



LEAGUE OF  
WOMEN VOTERS®

## NATIONAL POPULAR VOTE COMPACT LEADER'S GUIDE

### **Be a Part of History**

Grassroots agreement on positions is one of the League's greatest strengths. Preparing for and taking consensus is hard work, but worthwhile. The resulting position will allow the organization to educate the public and affect national policy for years to come, just as we have been doing in other areas for 88 years – it is part of the organization's history.

### **LWVUS National Popular Vote (NPV) Compact Study Committee**

Gail Dryden (CA)

Barbara Klein (AZ)

Sue Lederman (NJ)

Carol Mellor (NY)

Jack Sullivan (CA)

Chair, LWVUS Board Member Carolie Mullan (TX)

### **Scope of the Study**

As a result of action taken by delegates at LWVUS Convention 2008, the committee was charged to:

“Study the advisability of using the National Popular Vote Compact among the states as a method for electing the President.”

### **Consensus Timeline**

September 2008 to April 30, 2009 – Local Leagues and ILO's take consensus

May 1, 2009 – Deadline for the LWVUS to receive consensus response forms

May 1, 2009 – June 1, 2009 – NPV Compact Study Committee determines consensus and formulates position

June 11, 2009 – LWVUS Board adopts the position at board meeting associated with Council 2009

### **Educating Members**

Local Leagues should use the LWVUS NPV Compact Study Committee materials to help members learn about the issues and also help educate the public. A study is always a good opportunity to attract potential members and obtain visibility for the League. The materials listed below are all available on the LWVUS Web site ([www.lwv.org](http://www.lwv.org)); they should be copied and printed for distribution as needed:

Background Paper

Pros

Cons

Resource List

Text of the NPV Compact

Consensus Questions



Abbreviated, *Voter*-ready versions of the longer articles listed above (Background paper and Pro and Con papers)

### **Discussion List**

The LWVUS NPV Compact Discussion List has been operating since September 2008. The list, open to all League members, allows participants to share information about resources, ways to effectively educate League members on the NPV Compact issues, the study/consensus process in general, and ideas about preparing for and holding consensus meetings. The discussion list is not a venue for debating issues. Each League should have at least one member on the list to pass on ideas and/or ask questions about the study/consensus process. To subscribe, go to the Web site ([www.lwv.org](http://www.lwv.org)).

### **Tips for Taking Consensus**

Consensus is the process the League uses to reach member agreement on study issues, and is neither a simple majority nor unanimity; instead it is *an overall sense of the group*. In other words, consensus results from answers to questions on which members can find common ground and agreement. Group discussion that allows an exchange of ideas and opinions is the preferred way to achieve consensus, but local Leagues and ILO's may also choose to use questionnaires and email polls

### **Consensus Meeting**

Prior to the Consensus Meeting, publicize the availability of NPV Compact Study Committee materials to League members. These materials are all found on the Web site at [www.lwv.org](http://www.lwv.org). If members are adequately prepared prior to the Consensus Meeting, a two-hour meeting can allow sufficient time to fully discuss the seven Consensus Questions and come to agreement

Select a consensus meeting date, time and place that will encourage attendance - a member's home or a private room in a public facility. The location should be one where members will be comfortable discussing the issues. Make it fun – how about wine and cheese or a potluck meal? Although non-members may attend consensus meetings as observers or visitors, only League members may participate in the consensus process. *A local League's consensus on a national issue does not constitute a final LWVUS position and should not be publicized.*

### **Moderator**

Recruit the best possible moderator in your League for your consensus meeting. The moderator does not necessarily need expertise on NPV Compact issues, but should be as objective as possible about the subject. The moderator communicates discussion norms (see "Discussion Skills" section below), keeps the discussion focused, gives everyone the opportunity to speak and recognizes member agreement, while adhering to a predetermined schedule (the time available divided by the number of questions).

### **Member Experts**

Ask several League members to become experts on background information for the consensus question. They will be able to provide factual answers for assigned questions as needed. Make multiple copies of background materials available at the consensus meeting.

### **Recorder**

Appoint a League member to record participants' responses and to take notes as a basis for comments, if needed. Comments are limited to a total of 150 words. The Recorder, or another designated member, will post the local League's responses electronically on the Response Form on the LWVUS Web site.

### **Discussion Skills**

Publicize a list of good discussion skills or norms in a *Voter* article, reminding members that not everyone will have the same opinions. The point is to find a way in which members can find common ground. Suggested norms include:

- Listen thoughtfully.
- Keep an open mind.
- Do not interrupt.
- Speak in turn.
- Keep comments short - do not monopolize the discussion.
- Differ with dignity – no personal attacks.
- Stay focused – no digressions.
- No sidebar conversations.

### **Consensus Questions**

The following are the consensus questions as they appear on the Response Form.

#### Amending the Constitution

1. Which statement best reflects the consensus of the group? Select one.
  - a. Action to alter a basic element of the Constitutional framework, which is achievable by amendment to the Constitution, should be accomplished by amendment to the Constitution.
  - b. Action by states through a compact process is an acceptable way to alter the method for electing the President and Vice-President.
  - c. The group could not reach consensus.
  
2. Which statement best reflects the consensus of the group? Select one.
  - a. Because a compact has never before been used to address a fundamental constitutional issue such as voting, the chance that it might set a precedent for the future leads to the conclusion that it is better that the League continue to work for an amendment to the Constitution to establish the direct popular election of the President and the abolition of the Electoral College.
  - b. Despite the novelty of the use of the compact approach to address a fundamental constitutional issue such as voting, the League should support the NPV Compact as a way of achieving an important goal.
  - c. The group could not reach consensus

#### Congressional Consent



3. Which statement best reflects the consensus of the group? Select one.
- The possibility that the NPV Compact will require congressional consent is not of sufficient concern to block the implementation of the plan.
  - The possibility that the NPV Compact will require congressional consent is sufficient to conclude that the plan should not be implemented without obtaining such consent.
  - The group could not reach consensus.

Enforcement

4. Which statement best reflects the consensus of the group? Select one.
- The NPV Compact contains sufficient enforcement provisions to assure smooth operation of the plan.
  - Although it is not possible to determine whether the enforcement provisions will be sufficient to assure smooth operation of the plan, the plan should be passed anyway
  - Enforcement of the plan is likely to add uncertainty and bring the courts into the presidential election in ways that raise substantial concerns.
  - The lack of adequate enforcement provisions is sufficient to conclude that the NPV is not a viable plan.
  - The group could not reach consensus.

Uniformity

5. Which statements reflect the consensus of the group?
- The uniformity of voting systems is more important to American democracy than the possibility that the NPV Compact can be adopted.
  - The NPV Compact is more important than uniformity of voting systems because it would succeed in achieving the popular election of the President.
  - The group could not reach consensus.

Popular Election of the President

6. Which statement best reflects the consensus of the group? Select one.
- It is more important to achieve the goal of national popular election of the President than it is to achieve the goal of abolition of the electoral college.
  - It is more important to amend the Constitution to abolish the Electoral College than it is to achieve the goal of popular election of the President by alternative methods, such as the NPV Compact.
  - The group could not reach consensus.

Achievability

7. Which statements reflect the views of the group?
- The NPV Compact will have problems being passed because of the need for congressional consideration and the need for action by so many states.
- Agree                      Disagree                      No Consensus



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b. A constitutional amendment to establish the direct popular election of the President and the abolition of the Electoral College will continue to have problems being passed.

Agree

Disagree

No Consensus