

The Rise and Fall of the 2000 Rocky Mountain Regional Primary

For three decades, reformers in Congress and around the United States have sought to replace the relatively haphazard arrangement of state primaries and caucuses which form the constituent elements of the presidential nominating process with a more “rational” system of regional primaries. Twenty-eight bills were introduced in Congress between 1972 and 1989 to achieve this result, but none were enacted (Norrander 1992, 21). The first successful cobbling together of a regional primary came in the South, where Democratic officeholders concerned with their national party’s tilt to the left fashioned “Super Tuesday,” coordinating most Southern primaries on a single date starting in 1988 (Norrander 1992). Beginning in 1996, several northeastern states also formed a “Yankee primary.”

As the process of primary “frontloading” accelerated, officials and party leaders in other regions viewed the regional primary option as

a means of either arresting further frontloading or of securing an advantageous place within the frontloaded system. Massachusetts Secretary of State

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William J. Galvin and New Hampshire Secretary of State Bill Gardner argued in early 1998 that the development of additional regional primaries might allow for a stretching out of the nomination calendar, and Galvin even offered the possibility that the Yankee primary could be moved back (Black 1998). Gardner and others expressed hope that such a movement might lead to a national system of rotating regional primaries such as that ultimately proposed in early 1999 by the National Association of Secretaries of State (NASS).

One of the most promising moves toward the formation of a new regional primary came in the interior West, where Utah Governor Mike Leavitt urged the creation of a Rocky Mountain primary. As initially envisioned, it would include Utah, Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, and Wyoming, a grouping that would account for 10% of Republican and 7% of Democratic delegates at the 2000 presidential nominating conventions (“Wyoming, Idaho Bills” 1999). At first, in an attempt to counter the pressures for further frontloading, Leavitt left open the question of when the Rocky Mountain primary should be held. Once California announced the intention to move its primary forward to early March, 2000, support quickly gravitated toward an early date for the Rocky

Mountain primary. By January 1, 1999, a coalition of Western governors declared support for a primary date of Saturday, March 11, midway between the California and New York primaries and the southern Super Tuesday on March 14. (The coalition later settled on Friday, March 10 to avoid religious objections to voting on Saturday.)

Leavitt and others argued that a Rocky Mountain primary would force candidates to pay greater attention to the interior West and to issues like mining, water law, grazing rights, and environmental regulation that get short shrift from most presidential candidates. As Leavitt said, “Currently, we are on the outside looking in on the presidential nominating process. Group the eight mountain states together and you have a powerhouse” (Barker 1998).

In early 1999, there was great optimism that all or most of the eight states would comply. By that summer, it was clear that the regional primary had faltered. In the end, only three of the original eight states—Colorado, Utah, and Wyoming—had changed their primary dates to accommodate the coalition plan. One observer argued the name of the event should be changed to the “Green River Drainage Regional Primary” (Blake 1999a) or the “Rocky Molehill Primary” (Blake 1999b). Two critical questions arise from this failure: Why did the Rocky Mountain primary sputter? And what can be learned from its failure?

Complying States

In all three complying states, supporters advanced their original arguments successfully in legislative debates. In Utah, Gov. Mike Leavitt spearheaded the regional effort and made it a top legislative priority. To a greater extent than in any other state, the governor’s prestige was tied to the outcome. The regional primary legislation (HB 91) passed unanimously in the House and in the Senate. In order to make this change, Utah had to separate its presidential from its state primary, both of which were previously held simultaneously in June.

In Colorado, the legislative leadership also made the primary move a priority. Its Senate sponsor, state Senate president Ray Powers, argued that “Our hope is by being early and being in a Western bloc, we will have enough clout to entice candidates to come to Colorado and the West to discuss our issues” (Sanko 1999). Colorado was the only state of the three to move its primary back in the calendar, but the proposed new primary date

was only three days later than the old date. Furthermore, the presidential primary was already separate from the state primary held in August, so the state would incur no additional cost (Powers 2000). As in Utah, the primary passed overwhelmingly.

Wyoming also approved the change, with little fanfare. Within a few months of the bill's passage, journalists reported that workers in the Wyoming Legislative Services office expressed skepticism that such a bill had even been introduced (Brown 1999). While changing the date of its contest, Wyoming maintained its caucus/convention system for selecting and allocating delegates; the March 10 date was set for county central committee meetings, the first step toward state conventions which select national convention delegates.

Non-complying States

Of the remaining five states, local issues and idiosyncracies trumped the arguments advanced by proponents of the regional primary.

Arizona

Arizona was the first state to reject the March 10 date, and presents the most complicated story. It is no coincidence that Arizona was the only state of the eight other than Colorado whose acceptance of the Rocky Mountain primary proposal would have required a move backward in the primary calendar. In 1996, Arizona had moved its primary forward to a position as one of the earliest contests at the urging of Sen. John McCain and Gov. Fife Symington, who hoped the February date would benefit the presidential campaign of Texas Sen. Phil Gramm (Mayes 1999). Ironically, Gramm withdrew from the race before the Arizona primary, but the Republican primary carried significance nonetheless. Steve Forbes finished first, further tarnishing Bob Dole's credentials as frontrunner, and Pat Buchanan's loss abruptly ended whatever momentum he had accrued as a result of his win in New Hampshire.

Given the importance of the Arizona primary in 1996, Arizona Republicans were unwilling to subsume their primary in a later regional grouping. Additionally, speculation was rife that "Arizona Republicans wanted an early primary for their guy [i.e., McCain]" (Brown 1999; Powers 2000). State Republican chairman Mike Minnaugh claimed that Arizona's early date would make it "the gateway to the West," while Steve Forbes' Arizona campaign director Bert Coleman implicitly argued that an early Arizona primary could serve much the same purpose as a regional primary, saying "Unlike years past, when Republican candidates ignored the West, that's not the case anymore. Candidates must pay attention to the West and Arizona is right in there" (Mayes 1999).

Opponents also raised logistical concerns. Local election officers worried that they would have insufficient time between the March 10 presidential primary and the local elections scheduled by Arizona state law for March 14. To alleviate this difficulty, officials suggested that the presidential primary could be made a mail-ballot election, but Democrats pointed out that the distribution of mail ballots would have to begin before March 1, thus violating the Democratic National Committee primary "window" (Funkhauser 2000).

Despite having rejected the regional primary in January 1999, a late legislative maneuver nearly succeeded in shifting the Arizona primary not to March 10 but to March 14, the same day as the southern Super Tuesday (Moesser 1999a; Moesser 1999b). To accomplish this change, supporters abruptly

attached an amendment to an arcane bill regarding ballot stubs. The amended bill appeared headed for enactment until a political firestorm ensued and the original bill's sponsor blocked final consideration. Media accounts named at least three suspects. First, contradicting assessments that John McCain wanted an early primary to boost his presidential campaign, McCain expressed support for, and was suspected of actually engineering, the three-week delay. At the time, he was trailing George W. Bush in Arizona polls by as many as eight percentage points, and critics accused McCain of hoping to minimize his risk by burying Arizona later in the calendar and in combination with several other distant states. For his part, McCain said that he supported the change in hopes that coordinating the presidential primary with local primaries would boost primary participation.

Though McCain expressed support for the late change, Gov. Jane Hull, a strong Bush supporter, also favored the three-week delay. House Speaker Jeff Groskost pointed to "people in George W. Bush's camp who are concerned that if he finished third here [behind McCain and Forbes] that early it would be a very bad omen for him . . . they would just as soon not have it at that time" (Moesser 1999b). Not to be outdone, many Democrats strongly supported the move as well, because of Democratic national party rules that prohibit Democratic delegate selection contests prior to March 1 except in Iowa and New Hampshire. A February 22 primary date meant that Republicans could hold their primary at state expense but Democrats would have to hold their primary weeks later at their own expense. A March 14 primary date would have solved this problem for state Democrats. Indeed, Democratic state party chairman Mark Fleisher claimed that "I don't think [McCain] has anything to do with it. We're the ones who pushed real hard not to do it in February" (Moesser 1999a). Whoever was responsible for the last-minute attempt to delay the Arizona primary, the status quo prevailed and the February 22 primary date survived.

Idaho

The first signs in Idaho were positive regarding the Rocky Mountain primary. In early March 1999, the Idaho Senate leadership committee endorsed a bill to adopt the March 10, 2000 primary date, followed by passage by the whole Senate by a vote of 28-5. Not long after, however, the bill was narrowly killed in the House (27-29, with 14 absent) by legislators who were concerned with the expense involved in holding a separate presidential primary (Brown 1999). The option of moving both the state and presidential primaries to March 10 was also unattractive to many legislators who did not want to risk the possibility of facing primary challenges in mid-session (Idaho Secretary of State 2000).

Montana

Like Idaho, Montana came quite close to adopting the March 10 primary. First, the House State Administration Committee unanimously approved the legislation to accomplish the change, then the full House approved the bill by more than a 2-1 margin. The Senate, moving at a more leisurely pace, passed an amended version of HB 490 by a 29-21 margin, and appointed a conference committee to resolve differences between the two versions. As time ran out in the session at the end of April, the Senate narrowly approved the conference report but the House, which voted for the report 50-48 on second reading, defeated it 49-50 on third and final reading ("Montana panel" 1999; Blake 1999b; Montana State Legislature).

Foremost, the Montana legislature was unable to resolve disagreements over how to fund the primary, estimated to cost \$200,000–\$500,000. Aside from the simple cost, some legislators feared that, even as part of a regional primary, Montana would not draw enough candidates' attention to make an earlier primary worth the expenditure. A secondary argument against changing Montana's primary date was the failure of many of the eight targeted states to coordinate their primaries, a failure which had already become obvious by late April 1999. And, like their colleagues in Idaho, Montana lawmakers were ultimately unwilling to move their June state primary up to March ("Legislature rejects" 1999; Kerwin 2000).

Nevada

Late in the legislative season, news analysts still considered Nevada "committed" to the Rocky Mountain primary along with Colorado, Utah, and Wyoming ("Daily Briefing" 1999). It was the last of the non-complying states to drop out of the effort. The Assembly Elections, Procedures, and Ethics Committee did not act upon the proponents' first attempt, but the idea was resurrected later in the session as a new Senate bill. Passed by the full Senate, the Assembly Ways and Means Committee killed the bill near the end of the session. Some observers blamed partisan gridlock between a Republican governor and Democratic legislature (Brown 1999; Powers 2000). The official record of the May 30 Ways and Means Committee meeting paraphrases Assembly Speaker Joe Dini as testifying that "There were some problems within the National Democratic Party and the State Democratic Party and his personal philosophy in reaching a consensus regarding the bill" (Nevada State Legislature). Most importantly in this respect, Democrats in Nevada feared that Democratic national party rules would disallow a March 10 primary because absentee ballots would be distributed prior to the March 1 Democratic "window." Additionally, the estimated \$1 million cost discouraged many Nevada lawmakers (Crowell 2000).

New Mexico

As in the case of Nevada, New Mexico's Democratic legislature refused to accept the Republican governor's recommendation that it adopt the coalition's regional primary proposal. However, it reached this decision much earlier in the session than in Nevada. Indeed, only Arizona dealt more summarily with the issue: the bill mandating the primary change to March 10 never got out of committee. As in the case of Nevada, some intimations of partisanship in New Mexico's divided government were heard (Brown 1999), but a bevy of more substantive arguments also were brought to bear by opponents of the measure.

Logistical concerns were raised not only by legislative opponents but by the secretary of state's office, which pointed out numerous flaws in the primary's design. In order to hold down costs for the presidential primary, SB 520 allowed (and proponents envisioned) measures including significant consolidation of election precincts and/or use of a mail-ballot election. The fiscal impact analysis done for the legislature estimated a cost of only \$1,175, a far cry from the half-million dollars or more estimated by many of the states that ultimately rejected the March 10 primary due to cost.

However, the secretary of state's office became skeptical when the bill called for that office to administer the mail-ballot election with no increase in staff (Lamb 2000). The proposed consolidation of precincts was also highly problematic from a variety of standpoints. Representatives of the secretary

of state's office testified that "Consolidation in urban areas such as Albuquerque, Santa Fe, and Las Cruces might result in heavy voter concentration and delays in vote casting, while consolidation in most rural areas will result in many voters having to travel quite some distance." Furthermore, "consolidation will most likely not be permitted" in rural counties operating under federal voting rights consent decrees, because of potential negative impact on American Indian voting turnout (New Mexico State Legislature).

Politically, legislators faced a quandary. If the presidential primary was moved up to March 10 and the state primary remained in June, legislators feared the negative turnout effects of stripping the June primary of its top-of-the-ticket attraction, with unpredictable electoral consequences. And if the state primary moved up along with the presidential primary, legislative primary campaigns would become too entangled with the legislative session (Lamb 2000). This latter problem was also cited in Idaho and Montana.

The Rocky Mountain Primary and the Future of Regional Primaries

Scholars and practitioners can draw five broad lessons from the failure of the Rocky Mountain regional primary. First, centrifugal forces are powerful and difficult to overcome. Of the five states that rejected the March 10 primary, each had its own peculiar set of reasons. Three legislatures feared the political effects on themselves of either an early state primary or a state primary divorced from a presidential primary; three were seriously concerned with the added expense incurred; two may have been influenced by partisan division between the governor and legislature and by tensions between the proposed primary legislation and Democratic national party rules; two rebelled against logistical difficulties; and one was unwilling to surrender its earlier and more influential position in the primary calendar, and may also have been affected by calculations regarding the interest of a favorite son and other presidential candidates. In no case were the arguments advanced by supporters of the regional primary directly refuted. Rather, those arguments were simply superseded by more immediately vital parochial issues. This outcome should lead to some skepticism about whether it is realistic to piece together a voluntary system of rotating regional primaries, either region-by-region or on the basis of the NASS plan, no matter how "rational" it might appear.

Second, it may not be an insignificant fact that the Rocky Mountain regional primary was originally conceived and pushed by the governors of the eight targeted states. Legislators from some (but not all) of the eight states were involved in a strategy summit in Salt Lake City to help launch the campaign for the regional primary, but governors drove the process. The southern Super Tuesday, in contrast, was a product of a plan devised and coordinated by legislators in the form of the Southern Legislative Conference (Norrande 1992). Governors propose but legislatures dispose, a reality reaffirmed in this effort.

Third, the collapse of the Rocky Mountain regional primary may indicate that the prospect of enhanced regional clout offers an insufficiently strong incentive to overcome the inertia and centrifugal forces mentioned above. Super Tuesday was put together by southern Democratic legislators for reasons of ideology and, even more fundamentally, electoral survival. They were, in short, determined to try to end the national dominance of the left wing of the Democratic Party, not least because they feared being driven from office by the local undertow consistently emanating from the top of the ticket. Arguments for the

Rocky Mountain primary were generally more amorphous and those considering the change had a smaller stake. Common regional interests alone were insufficient to overcome inertia. Indeed, in most states the hard political reasoning militated against, rather than for, a March 10 regional primary.

Fourth, self-organized regional primaries offer no cure for primary frontloading. Not only are they extremely difficult to arrange and enforce, but the natural tendency of regional primary organizers will be to place primaries early rather than late. The same imperative that drove the Rocky Mountain governors—to maximize regional leverage over nominating

outcomes—drove them to pick what was at the time a date toward the beginning of the primary season.

Finally, the experience of the Rocky Mountain regional primary, like the experience of Super Tuesday, provides cautions against the ironies which can attend such efforts. By the end of 1999, Utah Lt. Gov. Olene Walker (whose responsibilities include elections) was lamenting that regional primary supporters “thought we’d be one of the first . . . now, 22 states are ahead of us” (Brown 1999). The law of unintended consequences almost always intrudes on institutional reform, a rule reformers in both parties would do well to remember.

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