

Testimony in opposition to LD 1578, An Act to Adopt an Interstate Compact to Elect the President of the United States by National Popular Vote

Senator Hickman, Representative Supica, honorable members of the Veterans and Legal Affairs Committee:

Thank you for accepting this testimony in opposition to LD 1578, an Act to adopt an Interstate Compact to Elect the President of the United States by National Popular Vote. My name is Jon Reisman. I am an emeritus professor of economics and public policy from the University of Maine at Machias where I taught for 38 years. I am a Selectman for the Town of Cooper, a columnist (Freedom Studies) for two Washington County weeklies and a Statler and Waldorf intern. In 1998 I was the GOP nominee for the 2nd Congressional District

My opposition to LD 1578 stems from the following:

- The National Popular Vote Interstate Compact is a too clever by half effort to do an end run around the constitutional amendment process;
- The Electoral College is an expression of federalism, a key element of our Constitution which parses power between the states and the national government and encourages and allows for a diversity of cultures and policy approaches amongst the various states;
- The Compact is an attack on our Constitutional Republic, seeking to both weaken the Constitutional Amendment process and to replace representative democracy with direct democracy;
- The Compact would have the practical effect of disenfranchising every right of center voter in the 2nd Congressional District. If it had been in effect in 2016 and 2020, the 2nd CD's electoral vote would not have gone to the candidate who won a majority in the 2nd CD, but rather to his opponent. That is a clear threat to and subversion of democracy. While I can understand why left of center voters in the 1st and 2nd Districts think that would be great, I can assure you it will not be happily accepted;
- Finally, there is the small matter of Article 1, Section 10, Clause 3 in that cursed barrier to progress, the Constitution: ***“No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay”***. The title of LD1578 admits that the NPV is an interstate compact. Unless you are planning a second end run around the Constitution, it requires Congressional approval. I have explicitly asked Senators King and Collins and Rep. Golden to sponsor the constitutionally required approval. Senator King and Rep. Golden issued non-responsive responses suggesting they will do no such thing. Senator Collins has remained silent.

I would be glad to answer any questions at jreisman@maine.edu. Thank you.