



February 24, 2023

## **The National Popular Vote Bill Addresses the Shortcomings of the Current System of Electing the President**

The National Popular Vote bill has passed both the Minnesota Senate and House Elections Committees and is now on second reading in both bodies.

The Senate bill ([SF538](#)) is sponsored by Senators Hoffman, Rest, Champion, Dziedzic, and Kupec.

The House bill ([HF642](#)) is sponsored by Representatives Freiberg, Bahner, Long, Kraft, Greenman, Curran, Brand, Frazier, Garofalo, Hollins, Hemmingsen-Jaeger, Smith, Reyer, and Fischer.

The six shortcomings of the current system stem from existing state “winner-take-all” laws that award all of a state’s electoral votes to the presidential candidate who receives the most popular votes in the state.

### **1. Five of our 46 Presidents came into office without winning the most popular votes nationwide.**

The second-place candidate won the presidency in two of this century’s six presidential elections, namely in 2000 and 2016.

In addition, another two elections (2004 and 2020) have been “near-misses” in which a shift of a small number of popular votes in one state, or a few states, would have given the presidency to the loser of the national popular vote. For example, the 2020 election was decided by 10,457 votes in Arizona, 11,779 in Georgia, and 20,682 in Wisconsin. Despite leading by over 7 million votes nationally, Joe Biden would have been defeated without these 42,918 votes. Overall, there have been 13 such near-miss presidential elections.



**42,918 votes in three decisive states decided the 2020 election**

The National Popular Vote bill will guarantee the Presidency to the candidate who receives the most popular votes in all 50 states and the District of Columbia.

**2. Three out of four states are regularly ignored in the general-election campaign for President.**

Because of the winner-take-all method of awarding electoral votes, presidential candidates only pay attention to the concerns of voters in closely divided states.

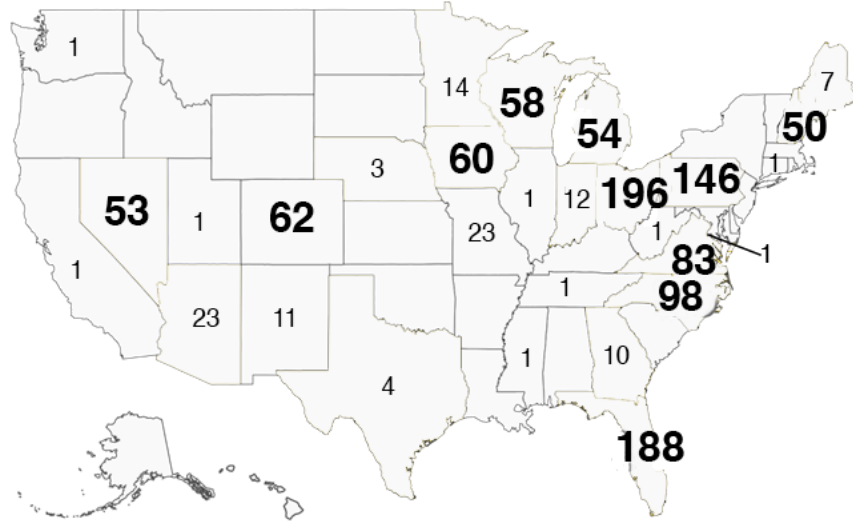
In each of this century’s six presidential elections, virtually all of the general-election campaign events (between 91% and 100%) have been concentrated in about a dozen battleground states. The politically irrelevant spectator states (home to 70% of the country’s voters) include almost all the states that are small, rural, Western, Southern, and Northeastern.

Minnesota was almost totally ignored in the 2008, 2012, and 2016 general-election campaigns for President. Although Minnesota received some attention in 2020, it received **only a quarter** as many general-election campaign events as Wisconsin (which has the same population as Minnesota) and Iowa (which has half as many people as Minnesota).

**Number of general-election campaign visits 2008–2020**

	Minnesota	Wisconsin	Iowa	National total
2008	2	8	7	212
2012	1	18	27	399
2016	2	14	21	253
2020	9	18	5	300
<b>Total</b>	<b>14</b>	<b>58</b>	<b>60</b>	<b>1,164</b>

If the outcome in Minnesota in 2024 is a foregone conclusion, Minnesota would be ignored yet again.



### **Cumulative number of general-election campaign events 2008–2020**

Governance—not just campaigning—is distorted by the concentration of attention on just a few states. Sitting presidents contemplating their own re-election (or the election of their preferred successor) formulate public policy around the concerns of the handful of states that predictably are going to decide the presidency under the state-by-state winner-take-all method of awarding electoral votes.

Moreover, the presidential battleground map has been shrinking for decades. Looking toward 2024, the campaign may be concentrated in as few as nine states having just 20% of the country’s population.

The list of battleground states has also become calcified in recent years—41 states voted for the same party in the last four presidential elections. In fact, Minnesota has voted for the same party since 1976.

In a national popular vote for President, **every** voter in **every** state will be politically relevant in **every** president election.

### **3. The current state-by-state winner-take-all system regularly enables a few thousand votes in a small number of states to decide the Presidency—thereby fueling post-election controversies and threatening the country’s stability.**

The fact that a few thousand votes in a handful of closely divided states regularly decide the presidency is a recurring feature of the current system.

The state-by-state aspect of the current system starts by dividing the nation’s 158,224,999 voters into 51 separate state-level silos.

Then, the winner-take-all aspect of the current system channels virtually all campaigning into a few closely divided battleground states—because they are the only places where the candidates have anything to gain or lose.

The presidency has been decided by an average of a mere 287,969 popular votes spread over an average of three states in the six presidential elections between 2000 and 2020.

Inevitably, some of these battleground states end up being extremely close on Election Day. These close results, in turn, generate post-election doubt, controversy, litigation, and unrest over real or imagined irregularities.

In contrast, the winner's average margin of victory in the national popular vote in these six elections was 4,668,496—16 times larger than 287,969.

The danger posed by these post-election controversies in extremely close states is heightened because the country is currently in an era of consecutive non-landslide presidential elections. Indeed, the average national-popular-vote margin was only 4.3% between 1992 and 2020.

#### **4. Every vote is not equal throughout the United States under the current system.**

There are four sources of inequality in the value of a vote for President under the current system. Because of the two senatorial electoral votes that each state receives in addition to the number warranted by population, there is a 3-to-1 inequality in the value of a vote in Wyoming compared to a vote in Minnesota.

There are additional substantial inequalities because of

- the imprecision of the process used to apportion U.S. House seats among the states (and hence electoral votes);
- intra-decade population changes that do not get reflected in the Electoral College until the next census; and
- voter turnout differences from state to state (which devalue voters in high-turnout states, such as Minnesota).

Every voter would be equal under a national popular vote for President.

#### **5. The current system could easily result in the U.S. House choosing the President on a one-state-one-vote basis.**

If no candidate receives an absolute majority of the electoral votes (that is, 270 out of 538), the U.S. House of Representatives chooses the President on a one-state-one-vote basis. The District of Columbia has no vote in this process. In each of the first six presidential elections of the 21<sup>st</sup> Century, there have been numerous politically plausible combinations of states that could have produced a 269–269 tie in the Electoral College. The candidate who lost the national popular vote could easily win the presidency in a one-state-one-vote election in the U.S. House.

The National Popular Vote Compact guarantees an absolute majority of the electoral votes (at least 270 of 538) to the candidate who receives the most popular votes in all 50 states and DC. Thus, the presidential election would never be thrown into the U.S. House under the Compact.

## **6. Voter participation is lower in the spectator states than battleground states.**

Many voters have come to understand that they are politically irrelevant in the process of electing the President. Compared to the rest of the country, voter turnout in the battleground states was 11% higher in 2020, 11% higher in 2016, 16% higher in 2012, and 9% higher in 2008.

In a nationwide vote for President, every voter would matter.

### **How the National Popular Vote Compact Works**

The U.S. Constitution (Article II) gives the states exclusive control over the choice of method of awarding their electoral votes—thereby giving the states a built-in way to reform the system.

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

The National Popular Vote bill will apply the one-person-one-vote principle to presidential elections. It will make every vote equal.

The National Popular Vote Compact will take effect when enacted by states with a majority of the electoral votes (270 of 538). Then, the presidential candidate receiving the most popular votes in all 50 states and DC will get all the electoral votes from all of the enacting states. That is, the candidate receiving the most popular votes nationwide will be guaranteed enough electoral votes to become President.

National Popular Vote has been enacted into law by 15 states and the District of Columbia, including 4 small states (DE, HI, RI, VT), 8 medium-sized states (CO, CT, MD, MA, NJ, NM, OR, WA), and 3 big states (CA, IL, NY). These states have 195 of the 270 electoral votes needed to activate the law.

In addition, the National Popular Vote Compact has passed one legislative chamber in 9 states with 88 electoral votes (AR, AZ, ME, MI, MN, NC, NV, OK, VA).

For more information,

- watch our [8-minute video](#)
- see our book [\*Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote\*](#) (downloadable for free)
- visit [www.NationalPopularVote.com](http://www.NationalPopularVote.com)