

1999 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HCR 3023


1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3023

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 2-5-1999

Tape Number	Side A	Side B	Meter #
1		X	1.7 - 8.4
1		X	54.2 - 57.6
Committee Clerk Signature 			

Minutes: Some of the individuals testifying submit written testimony. When noted please refer to it for more detailed information.

Representative Klein, Chairman of the GVA Committee opened the hearing on February 5, 1999.

Summary of the Bill: Requesting the congress of the United States propose for ratification by the states an amendment to the constitution of the United States to provide for abolition of the electoral college system and adoption of direct vote for election of the president and vice president.

Testimony in Favor:

Representative Maragos, Appeared before the committee to introduce the Resolution. ND would be the first state to request abolition of the electoral college. I think it's dangerous the way it is set up now and what most concerns me is that my vote in ND is worth only three in the electoral

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House Government and Veterans Affairs Committee
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college. In California in certain districts one persons vote can be up to 49 electoral votes. It also frightens me to think that a President can be elected by a minority of the people.

Representative Winrich, The example of the president elected without majority. Hayes.

Representative Klein, Closed the hearing on HCR 3023.

Committee Action:

Representative Winrich, Made the motion for a Do Pass.

Representative Metcalf, Seconded the motion.

Motion Passes: Do Pass **14-0-1**.

Representative Gorder, Is the carrier for the bill.

Date: 2-5-99

Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3023 HCR

House GOVERNMENT AND VETERANS AFFAIRS Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS - CONSENT.

Motion Made By WINRICH Seconded By METCALF

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	✓		REP. WINRICH	✓	
VICE-CHAIR KLINISKE	✓				
REP. BREKKE	✓				
REP. CLEARY	✓				
REP. DEVLIN	✓				
REP. FAIRFIELD					
REP. GORDER	✓				
REP. GRANDE	✓				
REP. HAAS	✓				
REP. HAWKEN	✓				
REP. KLEMIN	✓				
REP. KROEBER	✓				
REP. METCALF	✓				
REP. THORESON	✓				

Total (Yes) 14 No 0

Absent 1

Floor Assignment WINRICH GORDER

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 9, 1999 3:44 p.m.

Module No: HR-26-2382
Carrier: Gordier
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HCR 3023: Government and Veterans Affairs Committee (Rep. Klein, Chairman)
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS,
0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3023 was placed on the Tenth order
on the calendar.

1999 SENATE GOVERNMENT AND VETERANS AFFAIRS

HCR 3023

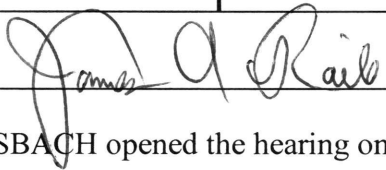
1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3023

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date March 11, 1999

Tape Number	Side A	Side B	Meter #
1		X	4551-END
2	X		0-1301
Committee Clerk Signature 			

Minutes: CHAIRMAN KREBSBACH opened the hearing on HCR 3023 which is a concurrent resolution requesting that the Congress of the United States propose for ratification by the states an amendment to the Constitution of the United States to provide for abolition of the electoral college system and adoption of direct popular vote for election of the President and Vice President. Appearing before the committee to introduce this piece of legislation was Representative Andy Maragos, District 3, Minot. He indicated that he has never felt that the electoral college is an appropriate vehicle for electing the president of the United States since he has been old enough to figure out what this political process is all about. He believes the inherent flaw in the electoral college process is the fact that because the winner, the candidate who gets the most votes in a state, gets all of the electoral vote, and this process negates anybody who voted for the loser. Their vote actually doesn't count beyond the state itself. It's a winner take all process and I've always, and it doesn't accurately reflect I think what happens in an

election. The other thing is the election of the president of the United States basically takes place in 12 states. These are called battle ground states. If you win each of these states by one vote you win the election and the other 38 states don't count, technically under this system. I believe if you have done any studying of the constitutional convention where the framers of the constitution debated this issue, one of the most difficult issues that they had, was first figuring out how strong they wanted to make the executive and then how to elect a chief executive of the United States. As I look through this historically, one of the proponents of the direct election of the president of the United States was a gentleman by the name of James Wilson from Pennsylvania who was regarded as if not the best mind of that convention, certainly one of the top minds. He understood, it was his feeling that a president should be elected in the same manner as a governor, a chief executive of the state, by popular vote. But, because of the politics of the time, the smaller states worried about the larger states populations controlling the election and so they devised this really awkward process designed mostly for that time. They could never have known what the country was going to do, how everything was going to develop and what the country was going to become when they framed this constitution. They didn't know there were going to be four different time zones. They had no conception of the east coast being four hours different from the west coast. We find now that elections are determined before the polls close on the west coast. Which has a very dampening effect. We know all of the pitfalls and it's high time that somebody starts the process rolling that I believe is the most democratic of all processes as far as the electing of the president of the United States and that is the elimination of the electoral college. Now it is said that smaller states have bigger clout. Well I can only find one instance where that would really come into play. Take for example now, we have next door

a governor that is not part of the political parties and the two political parties really control the process of this country. The framers couldn't have even imagined that. When they framed this constitution they thought that the election was going to happen in the house of representatives where very few people and mostly very high elevated, a very small select group was going to pick the president of the United States. This was their thinking and I think that any of you that have studied a little bit of history on this, but let me just suggest to you now that I believe what could possibly happen. If Jessie Ventura runs for president of the United States and wins Minnesota, and then the other two candidates split evenly, then the election would go into the house of representatives because no candidate would reach the 270 level needed to become elected president of the United States. Then the electoral college is out. Each state in the house of representatives gets one vote, so that means if you get 26 states say the 26 states with the smallest population can elect the president of the United States. And they account for only 125 electoral college votes. Yet they could determine the outcome of the election. The worst part is they don't even have to pick one of the three or four people that were on the ballot. They can pick anybody. With this likelihood, whoever controls the house of representatives, in these following elections knowing full well what could happen therein lies another dynamic that gets really involved. I'm really concerned about all of this and I'm deeply concerned about all of this and I think this is an appropriate resolution to send along to congress to have them start debating this issue and bringing about finally the direct election of the president of the United States. The other thing that has always disturbed me in this process, as I look at the electoral college, one vote, my vote in ND counts for 3 votes for president, but if I was voting in California my vote could literally be worth 54 votes for president. Now I fail to see where there is any fairness in

that because of the winner take all strategy. We rarely get candidates to come to North Dakota.

We have been successful in getting them to come to North Dakota because we implemented the presidential preference contest. They started coming and the reason they came to North Dakota is we were a stand alone contest maybe with one or two other states so there was focus and they needed to come and they needed to win in an election. When we are with everybody else they don't need us because we are really small potatoes and so they don't come and address our issues. They go to the battleground states, the 12 states where the election can be won and basically that is what drives a presidential election. He requested a favorable vote on this resolution from the committee. Questions were offered by SENATOR THANE and SENATOR W. STENEHJEM (Meter #'s 5800-End of Tape 1 and Meter #'s 0-365).

SENATOR HARVEY TALLACKSON, District 16, one of the primary sponsors of the bill appeared before the committee. He merely reiterated what was said by Representative Maragos and asked for the committees support of the resolution. There were no questions from members of the committee. No further testimony was offered in support of, neutral position on, or opposition to SCR 3020. The hearing was closed by CHAIRMAN KREBSBACH. At this time SENATOR THANE offered a comment to the committee expressing his feelings on the resolution. A motion for a DO PASS was made by SENATOR THANE, seconded by SENATOR DEMERS. ROLL CALL VOTE indicated 3 YEAS, 4 NAYS, 0 ABSENT OR NOT VOTING. The motion failed. A motion for DO NOT PASS was made by SENATOR W. STENEHJEM, seconded by SENATOR WARDNER. ROLL CALL VOTE indicated 4 YEAS, 3 NAYS, and 0 ABSENT OR NOT VOTING. SENATOR W. STENEHJEM will carry the bill.

Date: 3/11/99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3023

Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. Thane Seconded By Sen. Demers

Senators	Yes	No	Senators	Yes	No
SENATOR KREBSBACH		✓			
SENATOR WARDNER		✓			
SENATOR KILZER	✓				
SENATOR STENEHJEM		✓			
SENATOR THANE	✓				
SENATOR DEMERS		✓			
SENATOR MUTZENBERGER	✓				

Total (Yes) 3 No 4
Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 3/11/99
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3023

Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee

Subcommittee on _____
or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Sen Stenehjem Seconded By Sen Wardner

Senators	Yes	No	Senators	Yes	No
SENATOR KREBSBACH	✓				
SENATOR WARDNER	✓				
SENATOR KILZER		✓			
SENATOR STENEHJEM	✓				
SENATOR THANE		✓			
SENATOR DEMERS	✓				
SENATOR MUTZENBERGER		✓			

Total (Yes) 4 No 3

Absent 0

Floor Assignment Sen. Stenehjem

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 11, 1999 1:27 p.m.

Module No: SR-44-4555
Carrier: W. Stenehjem
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3023: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)
recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING).
HCR 3023 was placed on the Fourteenth order on the calendar.