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SPEAKERS

Christopher Conover, NPR promo, Nicole Cox, Paul Johnson, Steve Selvy



Christopher Conover 00:03

Welcome to The Buzz. I'm Christopher Conover this week changing Arizona's primary elections. Next month's election will feature two competing ballot measures. Proposition 140 would make a slew of changes. Most notable among them would be to open up Arizona's primaries so that any voter could send any candidate on to the general election. Proposition 133 would do the opposite, enshrining the state's current party based primary system in the state constitution and disallowing the use of open primaries in city elections. Today, we'll allow people from both sides to make the case for their particular proposition. Proposition 133 was put forward by the Republican controlled Arizona legislature. We reached out to the representatives for all of the bill's sponsors, as well as the state and Maricopa County GOP. We also reached out to the Arizona free Enterprise Club, which sponsored many of the anti prop 140 messages in the state's voter information pamphlet. They all either declined our requests for interviews or simply didn't reply. We also asked the Pima County Republican Party if they would argue on behalf of Proposition 133. They agreed, and we spoke with the Secretary Steve Selvy to start our conversation. He breaks down the two ways that an initiative can end up on the ballot.



Steve Selvy 01:42

There are two ways to get propositions, two paths that one can take to get propositions on the ballot. So one, one means is through the legislative referral process. The other is our citizen initiatives, talking first about legislative referrals. Those can be initiated as bills in either the Arizona House or Arizona Senate. It then must pass both the House and the Senate with a simple majority, 50% plus one. It doesn't require Governor approval. So those are legislative referrals. There can also be citizen initiatives, which, as the name implies, it's citizen sponsored. The citizen has to file a ballot initiative petition. They go out and collect the required number of voter signatures. They then submit those signatures to the Arizona Secretary of State. The Arizona Secretary of State validates the signatures and then confirms that the required signature count is met. Proposition 133 is a legislative referral. It was a bill passed in the House, and I can read the title of it and the description, and then explain that description, the title is amending Article Seven, Section 10 of the Arizona Constitution. This description,

provided is not withstanding any contrary city law, the direct primary election for partisan office offices would be conducted to allow each recognized political party to nominate as many candidates for each office as there are open positions for that office in the next general election, and allow otherwise eligible candidates to be nominated, if you like. I can explain that.

C Christopher Conover 03:37

Absolutely, as we always like to say the English version for those of us who aren't lawyers.

S Steve Selvy 03:44

Yeah, not the legalese, not the legalese. This is basically amending, basically the verbiage in in the Arizona Constitution to make it very clear that primary elections will be direct primary elections conducted by the political parties. So what's the difference between a direct primary election and an open primary election, which is what Proposition 140 part of what it's looking at? Direct party elections. Primary elections mean the party is basically responsible the political party for conducting its own primary. So what that means is that they are responsible for, first of all, vetting candidates that run under the party banner. I'm I happen to represent the Republican Party. So somebody wants to run as a Republican, they all have to go through the process of the party basically approving them as a candidate, and they usually do . You know, you have to be totally in opposition to the principles and the platform of that particular party not to make it to that step. So they they go on to the primary election and the the voters, the registered voters, then make the decision as to which one, which candidates move on to the general election. One of the arguments that that's being made in favor of Proposition 140, which is not accurate, is that it disregards the independent and PND, Party Not Declared, people from voting, which is not the case currently in Arizona, independents and PNDs can request a party specific ballot. So I can walk in if I'm an independent or a PND I can request either a Democrat ballot or a Republican ballot. It's semi open, because if I'm a registered Republican, I can't go in and request a Democrat ballot.

C Christopher Conover 05:51

So I've heard some folks who are in support of the legislative proposition and are against prop 140 say that prop 140 allows other be they Democrats or Republicans, to and their words were to meddle in the elections of the other party. Is that a fair characterization, or is that what we'll just call something somebody would say during a campaign?

S Steve Selvy 06:26

Well, where it can throw people off is that an open primary election, first of all, they're not vetted by the party. They don't have to declare party affiliation. There's no verification that if I put an R or a D after my name, that's what I actually am. So you can, you can mislead that way. You can potentially, if I'm a Republican and I choose to run in a Democrat district, maybe I choose to put a D after my name to get elected. Another problem could be if, say more Democrats are running, then maybe, maybe four Democrats are running, because on an open primary, everybody's on the ballot. So say there's four Democrats and two Republicans, or one

Republican, the four Democrats could potentially split the vote. To your question further, what we saw happen in Alaska with Lisa Murkowski versus Sarah Palin, and that was using the rank choice voting process as well. It was it was shown later Democrats crossed over and voted for what they considered to be the more moderate Republicans. So they impacted that race.

C Christopher Conover 07:39

I know supporters of 140 have said, well, more moderate. Maybe that's not such a bad thing to get more moderate people in, as opposed to the fringes of both parties. Maybe fringes is too harsh a term, but the people who are further away from the center of both parties. Is that any concern for you?

S Steve Selvy 08:03

Well, actually, it's one I've heard as well, and I looked it up and had something sent to me, and I can provide you with this studies, but there really have been no studies that show that you tend to get more moderate candidates by going to an open primary. But that's one of the arguments people are using to push it.

C Christopher Conover 08:24

It seems Arizona is maybe unique is not quite the right word when it comes to our voter registration. It is certainly noteworthy that we are split almost a third, a third, a third, between Republicans, PNDs/independents/however you want to call those and Democrats. So it sounds like we almost have an open system now. As you were saying, it's just the partisans can't jump back and forth.

S Steve Selvy 08:54

Correct. It's really a semi open process. So independents and pnds are certainly able to participate. And actually, in looking at states where we have open primaries and ranked choice voting, actually participation of independence and PMDs dropped, which, you know, I know that's one of the arguments, is that that it increases, but it actually, there's data that shows that their participation levels dropped. I might add that also, some of the you know, number of the states that are areas that have implemented open primaries and ranked choice voting are looking at reversing data. It's up for a vote again in Alaska, and I believe there's Idaho's looking at the same thing.

C Christopher Conover 09:40

I find it interesting, especially having covered politics for most of my three plus decades as a reporter, that this is an issue that is nonpartisan. There are Republicans and Democrats who like the idea of an open primary, and there are Republicans and Democrats who do not like the idea of an open primary. We don't see that very much anymore, that usually we could figure things out by the letter after someone's name,

S

Steve Selvy 10:11

Right, right. In fact, as far as it's my understanding that both the Arizona Republican Party and Democrat Party joined in on a lawsuit opposing Proposition 140. I can't speak for the Democrat party. I don't know where they officially stand, but they both joined in on the lawsuit opposing it. So I'm guessing that the parties are not in favor of that, because they basically the motivation behind that, I think, is eliminate the political parties.

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Christopher Conover 10:39

There's always also a question that when we have conflicting propositions, in this case, they're both constitutional, if somehow voters being voters, and I've learned to never predict what a voter will do come election day,

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Steve Selvy 10:56

Right, right.

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Christopher Conover 10:57

If both of these pass, now, what do we do? Because they seem to be in conflict with each other.

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Steve Selvy 11:03

They are in conflict. So I asked that very same question, interesting to bring that up. So what I have been told is that the one that gets the most votes prevails. It's that simple, because obviously both can't pass.

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Christopher Conover 11:15

Well, they both can't go into effect that, in theory, they could both pass.

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Steve Selvy 11:17

Can't go into affect, Both could pass. Yes, correct. They both get passed, but both can't go into effect, so top vote getter prevails.

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Christopher Conover 11:26

These seem to be we're a month out from the elections, and I just saw the first group form up. That's anti 140 officially, I haven't seen a lot that's pro the legislative no open primaries one.

Are these things that people just aren't paying attention to, or is all the money being sucked up by things like the presidential campaign, the US, Senate campaign, congressional campaigns?

S Steve Selvy 11:54

I suspect you're right. There so many ways that people are being drawn money is being spent right now. I happen to be involved in doing some fundraising myself, and people are pretty tapped out right now. They're being drawn so many different directions. So what do we have, 13 initial propositions? I think it's something like that. I know that we've been involved in trying to do some education on it, but the money that's going into supporting Proposition 140, a lot of it is dark money coming from out of state. We know that at this point, close to \$7 million is being spent to get that proposition passed. So a lot of the support against it is coming more from grassroots support.

C Christopher Conover 12:38

All right, well, thanks for spending some time with us

S Steve Selvy 12:41

sure

C Christopher Conover 12:42

that was Steve Selvy, the Secretary of the Pima County Republican Party. A couple of fact checks on that interview with Mr. Selvy. Alaskans will vote on ending their open primary system this year, but the proposition in Idaho would enshrine open primaries in the law. Also, we checked the campaign finance reports for Make Elections Fair. Arizona, as of the end of the second quarter of this year, the group had raised nearly \$7 million. Out of state contributions total less than \$280,000 and we reached out to the Arizona Secretary of State's office to see what happens if both measures pass. We didn't receive a reply in time for this recording. You are listening to The Buzz after the break. We hear from the group that got Proposition 140 on the ballot. Stay with us.

N NPR promo 13:38

The candidates for November are set. I know Donald Trump's tight between now and Election Day. We are not going back. A campaign season unfolding faster Kamala Harris is not getting a promotion than any in recent history. Make America Great Again. Follow it all with new episodes every weekday on the NPR politics podcast.

C Christopher Conover 14:02

Welcome back to The Buzz. I'm Christopher Conover. We're looking at opposing propositions this week that could alter how Arizona holds its primaries. Proposition 140 would allow all

this week that could alter how Arizona holds its primaries. Proposition 140 would allow all eligible voters to vote for any primary election candidate, regardless of party, impose the same signature requirements for all candidates for a given office, generally prohibit the use of public funds for political party elections, allow future lawmakers to determine how many candidates advance from the primary election, and it specifies that ranked choice voting would be used, should the legislature ever expand the general election beyond two candidates for each open seat. To hear the case for prop 140 we spoke with Paul Johnson. He's a former mayor of Phoenix who is a member of Make Elections Fair Arizona, which got the proposition on the ballot.

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Paul Johnson 15:01

If you were to ask exactly what it does, here are the top three things. The first thing that it does is it ensures that all independents are treated equally. There are a lot of different rules that have been passed over time that discriminate against both independent and unaffiliated voters as well as candidates. And just to give you one particular example, if you decided, as an unaffiliated voter, an independent, to run for office, if you were a Democrat, you'd need about 6,000 signatures to get on the ballot. As a Republican, you need about 6,000 you need 40,000 as an independent or unaffiliated. It's the reason why there are no unaffiliated independent candidates on the ballot. The second thing that it does is it says that you cannot take money from independents or unaffiliated voters and then not allow them to participate in the election, meaning, if you're going to run a primary and they're cut out of the process, then you can't get public taxpayers funds to pay for it. And then the third thing that it does is it creates an open primary, as opposed to a partisan primary. An open primary is not new. Open primaries are used in every city in Arizona. Nebraska has been using it for 40 or 50 years. What it does is it ensures that every voter has the right to vote for every candidate. But it also has a variety of other effects that can be incredibly positive. The bottom line is, those are the three big things that this initiative does.

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Christopher Conover 16:22

Now, one of the things I noticed you didn't say, but your opponents always say you're going to do is ranked choice voting. So let's just get it out there is this ranked choice voting or not?

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Paul Johnson 16:34

No, it's not. Remember, the job of the opposition in an initiative is to confuse you. So they're going to tell you this is like California, that it's ranked choice voting, that it's a jungle primary. They're going to give you all those things, and it's none of those things. In fact, I encourage the voters take a look what's on the ballot. It's very simple, and it is none of those things. What this does is, if you take a look at how our election system works in the primary. Today, about 70 to 80% of the voters are registered to vote. However, only a third are Democrat, a third are Republican, a third of them are independent or unaffiliated voters. When you do that math, you say, okay, well, 33% by 70% you're really talking about 21% of the public could vote in a Republican primary or could vote in the Democratic primary, less than half. However, more importantly, only about 30% of those people show up. And I can tell you, I've seen this from polling. Both sides are driven by grievances. They hate the other side, everyone else is left out. And if you do that math, you times that all out, it's about 8% of the voters will vote on the

Democratic side, about 8% on the Republican side. But here's where it gets really hideous. Of the 5,000 elected seats in America, 70% of them, the decision is made in the primary. Meaning they've gerrymandered the district to the point that it's impossible for the other party to win. So what happens in that process is, the candidates who are running and win those primaries, they never even have to reach out and talk to people on the other side. They have only spoken to those people who show up in those primaries that are grievance driven. I've run in both primaries. One of the ways to look at this and to think about the effects is when I ran for city council many years ago. I was like 25 years old. I ran in a very Republican district. At the time, I was a Democrat. Today, I'm an independent, but I knocked on doors. When I got my voter list, I got a list of every Republican, every Democrat and every independent, and I knocked on 80,000 doors. I know I spoke to 26,000 people because I wrote them a handwritten postcard and tracked their name. Well, when I would speak to Democrats, they might talk about their local park or their neighborhood school, but when I talk to Republicans, they might talk about the challenges with the street going in that was harming their business, or the problems with regulations or taxation. It wasn't hard as a candidate to recognize that maybe social programs and the ability to pay for those programs by business doing well are they're not mutually exclusive. They're connected together. Now imagine a person running for the legislature in that exact same district. In that district, they wouldn't get a list of the people who were Democrats or who were independents. In fact, they wouldn't even get all the Republicans. They'd only get the 10% of the Republicans that were going to vote in the primary. And when they knocked on those doors, for the most part, all they would hear is how much they hate the other side. After they get elected, take a look at your legislature, take a look at Congress. It's driven by people who hate the other side, who refuse to sit down and have a discussion with them. If you want better outcomes, we have to find a way to talk to people that we don't necessarily agree with, and that's what this initiative really does. It helps build bridges between these divides that we have in our country and in our state.

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Christopher Conover 19:59

As you well know, there are different laws that will govern certain elections, like a federal election versus a state election. Would this apply to our congressional elections, our US Senate elections, or does this just apply to anything that's happening only within state and local boundaries for Arizona?

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Paul Johnson 20:19

it applies to every election except for the President, and it does affect the presidential election in this one way. If you're going to keep independents out of the process, they're not allowed to participate, then you can't use taxpayers dollars to pay for it. But in all the other elections, all three of those elements that I spoke about earlier apply.

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Christopher Conover 20:40

I know that your opponents will say, and you have bipartisan opponents, you have bipartisan support on this also, but they'll say, no, no, this lets the other party meddle in our party's affairs. It should be up to us Democrats, us Republicans, to put forward our nominees, and not everybody should be allowed to play in that part of the pool. What do you say to that?

P

Paul Johnson 21:04

First, it's not meddling in the other party's affairs. This is the public's affairs. This is our affairs, the issues and the public policy. And having a government that is extremely divided and people being unwilling to talk to one another. That's not about their party. And by the way, it's not about one party over the other. This is about what kind of system do we want? If you think the existing system's working, well, there's going to be an item on the ballot, because the legislature put one on to try and help confuse the matter. That says we're going to have partisan elections forever, and it'll be in the Constitution, but if you want to try to create a change that will allow us to have a system where the divisions aren't so profound, where independents and unaffiliated voters are treated equally in the process, we're offering you something now. I will point out that Alaska did this. Did it about four or five years ago. I had on my podcast the Majority Leader of the Senate, and she, during the period of time that this initiative came up in Alaska, had opposed it. She was deeply opposed to it, and she was speaker during that period also. She today supports it. So I asked her this question. I said, Okay, explain to me why it is that you were opposed to it before and now you're in support of it. She said, All right, I was majority leader under the old Senate. She said, By the way, almost every district has the exact same partisan breakdown today as it had back then. The difference is under the old system, these were the top three issues. Number one, election denial. Number two, abortion people on either side. Number three, who uses what bathrooms? She said, the three big issues after this past have become transportation, education and economic development. It's because there's not an incentive to be promoting those issues that are the most divisive. Now, I have no doubt there are people in our society who want to promote the biggest divisions amongst us. I also have no doubt that there are a lot of people like me who would actually like to go try to fix some things, to try to make our educational system better, our transportation system better, our economy better, deal with the budget deficits. If those are the issues that you want people focused on the existing system is failing you miserably. This system creates a real chance to be able to work on those and fix them, and we have evidence that that is, in fact, true.

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Christopher Conover 21:44

long ago and far away. When I was a political science undergraduate, there was always the theory that in a primary, the candidates run to the fringes for whichever party they're hoping to represent, but then they have to tack back to the middle for the general. You're putting forward that if this system goes in, we don't run to the fringes anymore. You've got to always be in the middle, where most voters actually

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Paul Johnson 23:58

when you were in poli sci I was in office. That was how it worked. People would try to run in the primary, and then they'd tack back to the center. Today, what they do is they run to the extreme, and then there are two steps they take after that. Turn out their base, forget about tacking to the center. And then the second thing they do try to point out why the other guy is worse. That's the entire tactic today from a political standpoint. What this issue does is it forces candidates to talk about affirmationally what it is that they support, as opposed to why it is that the other guy is such a bad guy.

C Christopher Conover 24:32

And we've seen, as we were talking about before, the opposition. The legislature has put something on the ballot to kind of counter this. You all were in court, it seems like just hours ago, but it was now about a week or so ago. They're still trying the opposition to get you all kicked off the ballot, even though ballots are out for printing at this point.

P Paul Johnson 24:55

Yeah, it's fascinating, and I can tell you that there's been about \$2 million of dark money that's gone. Into this, we know where it's come from. The bottom line is this incumbents, and I can tell you why. In the existing partisan system, most of them have no opponent in the primary or the general, as long as they tack far enough left or far enough right, they get no opponent in the primary, and then their districts are gerrymandered to the point that they have no opponent in the general. That's the gold standard amongst elected officials. How do I keep from having to run a race? How do I put myself in a position where I never have to answer up to the voters? The reason they hate this is it creates real competition. They will have real competition in the primary. Now, again, I've run in this system. I can tell you the good news to that is it keeps you in better contact with the public. You understand better where they're coming from. It helps you govern better, because you understand who they are. But I get not wanting an opponent, and I can tell you the people who don't want an opponent are funding those lawsuits.

C Christopher Conover 26:00

All right. Well, thanks for spending some time with us.

P Paul Johnson 26:03

Thank you.

C Christopher Conover 26:04

That was Paul Johnson of Make Elections Fair Arizona. To clarify, Proposition 140 does allow for ranked choice voting, but only if the legislature changes state law to allow the number of candidates in the general election to be more than two candidates per open seat. We asked Mr. Johnson about his claim regarding dark money working against Proposition 140. He said that statement came from court documents that showed opponents of the bill spent \$1 million on hiring a company to check every signature on the petitions. The rest, he said, was his estimation of legal costs. And that's the buzz for this week. Tune in next week, as we talk to the candidates in a hotly contested southern Arizona congressional race. You can find all our episodes online@azpm.org and subscribe to our show wherever you get your podcast, just search for the buzz Arizona. We're also on the NPR app. Zac Ziegler is our producer, with production help from Deserae Tucker, Our music is by Enter the Haggis. I'm Christopher Conover, thanks for listening.



Nicole Cox 27:33

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