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**AJR-1 Presidential elections: electoral college.** (2017-2018)

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**Assembly Joint Resolution No. 1**

**CHAPTER 122**

Relative to the presidential elections.

[ Filed with Secretary of State August 28, 2017. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AJR 1, Low. Presidential elections: electoral college.

This measure would urge the United States Congress to propose and send to the states for ratification a constitutional amendment to abolish the electoral college and provide for the direct election of the President and Vice President of the United States by the popular vote of all eligible citizens of the United States.

Fiscal Committee: no

WHEREAS, The electoral college is provided for in Section 1 of Article II of, and Amendment 12 to, the United States Constitution, whereby states are directed to appoint electors who then meet and cast votes for President and Vice President of the United States; and

WHEREAS, Voters cast ballots in the presidential election to select 538 electors, rather than voting directly for their preferred candidate; and

WHEREAS, In the 2016 presidential general election, presidential campaigns dedicated 99 percent of their advertisement spending and 95 percent of their campaign visits to just 14 battleground states, with more than half going to only four states—Florida, North Carolina, Pennsylvania, and Ohio; and

WHEREAS, A total of 24 states had zero campaign events for the 2016 presidential general election; and

WHEREAS, If the objective of the presidential election is to accumulate the most popular votes, as opposed to winning or losing a particular state and its electors, then there will be incentive for presidential candidates to compete for every vote in every state; and

WHEREAS, Presidential candidate Hillary Clinton won the popular vote by almost 2,900,000 votes in the 2016 general election, but still lost the presidency to President Donald Trump who had a majority of the electors in the electoral college pledged to him; and

WHEREAS, Since the establishment of the electoral college, 167 electors have declined to vote for the presidential candidate to whom they were pledged, thereby becoming so-called “faithless electors”; and

WHEREAS, Twice in the past 16 years the candidates for President and Vice President of the United States who won the popular vote still lost the election because they did not win a majority of the votes in the electoral college; and

WHEREAS, The electoral college contradicts the principle of one person, one vote, and yet the electoral college is used to elect the one leader who is supposed to answer to all of the people of this country; and

WHEREAS, Ten states, including California, and the District of Columbia have already enacted the National Popular Vote bill, which ratifies an interstate compact that would guarantee the presidency to the candidate who receives the most popular votes in all 50 states and the District of Columbia; and

WHEREAS, The interstate compact will only become effective if states cumulatively possessing a majority of the total electoral college votes ratify the compact; and

WHEREAS, The electoral college is an outdated, undemocratic system that does not reflect our modern society and needs to be changed immediately; and

WHEREAS, Every voter should have his or her vote count; and

WHEREAS, Abolishing the electoral college requires an amendment to the United States Constitution; and

WHEREAS, Article V of the United States Constitution authorizes the United States Congress, by two-thirds vote, to propose amendments to the United States Constitution, which shall become effective when ratified by the legislatures of three-fourths of the states; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California urges the United States Congress to propose and send to the states for ratification a constitutional amendment to abolish the electoral college and provide for the direct election of the President and Vice President of the United States by the popular vote of all eligible citizens of the United States; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.