

William Smith
Gorham
LD 1578

Testimony in review of 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, and honorable members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Bill Smith, I live in Gorham and am a strong advocate for constitutional integrity at both the State and Federal levels. Thank you for the opportunity to testify in opposition to LD 1578.

The Congressional Research Service (CRS) wrote a report in 2019 concerning the National Popular Vote Initiative Compact for US Congressional review. In this report they raised a number of concerns related to such a compact I would like to bring to your attention.

Of course the first and primary concern raised in the report was the question of the constitutionality of this compact. This is due to the Compact Clause of Article I, Section X of the United States Constitution which states:

"No State shall, without the Consent of Congress, ..., enter into any Agreement or Compact with another State, or with a foreign Power..."

The second concern from the report I would highlight is that a Gallop poll found that there has been statistically significant decline in support for a direct election for President of the United States and support for the electoral college has grown significantly.

The last concern described in the CRS report I would raise was that the NPV initiative can easily be seen as a way to "circumvent the stringent requirements necessary for the proposal and ratification of constitutional amendments" but would succeed in achieving for all intents and purposes the goal of ending the electoral college. I completely oppose such unconstitutional endeavors.

We have seen many changes to the Constitution of the United States, for instance the successful amendment acknowledging that women are born with the unalienable right to vote. But though there have been many attempts since 1800 to end the Electoral College, none have succeeded and no Constitutional Amendments have succeeded in Congressional vote let alone sent to the States for ratification. The simple fact that it has survived these assaults in its initial form is significant proof the American people in general and specifically the people of Maine value it as part of our heritage and governing processes.

Additionally Senators Collins and King are both actively working to make improvements to the Electoral College at the US Congressional level and are gaining bi-partisan support in their efforts. We as a country can have discussions related to our governing processes correctly where those discussions belong.

Personally I agree with the letter and the intent of the Electoral College. Removing it in a direct way or through some act of subversion would be a great loss to our country. I hold this opinion because the Electoral College balances the great power a direct vote would give to the urban centers of population over the election of our President. The tension between rural and urban societies has existed within our country since its gestation. And like the separation of powers of the branches of government it is a valuable aspect of our country.

Again thank you for taking the time to review my opposition of LD 1578.