

# FOREWORD

By Jake Garn

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

The National Popular Vote bill preserves the Electoral College. It would change state law to ensure that Utah voters will matter in every presidential election, and that the candidate with the most votes wins.

Article II, Section 1 of the U.S. Constitution gives the states exclusive control over the manner of awarding their electoral votes: “Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors. . . .” The winner-take-all rule is not in the U.S. Constitution. It was not the Founders’ choice (having been used by only three states in the nation’s first presidential election in 1789). Maine and Nebraska currently award electoral votes by district—a reminder that a constitutional amendment is not required to change the method of electing the President.

The shortcomings of the current system stem from state winner-take-all statutes that award all of a state’s electoral votes to the candidate who receives the most popular votes in each state.

Because of these state-level winner-take-all statutes, presidential candidates have no reason to poll, visit, advertise, or organize in states where they are comfortably ahead or hopelessly behind. In 2008, candidates concentrated over two-thirds of their post-convention general election campaign visits and ad money in just six states and 98% in just 15 states. States that reliably vote for one party, such as Utah, are thus ignored by presidential campaigns.

Another shortcoming of the winner-take-all rule is that a candidate can win the Presidency without winning the most popular votes nationwide. This has occurred in 4 of the nation’s 57 presidential elections—1 in 14 times. A shift of 60,000 votes in Ohio in 2004 would have defeated Bush despite his nationwide lead of over 3,000,000 votes.

I think it is time we do something to fix this problem and I feel that the National Popular Vote plan is exactly the solution.