

House Resolution 792

By: Representative Sims of the 169th

A RESOLUTION

1 Creating the House Study Committee on the National Popular Vote Initiative, which would
2 guarantee the Presidency to the presidential candidate who receives the most popular votes
3 in all 50 states; and for other purposes.

4 WHEREAS, under the U.S. Constitution, the states have exclusive and plenary (complete)
5 power to allocate their electoral votes, thus enabling them to change their state laws
6 concerning the awarding of their electoral votes at any time; and

7 WHEREAS, under the National Popular Vote Initiative, all of the state's electoral votes
8 would be awarded to the presidential candidate who receives the most popular votes in all
9 50 states and the District of Columbia; and

10 WHEREAS, the National Popular Vote Initiative has passed 31 legislative chambers in 21
11 jurisdictions (AR, CA, CO, CT, DC, DE, HI, IL, ME, MD, MA, MI, NV, NJ, NM, NY, NC,
12 OR, RI, VT, WA), and has been endorsed by 2,003 state legislators; and

13 WHEREAS, the initiative has supported bills that have been enacted by jurisdictions
14 possessing 74 electoral votes – 27% of the 270 necessary to activate the law; and

15 WHEREAS, the current electoral college winner-take-all rule has permitted a candidate to
16 win the Presidency without winning the most popular votes nationwide in 4 of our 56
17 elections – 1 in 14 times; and

18 WHEREAS, Article II, Section 1 of the U.S. Constitution gives the states exclusive control
19 over the manner of awarding their electoral votes: "Each State shall appoint, in such Manner
20 as the Legislature thereof may direct, a Number of Electors...." The winner-take-all rule is
21 not in the Constitution. It was used by only 3 states in our nation's first election in 1789; and

22 WHEREAS, under the National Popular Vote bill, all the electoral votes from the enacting
23 states would be awarded to the presidential candidate who receives the most popular votes
24 in all 50 states (and DC). The bill would take effect only when enacted by states possessing
25 a majority of the electoral votes – that is, enough electoral votes to elect a President (270 of
26 538).

27 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
28 the House Study Committee on the National Popular Vote Initiative is created, to be
29 composed of five members of the House of Representatives to be appointed by the Speaker
30 of the House of Representatives. The Speaker shall designate a member of the committee
31 as chairperson of the committee. The chairperson shall call all meetings of the committee.

32 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,
33 needs, issues, and problems mentioned above or related thereto and recommend any action
34 or legislation which the committee deems necessary or appropriate. The committee may
35 conduct such meetings at such places and at such times as it may deem necessary or
36 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
37 accomplish the objectives and purposes of this resolution. The members of the committee
38 shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of
39 Georgia Annotated. The allowances authorized by this resolution shall not be received by
40 any member of the committee for more than five days unless additional days are authorized.
41 The funds necessary to carry out the provisions of this resolution shall come from the funds
42 appropriated to the House of Representatives.

43 BE IT FURTHER RESOLVED that in the event the committee makes a report of its findings
44 and recommendations, with suggestions for proposed legislation, if any, such report shall be
45 made on or before December 31, 2011. The committee may work with any Senate study
46 committees created to study this issue in order to develop a comprehensive report or
47 recommendation. The committee shall stand abolished on December 31, 2011.