

Flawed popular vote compact the wrong move for Nevada



By Jasper Hendricks

Nevada voters should know that state legislators have advanced a flawed plan known as the National Popular Vote interstate compact. It is a state constitutional amendment that, if passed again in the next Legislature, would go to a vote of the people.

While sold as an improvement for presidential elections, the devil is in the details.

States joining the compact commit to giving their electoral votes to the presidential candidate who gets the most votes nationwide, rather than the most votes in their state. The compact takes effect only if enough states join together that they control the election outcome. It sounds simple but has many legal and practical flaws.

This interstate compact relies on the theory that state legislatures can ignore their own voters and do anything they like with their electoral votes. By joining, Nevada would be giving California voters more control over its state's electoral votes than Nevada voters have now. A candidate who is not even on the ballot in Nevada could win all the state's electoral votes.

The compact also does not require a majority winner, which means more independent billionaire candidates running for president and future election winners with smaller and smaller pluralities. In addition, separate compact states would have their own authority to decide which election results from other states are "official" and could end up certifying different national totals – or even different results.

Such a process will create endless lawsuits filed after Election Day. It grants vast powers to a small group of state election officials. And the compact is silent about how disputes, contests or recounts are to be settled.

Democrats, and all Americans, should support a presidential election process that is fair, inclusive and stable – one that preserves the best of representative democracy. The National Popular Vote compact

puts all these things at risk.

Nevada's electoral votes represent the voice of its people in a presidential election. The voters of each state decide what to say with that voice, and they have a right to be heard. This compact would unravel all this in a way that threatens to make many voices harder to hear.

Our present, state-by-state process pushes presidential campaigns to reach out to more broad and diverse groups of people across the country. This was on display over the course of the 20th century, as the Electoral College forced the Democratic Party to become more diverse and inclusive. The compact would push things the other way, allowing presidential campaigns to focus only on the states with the largest populations and the biggest media markets while ignoring voters in other areas.

The compact is also dangerously unstable. It can take effect without a majority of states participating, but relies on cooperation from all states. It could be activated or deactivated for the entire country based on the actions of just one state legislature or court. It conflicts with recently adopted state laws in Alaska and Maine that use ranked-choice voting.

As a proud presidential elector for Hillary Clinton in 2016, I recognize the concerns of my fellow Democrats about our presidential election process. But the compact is a proposed cure that is far worse than the illness. It would make current election problems harder to solve while adding even more uncertainty and tension into our democracy.

Political parties should focus on winning support from voters in Nevada. No one should try to manipulate election rules for a perceived short-term advantage. Our nation is stronger when there is widespread confidence in election outcomes. The Democratic Party, and all political parties, are stronger when we have support from a diverse coalition across the entire nation.

The next Legislature should reject this compact and preserve the power of voters in Nevada, and every other state, to decide which candidate for president has earned their support and their electoral votes.

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