




State-by-state Attack on Electoral College

Here's how the template legislation works,  using legislation introduced this year in Iowa ([Senate Study Bill 1128/House Study Bill 98](#)) as an example. State representatives and senators introduce resolutions in state legislatures to require "the appointment of presidential electors is governed by the national popular vote." Even if 90 percent of Iowans vote for one presidential candidate, should a different candidate win the popular vote nationally, all of Iowa's electoral votes would go toward the popular vote winner. Iowa would vote against itself, in essence.

The thinking behind the national popular vote method is that democracy — the whim of the national majority — is infallible ... or nearly so. This thinking runs contrary to our form of government (a republic), which limits the powers of the federal government to those specified by the Constitution, and in so doing also limits the popular will acting through government. Our federal system also includes the separation of powers among three branches of government, and checks and balances to prevent any branch from usurping power. Yet there's now little understanding of James Madison's view in *The Federalist*, No. 51, that "ambition must be made to counteract ambition" in order to keep the government and governed from overstepping their proper constitutional authority. Modern "popular vote" people would have the majority decide everything, and no ambition would check the majority will. Indeed, even a majority vote in a jury box could become a reality under such a pure democratic philosophy.

The National Popular Vote organization has hired lobbyists across the country to forward their aims, including two in Iowa. Craig Schoenfeld and William Wimmer are the NPV lobbyists charged with moving the legislation through Iowa's state legislative process.

Since 2006, National Popular Vote resolutions have passed in one or more chambers of the state legislatures of 14 states: Arkansas, California, Colorado, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, New Jersey, North Carolina, Rhode Island, Vermont, and Washington. But it's unclear what legal ramifications these bills would have in the six states where they have already been enacted.

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