

your term that the intent was to include it.

SENATOR CHAMBERS: Do you see then anything in the constitution that says the popular vote shall determine who shall be president and vice president?

SENATOR KRISTENSEN: No, we do agree on that.

SENATOR CHAMBERS: Do you see anything in the constitution that says the determination by the electoral college shall determine who shall be president and vice president?

SENATOR KRISTENSEN: No, other than it allows the states to determine who those electors are and it's silent, and the Tenth Amendment gives the states the power to determine that.

SENATOR CHAMBERS: So then you don't believe that under the U.S. Constitution right now the person who should be president is the one who receives the majority of votes by the electoral college? You don't agree with that?

SENATOR KRISTENSEN: No, I do agree with that because obviously whoever gets a majority of the electoral college votes is president.

SENATOR CHAMBERS: So the ultimate "determinator" of who shall be president is the electoral college.

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: Thank you. Members of the Legislature, it took that long to get Senator Kristensen to acknowledge that which we all know, and I want this in the record. This is a civics lesson. The popular vote, under the U.S. Constitution, does not determine, by the terms of the constitution, who shall be president. There is nothing in the U.S. Constitution which says the electors shall follow the popular vote, nothing. The electoral college was not designed to be a rubber stamp for the popular vote. As a matter of fact senators were to be selected originally by legislatures to get it away from the popular vote, then so much corruption got involved they threw it back to them and said nothing can be worse than this. But much in the U.S. Constitution shows a lack of confidence in the people, and if you read the background of those who are the so called framers of the constitution and their attitudes in their states