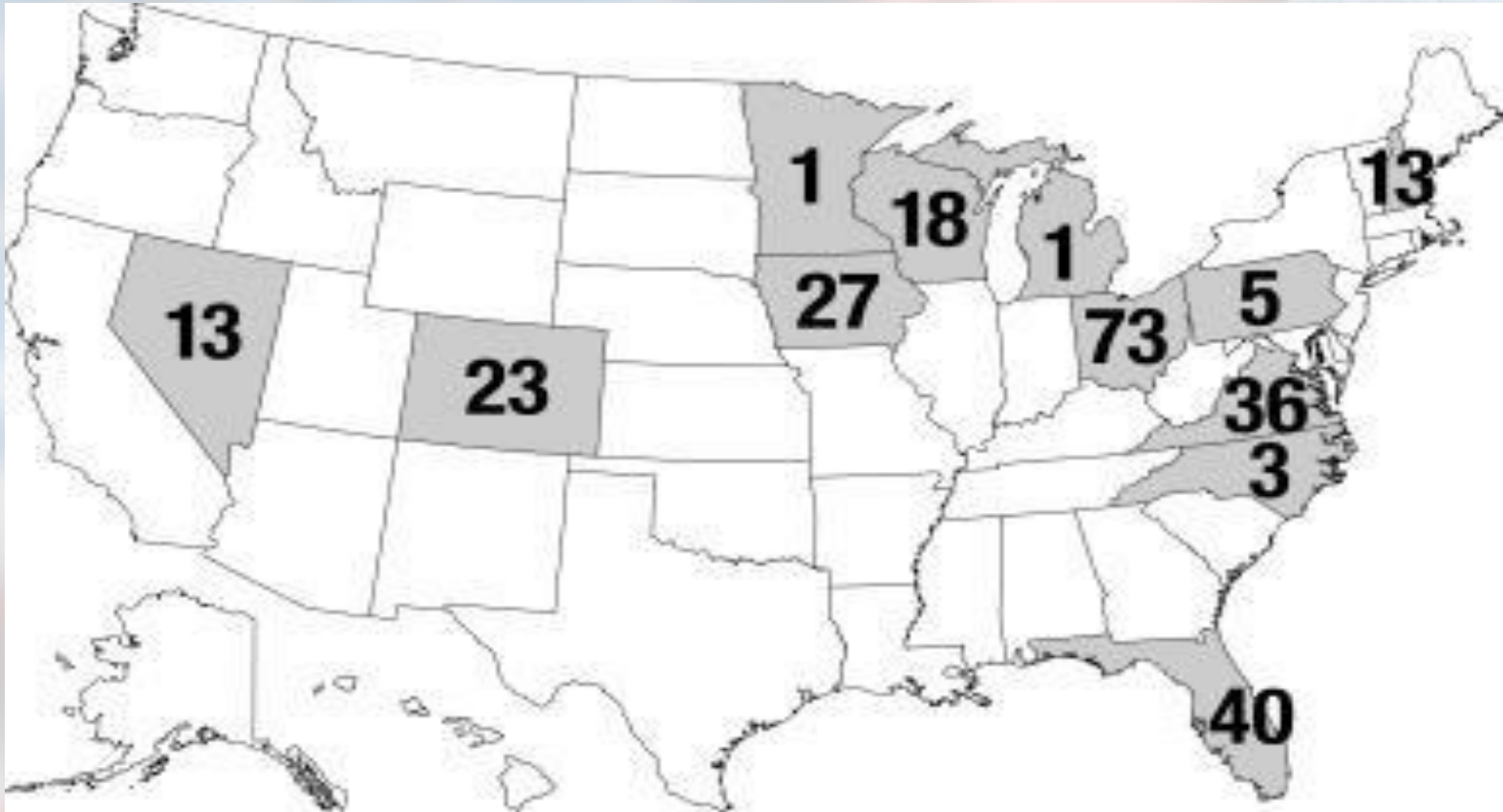
Governor of Wisconsin, presidential candidate

Battleground States 2016



94% of 2016 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 were ignored.

Battleground States 2012



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

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

Swing states about 60% of age eligible voters turn out

- FL 56.9%
- PA 61%
- OH 61%
- CO 64.6%

Safe states about 45% of age eligible voters turn out.

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

Goodies for Battleground States

Battleground states receive

- 7% more presidentially controlled grants
- Twice as many disaster declarations
- Considerably more Superfund and No Child Left Behind exemptions
- Trade protection – ex. steel and coal

Colorado is becoming a safely blue “flyover” state

Fleeting Battleground Status: On average, a state is only a battleground state for approximately three Presidential elections.

“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.

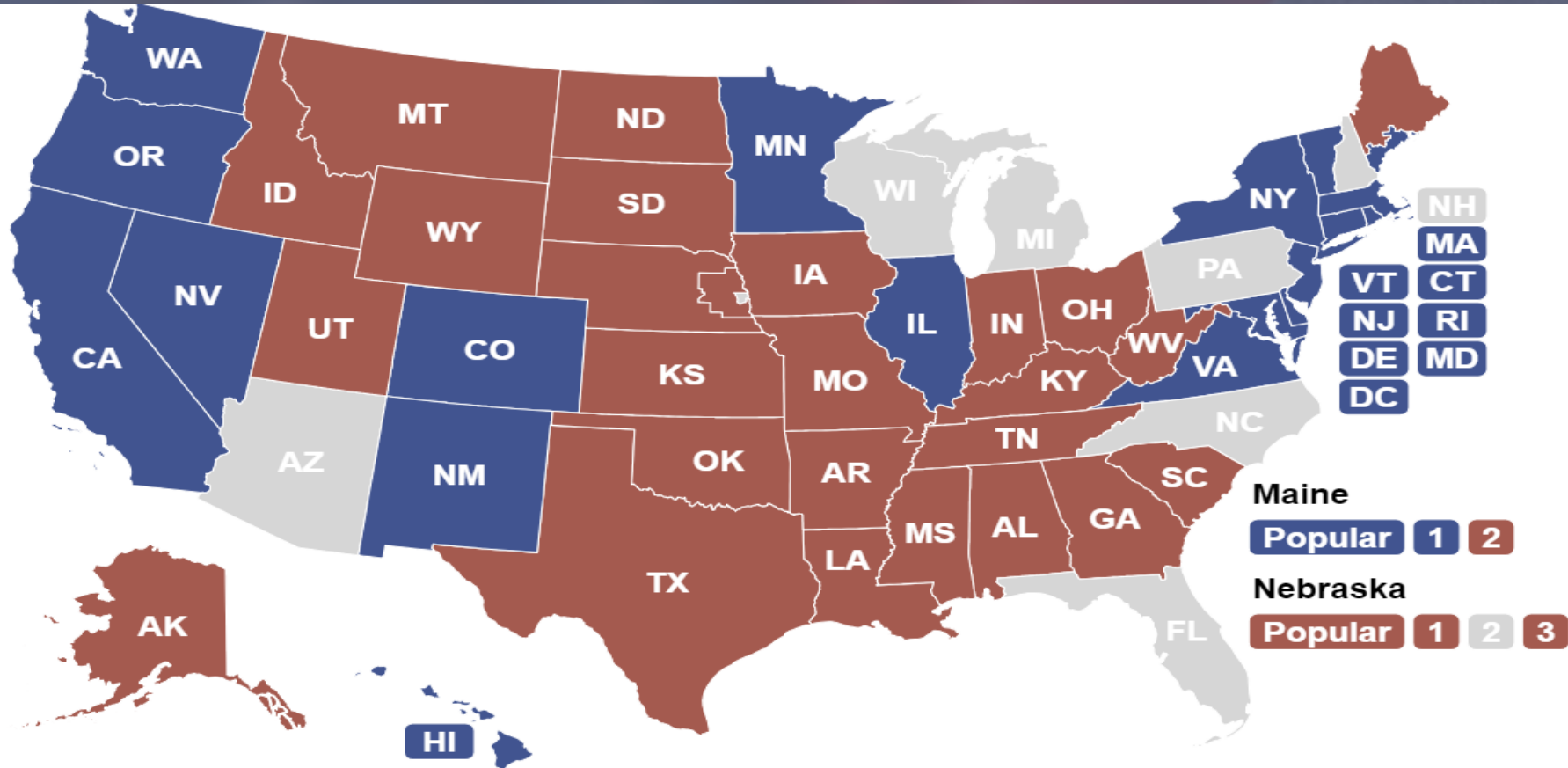
Opportunity Ohio: “Colorado and Virginia have become the Democrats’ Ohio — those states are no longer battleground states, but reliable blue states.”

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 Political Report: “Ohio, Iowa, Colorado, Virginia are no longer swing states and are OFF THE TABLE for 2020.”

David Wasserman
Editor / Political Analyst
The Cook Political Report
Democracy Matters Conference, March, 2019

2020 Electoral College Prediction



Republicans: 204

Democrats: 228

Tossup: 106

ElectoralVoteMap.com based on the consensus of the following forecasts and polling data: [Inside Elections](#), March 8, 2019, [Larry Sabato's Crystal Ball](#), February 28, 2019, [Cook Political Report](#), January 9, 2019, [FiveThirtyEight's](#) general election polls

The Bottom Line

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

- President and Vice President are the ONLY national offices, and the ONLY major offices not directly elected.
- An individual's voting power should not be diluted or strengthened by virtue of the state they live in.

A hand in a blue denim sleeve holds a white envelope, positioned above a grey ballot box. The background is a blurred American flag. A semi-transparent grey banner is overlaid across the middle of the image, containing the text.

The Solution

The National Popular Vote (NPV)

National Popular Vote

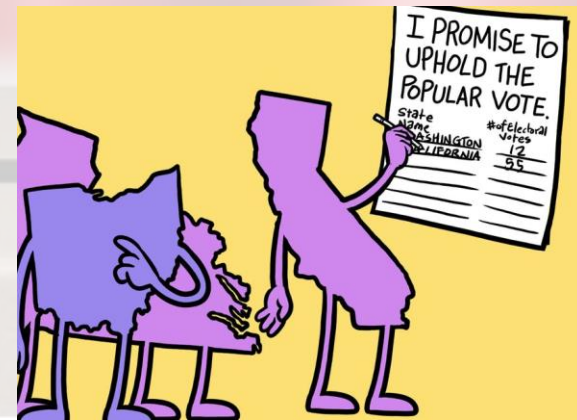
National Popular Vote is a compact between states to pledge their respective electoral votes to the Presidential candidate who receives the highest national popular vote.

- The compact goes into effect when enough states totaling 270 electoral votes join the compact.
- Preserves the Electoral College by working with Article II, Section 1 of the Constitution

**National
Popular
Vote!**

Status

- National Popular Vote has been passed in 12 states + DC totaling 181 electoral votes so far
 - Small states: RI, VT, HI, DC
 - Medium sized: CT, MD, MA, WA, CO
 - Large states: NJ, IL, NY, CA
- It has also passed at least one house in 10 other states with 89 electoral votes (AR, AZ, DE, ME, MI, NC, NM, NV, OK, OR)
- In 2019, approximately six more states (OR, NM, NV, DE, ME, MI) with 41 electoral votes are expected to join the National Popular Vote compact.



and 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 – Senator Andy Kerr sponsor – “died” in committee.
- Sponsored in 2019 by Senator Mike Foote and Reps. Emily Sirota and Jeni Arndt (SB19-042)
- March 15th signed into law in Colorado



Bi-partisan

- Endorsed by diverse politicians, including: Newt Gingrich, Bernie Sanders, Howard Dean, Bob Dole, Gov. Rick Scott and President Donald Trump.
- The non-partisan League of Women Voters strongly endorses it.
- President Trump supports the popular vote, saying in a 60 Minutes interview after the election, “I would rather see it where you went with simple votes.”
- National Popular Vote has passed in both Republican and Democratic controlled legislative chambers in both red and blue states.
- Approximately 2,800 state legislators (1,000 are Republicans) have endorsed the National Popular Vote compact.
- 8 former ALEC National Chairs endorse National Popular Vote

(ALEC = American Legislative Exchange Council
writes and advocates conservative legislation)



The Popular Vote is Popular!

POLITICO/Morning Consult poll (conducted March 22 – 24, 2019)

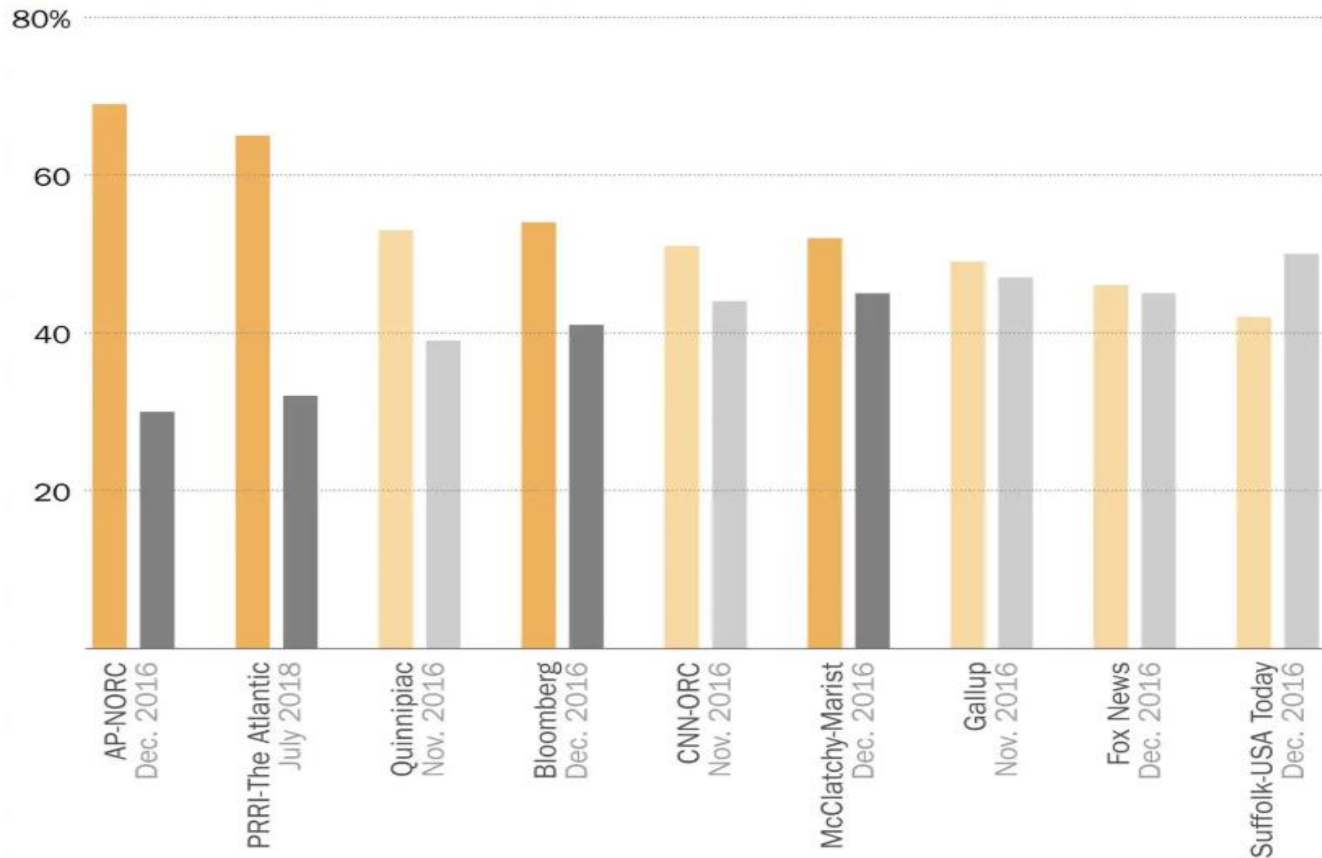
- 50% - the national popular vote should be used for presidential elections
- 34% based on the Electoral College
- 16% - no opinion

<https://www.politico.com/story/2019/03/27/poll-popular-vote-electoral-college-1238346>

The Popular Vote is Popular!

Should we abolish the Electoral College?

■ PREFER POPULAR VOTE ■ PREFER ELECTORAL COLLEGE
■ AMEND CONSTITUTION ■ KEEP AS-IS



A hand in a blue denim sleeve is shown dropping a white ballot into a grey ballot box. The background is a blurred American flag. A semi-transparent grey banner is overlaid across the middle of the image.

Any Objections?

“Won’t the Compact will disenfranchise Colorado voters?”

- The Compact does exactly the opposite; it makes every vote matter.
- In the 2016 election, 1,441,377 CO voters (52%) cast their ballot for someone other than Hillary Clinton.
- Because we use winner-take-all, their votes made no difference to the outcome. They could have all stayed home and the Electoral College count for Clinton would have been exactly the same.

“Won’t California steamroller the vote?”

	California's Recent Voting Influence									
	Total CA Votes	CA Winner Votes	CA Winner Votes %	CA EV	Total EV	Total USA	CA EV / USA EV	CA Voters / USA Voters	CA Winner Popular / USA Popular	% CA Winner weight change NPV vs. Winner-Take-All *
2016	14,181,595	8,753,788	61.7%	55	538	136,669,276	10.22%	10.38%	6.4%	-37.3%
2012	13,202,158	7,854,285	59.5%	55	538	129,085,410	10.22%	10.23%	6.1%	-40.5%
2008	13,743,177	8,274,473	60.2%	55	538	131,313,820	10.22%	10.47%	6.3%	-38.4%
2004	12,421,353	6,745,485	54.3%	55	538	122,295,345	10.22%	10.16%	5.5%	-46.0%
2000	10,965,856	5,861,203	53.4%	54	538	105,421,423	10.04%	10.40%	5.6%	-44.6%
Average	12,902,828	7,497,847	57.8%	55	538	124,957,055	10.2%	10.33%	6.0%	-41.4%

* This shows the relative effect of including the losing party votes that are otherwise disregarded at the state level under winner-take-all rules

- California influences 10.2% of the total Electoral College vote under the current winner-take-all system.
- Under National Popular Vote, California’s winning popular vote would have about 6% national influence, because the losing vote would be also included into a national tally.

“Wasn’t the Electoral College set up to protect the small states?”

- No protection, just more weight (WY electors represent 200,000, CO electors 630,000)
- 12 of the 13 smallest states with less than five electoral votes currently receive no Presidential campaign visits. (NH is a swing state)
- Six small states (AK, ID, MT, ND, SD, WY) vote Republican and five small states (DE, HI, ME, RI, VT) and D.C. are Democratic.
- In 1966, Delaware led a group of 12 predominantly small states in suing New York (then a closely divided battleground state) in the U.S. Supreme Court in an effort to get state winner-take-all statutes declared unconstitutional.

“Isn’t this unconstitutional?”

- Article II, Section 1 of the Constitution:

“Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors....”

- 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.”

“But this isn’t what the Founding Fathers intended”

We have constantly changed voting laws to make them more democratic and in line with the current times

1. Amendment XV - Rights Not to Be Denied on Account of Race (1870)
2. Amendment XVII - Election of Senators (1913)
3. Amendment XIX - Women's Right to Vote (1920)
4. Amendment XXIII - Presidential Vote in D.C. (1961)
5. Amendment XXIV - Poll Tax (1964)
6. Amendment XXVI - Right to Vote at Age 18 (1971)
7. *National Popular Vote Interstate Compact - Make every vote for president across the USA count equally*

Flexibility to Adapt to Changing Times

"I am not an advocate for frequent changes in laws and constitutions, but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under the regimen of their barbarous ancestors."

- Jefferson to H. Tompkinson (AKA Samuel Kercheval),
July 12, 1816



“We are a Republic, not a Democracy”

- The Founders used the terms Democracy, Republic, Democratic Republic and Constitutional Democracy interchangeably, although “Democracy” was sometimes short for “pure democracy”
- Nothing about NPV changes this status
- Many of the Founders, especially Jefferson, supported giving the people as much control as possible

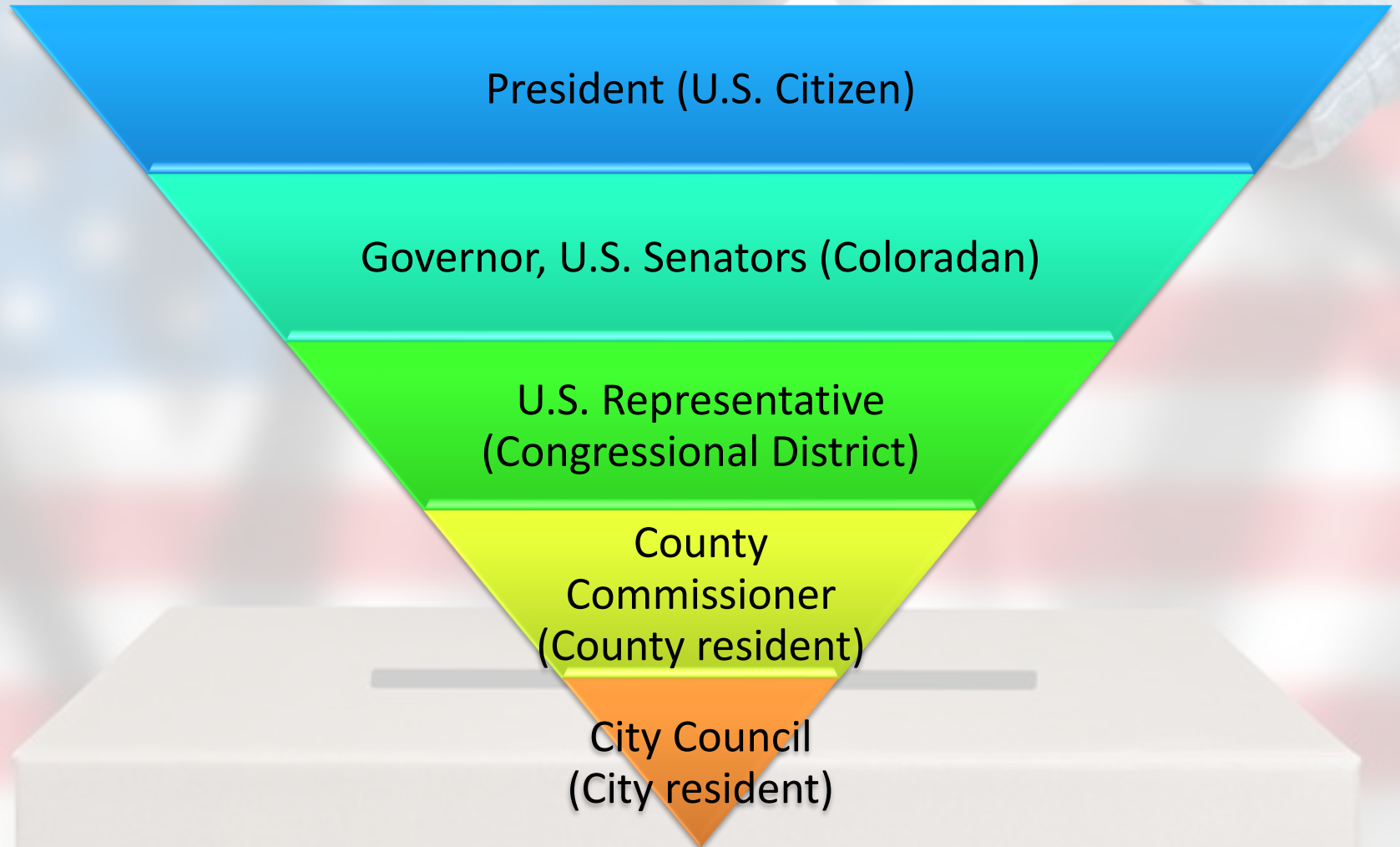
"We may say with truth and meaning that governments are more or less republican as they have more or less of the element of popular election and control in their composition."

--Thomas Jefferson to John Taylor, 1816. ME 15:23

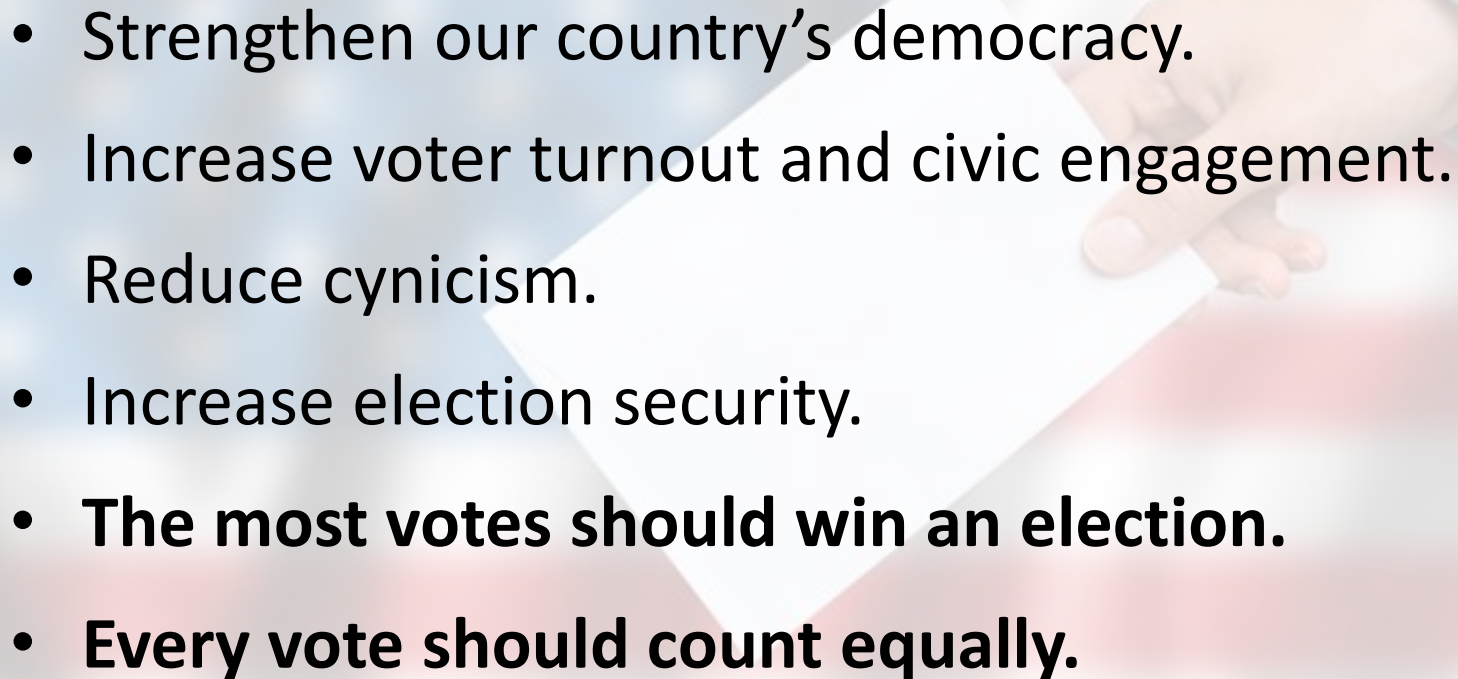
A hand in a blue denim sleeve is shown holding a white envelope, positioned as if about to drop it into a brown ballot box. The background is a blurred American flag. A semi-transparent grey banner with white text is overlaid across the middle of the image.

What will the future look like?

How you will vote



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.**
- 
- A hand in a light blue sleeve is shown holding a white ballot paper, positioned above a grey ballot box. The background is a blurred American flag.

What you can do

- **Get involved**
 - Sign up for our newsletter (see Sylvia)
 - Follow us on Facebook
 - Knock down NPV Myths
 - Donate to Colorado National Popular Vote
- **Educate yourself**
 - ColoradoNPV.org
 - NationalPopularVote.com

Thank you!