

Various Proposals for Electing the President

- The ***congressional-district approach*** would retain the existing statewide winner-take-all approach for the state's two senatorial electors; however, it would use a district-level winner-take-all rule for electing the state's remaining presidential electors. This method could be implemented either by state law in an individual state or on a nationwide basis by a federal constitutional amendment. Maine has used this approach since 1969 and Nebraska since 1992. It was used in Michigan in the 1892 election and by numerous states in the nation's early years. See section 3.3, 4.2, and 9.23.1 of *Every Vote Equal* book (www.Every-Vote-Equal.com).

- In the ***fractional proportional approach***, a state's electoral votes would be divided proportionally based on the percentage of votes received in the state by each presidential candidate—*carried out to three decimal places*. Because this approach involves fractions of electoral votes, its implementation would require a federal constitutional amendment. This constitutional amendment was sponsored by Massachusetts Senator Henry Cabot Lodge (R) and Texas Representative Ed Gossett (D) and passed the U.S. Senate by a 64–27 margin in February 1950 (but died in the House). It was later championed by Nevada Senator Cannon (D) in the 1969. See discussion at <http://electionlawblog.org/?p=87430> and in section 3.2 and 9.23.2 of *Every Vote Equal* book (www.Every-Vote-Equal.com).

- The ***whole-number proportional approach*** would divide a state's electoral votes to the nearest whole number based on the number of popular votes that a candidate receives in a state. Because this method does not divide electoral votes, it could be implemented by state law in an individual state or, of course, on a nationwide basis by a federal constitutional amendment. The whole-number proportional approach was placed on the ballot by an initiative petition considered by Colorado voters in the November 2004, election (Amendment 36), but was defeated. It has been proposed in various bills in several states over the years without being enacted. See section 4.1 and 9.23.2 of *Every Vote Equal* book (www.Every-Vote-Equal.com).

- An innovative ***modified proportional approach*** was proposed in 2014 by Michigan State Representative Peter Lund (R). Under this approach, the candidate winning the popular vote in Michigan would get at least nine Electoral-College votes (one more than half of Michigan's 16 electoral votes). In addition, the candidate winning the popular vote in Michigan would get one additional electoral vote for every 1.5 percentage points above 50% that the candidate receives. Any remaining electoral votes would go to the second-place finisher. For example, Obama won 54% of Michigan's popular vote in 2012 and therefore won all 16 electoral votes under the prevailing winner-take-all rule. Under Representative Lund's proposal, Obama would have received 11 electoral votes and Mitt Romney would have received five in 2012.

- ***Direct popular election of the President*** could be implemented by a federal constitutional amendment. In 1969, the U.S. House of Representatives approved, by a bipartisan 338–70 vote, a constitutional amendment sponsored by Representative Emmanuel Celler (D), but the proposal died in the Senate. See section 3.4 of *Every Vote Equal* book (www.Every-Vote-Equal.com).

- The ***National Popular Vote interstate compact*** can be enacted by states. It would guarantee the Presidency to the candidate who receives the most popular votes in all 50 states and the District of Columbia. See chapter 6 of *Every Vote Equal* book (www.Every-Vote-Equal.com) for section-by-section explanation. Also, see www.NationalPopularVote.com.