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## Lousin and Mirza Rethinking Reapportionment

By ConLawProf initials at end of post  
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Professor Ann Lousin (John Marshall) and Professor Leona Mirza (North Park U., Dept. of Mathematics) argued in last week's National Law Journal that the best way to avoid an electoral college winner beating a popular vote winner (as in the 2000 presidential election) is to increase the number of U.S. representatives.

Lousin and Mirza argue that the Huntington-Hill method of determining the number of each state's representatives works just fine to achieve proportional representation in the House. But when the Electoral College adds Senate representation to determine the number of presidential electors, the results favor small states.

Lousin and Mirza suggest adding representatives to the House by using the smallest state's population as the measure for one representative. States with multiples of the smallest state's population would receive a proportional multiple of representatives. Lousin and Mirza:

We suggest that the best, easiest and cleanest way to challenge the composition of the Electoral College would be to replace the Huntington-Hill method of determining the total number of U.S. representatives every decade with a process using the smallest-populated state as its key. The state with the smallest population, currently Wyoming, would be awarded one U.S. representative (and two senators, of course). A state that had twice Wyoming's population would be awarded two U.S. representatives; a state with three "Wyomings" would have three representatives, and so forth.

The result would be a House with over 600 members. "Wyoming would still have only one, but California would have 68 instead of 53. In all probability, more than 40 states would increase their number of U.S.

representatives." Unwieldy? No, they argue: Most of the House's work is done in committees, and it rarely meets in full session.

Lousin and Mirza's solution is an alternative to the National Popular Vote movement. National Popular Vote bills are state legislation that would bind a state to allocating its Electoral College votes in proportion to the state's popular vote (and not by winner-take-all rules). Five states have enacted National Popular Vote bills, and a couple dozen others are considering them. The laws won't take effect until states comprising a majority of the Electoral College sign on.

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