

INTRODUCTION

The right to vote is the foundation of democracy. In theory, every citizen's vote should count equally towards the electoral outcome. However, the reality of the United State's political system is not that simple: because of the way in which votes are allocated in the Electoral College, presidential elections in the United States are almost always determined by voters in just a few "battleground" states. This effectively reduces most of the electorate to spectators whose votes are taken for granted.

While this problem is largely inherent to the Electoral College, it can be remedied within the framework of the existing election system. Towards this end, a number of states have enacted the National Popular Vote Compact (NPVC). This is an interstate agreement which requires member states to award their electoral votes to the presidential candidate who receives the largest number of popular votes in all 50 states and the District of Columbia.

By guaranteeing that votes in *all* states matter, the NPVC is an important tool for revitalizing the voting process. This Policy Brief explains how the NPVC works and how it helps to strengthen American democracy. We provide links to existing research and identify organizations that can be contacted for further information. This brief also includes information on the cost of enacting the NPVC, the public perception of this idea, talking points, and information on what other states are doing.

About CSI

The Center for State Innovation (CSI) believes every state can achieve shared prosperity, environmental sustainability, and efficient democratic government. We offer evidence-based, outcome-measured, fiscally prudent strategies for doing so.

A non-partisan, not-for-profit institution, CSI provides many types of assistance to state executives interested in implementing progressive policies.

To learn about CSI's Policy Briefings, Strategy Academies, and other services offered at no cost, visit www.stateinnovation.org.

March 2011

NPVC Facts

- 2008 marked a record low in the number of competitive states since 1960 and a record high in the number of completely non-competitive states.
- Voter turnout in the 15 most contested states was 67 percent, while turnout in the remaining states was 61 percent. Voter turnout declined in more than a third of states.
- Voter turnout rose only 1.6 percent to 61.6 percent. Eighteen states experienced a decline in turnout from 2004, including 14 non-competitive states. Overall, the 15 most contested states had a turnout of 67 percent, while the remaining states had 60.7 percent turnout. The states dominating candidates' resources and attention – Florida, Ohio, and Pennsylvania – were a repeat of the most sought-after states of 2004. Nearly two-thirds of events, 64 percent, took place in just five states.

RATIONALE

The National Popular Vote Compact is an interstate agreement that requires member states to award their electoral votes to the presidential candidate who receives the largest number of popular votes in all 50 states and the District of Columbia. NPVC legislation mandates that it only take effect once enough states have enacted the compact to guarantee that the winner of the popular vote would also automatically win the majority of votes in the Electoral College.

The NPVC will help revitalize political competition by making every vote count. The current winner-take-all system at the state level has contributed to the emergence of a two-tiered system in which “spectator” states are ignored, while their “battleground” counterparts receive a disproportionate amount of attention from presidential candidates. Consequences of this system include declining voter participation and the introduction of racial and ethnic bias into the electoral system. Winner-take-all within any given state is not inherent to the structure of the Electoral College and can readily be changed through state legislation enacting the NPVC.

For Additional Information

FairVote

www.fairvote.org

- “Presidential Election Inequality: The Electoral College in the 21st Century”
- “2008’s Shrinking Battleground and Its Stark Impact on Campaign Activity”

National Popular Vote Information Site

www.nationalpopularvote.com

COSTS

A 2006 study reports that “there is no significant additional administrative burden or financial cost associated with the proposed interstate compact.” There may be a small increase in administrative costs associated with the change in voting practices that could lead to increase in voter turnout.

For Additional Information

John R. Koza, Barry Fadem, Mark Grueskin, Michael S. Mandell, Robert Richie, and Joseph F. Zimmerman, “Every Vote Equal: A State-Based Plan for Electing the President by Popular Vote”
www.every-vote-equal.com

PUBLIC PERCEPTION

Moving to a national popular vote has enjoyed both broad and consistent popular support. Results from a series of Gallup Polls show that a large majority of American citizens have been in favor of the NPV for more than 60 years. During this time, support for the NPV never sunk below 58 percent, and reached a high of 81 percent in 1968. More recently, a 2008 Washington Post, Henry J. Kaiser Family Foundation, and Harvard University poll indicated that 72 percent of respondents approved of the NPV.

For Additional Information

FairVote
www.fairvote.org

National Popular Vote
www.nationalpopularvote.com

- “Polls Show 70% Support for a Nationwide Vote for President”

TALKING POINTS

Won't an election system based on the popular vote encourage candidates to ignore small states and less populated areas of the country?

No. The current electoral system allocates small states more electors per capita as means of offsetting their disadvantage relative to larger states. Despite this protection, small states are among the worst off in terms of the attention paid to those states by presidential candidates. In 2008, candidates concentrated 98 percent of their campaign events and ad money in just 15 states. This is because the electoral votes of these states, and popular votes on which they are based, are taken for granted. Almost all small states are one-party states in terms of presidential election. In the last six presidential elections (1988 through 2008), six of the 13 least populous states have regularly gone Republican. Six others have regularly gone Democratic. Only one of the 13 smallest states – New Hampshire – was a battleground in 2008.

In contrast, the NPV makes every vote count. Even if a candidate won the ten largest states, that person still would not have a majority of the Electoral College vote. The NPV forces candidates to pay attention to voters in a wider range of states. Therefore, even though the allocation of electors is meant to make small states better off, those states would probably be better off under a NPVC system. The NPVC shifts attention away from individual states and towards individual voters.

For Additional Information

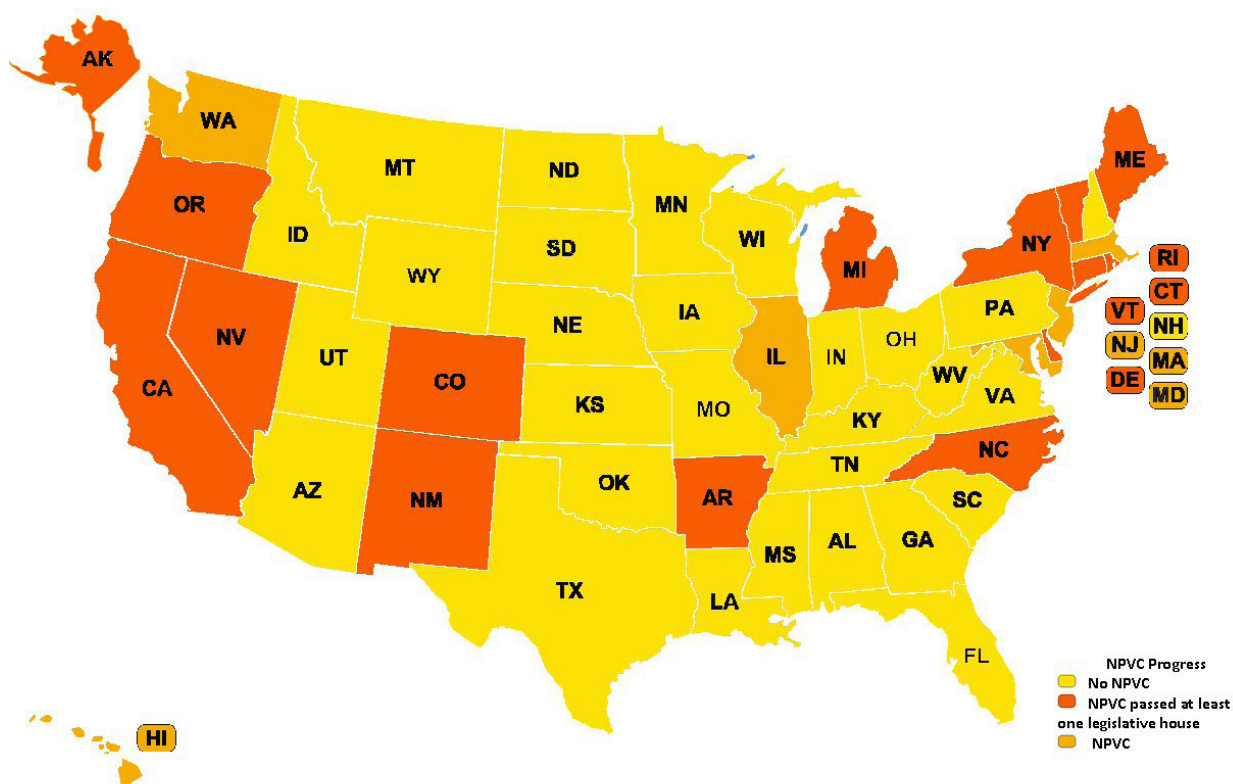
FairVote
www.fairvote.org

- “Presidential Election Inequality: The Electoral College in the 21st Century”
- “2008’s Shrinking Battleground and Its Stark Impact on Campaign Activity”

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WHO ELSE IS DOING IT?

As of 2010, NPVC laws are in place in Hawaii, Illinois, Maryland, Massachusetts, New Jersey, and Washington. These seven states possess 76 electoral votes – 28% of the 270 necessary to bring the law into effect. The compact has also passed both houses in California, Colorado, Rhode Island, and Vermont and has passed in at least one house in Arkansas, Connecticut, Delaware, Maine, Michigan, Nevada, New Mexico, New York, North Carolina, and Oregon.



Spotlight on Innovation

Massachusetts:

On August 4, 2010, Massachusetts Governor Deval Patrick signed the National Popular Vote bill, making Massachusetts the sixth state to enact the bill and give the National Popular Vote bill 28 percent of the electoral votes needed to bring it into effect. The bill had previously passed both the Massachusetts Senate and House of Representatives, and the Governor announced the new law by saying, “This is about a stronger democracy, and it’s an important step in that direction.”

Hawaii:

Hawaii joined the National Popular Vote Compact after both the Hawaii Senate and House of Representatives chose to override the second veto attempt by Hawaii’s governor. The bill came into law on May 1, 2008.

WHAT CAN YOU DO?

While enactment of the NPVC requires legislative action, Governors can use their bully pulpit and influence to get the compact approved in their states. In some states, the NPVC could be pursued through popular initiatives.

A model of the NPVC is available in Chapter 6 of *Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote* by Koza et al. (2006). Enacted legislation is also available from the six states that have enacted the NPVC – Hawaii, Illinois, Maryland, Massachusetts, New Jersey, Washington – as well as the District of Columbia.