

NASS Elections Subcommittee on Presidential Primaries – 02/12/11
MEETING MINUTES

NASS 2011 Winter Conference
Elections Subcommittee on Presidential Primaries
Friday, February 11, 2011
JW Marriott
Washington, DC
2:15 PM – 3:15 PM

Members Present:

Hon. Sam Reed, WA – Co-Chair
Hon. Linda McCulloch – Co-Chair
Hon. Tom Schedler, LA
Hon. John McDonough, MD
Hon. Ross Miller, NV
Hon. Bill Gardner, NH
Hon. Ken Bennett, AZ
Hon. Ralph Mollis, RI (by proxy)
Hon. Tre Hargett, AZ
Hon. Jim Condos, VT

Other Secretaries Present:

Hon. Denise Merrill, CT
Hon. Scott Gessler, CO
Hon. Ben Ysursa, ID
Hon. Jon Husted, OH
Hon. John Gale, NE
Hon. Jason Gant, SD

Staff Present:

Ms. Kay Stimson, NASS Director of Communications & Special Projects
Ms. Leslie Reynolds, NASS Executive Director

Welcome & Roll Call

The meeting was called to order at 2:20 PM. Secretary Reed began the session with an overview of the NASS Rotating Regional Presidential Primaries Plan, which incorporate some of the frontloading statistics and other information from the 2008 presidential primary cycle. Secretary Reed urged members, particularly new members, to give consideration to the NASS plan and urged them to work through the Committee to improve the process for American voters.

Presentation: State Legislative Activity Update for 2012

Secretary Reed introduced NASS staff liaison Kay Stimson to give an update on state legislative activity for 2012. Ms. Stimson began by stating that it is too early to try and distribute a calendar for 2012. By the time one could be put together, it would have changes. She said there is vigorous activity on primaries in state legislatures right now. She urged members to follow this activity on the National Conference of State Legislatures' website, or via a non-partisan blog: www.frontloading.blogspot.com.

She said much of the information in her report is based upon these two sources, as NASS does not have the resources to track legislation in all states. She began by stating that roughly a dozen states are considering changing the date of the state primary. Ms. Stimson noted there are 18 states with presidential primaries currently scheduled for February 2012. Hence, they would hypothetically be in violation of both parties' delegate selection rules.

Looking at state activity, Ms. Stimson said that frontloading is not as appealing to states this time around. She said that most states are looking at moving their presidential primary to a later date, as this has been mandated by both sets of party rules for 2012. Virginia, Tennessee, California and Oklahoma lawmakers have taken up legislation to move their primaries back and put them in compliance with both sets of national party delegate selection rules for 2012. Florida is also considering legislation to move its primary from January to March, but there is some question about whether there is enough support to pass the bill. If Florida doesn't change its date, Iowa, New Hampshire, South Carolina and Nevada may bump up ahead of them in January. Ms. Stimson said Maryland is also considering legislation that would have the effect of moving the presidential primary from February to April and the primaries for state and local offices from September to June. She noted that Arkansas, Illinois and the District of Columbia have already moved back for 2012, while Idaho moved its primary ahead to mid-May.

Ms. Stimson then added that some states may be looking at canceling their presidential primary for 2012. Saving money is a key consideration in states where the presidential contest has been held on a different date than the regular primary elections. Washington is considering this type of legislation. Meanwhile, Montana Republicans have cancelled their caucuses and plan to use the state's June primary to pick their delegates.

Ms. Stimson said that Kansas, a state that typically does not fund a presidential primary, has some unique legislation under consideration that would give the Secretary of State an increased role in establishing the presidential primary date (if the state holds one).

She said that Secretary Husted of Ohio had already expressed some concerns about his state's March primary date for 2012 in the event that his state cannot complete its legislative and congressional redistricting process well enough in advance of that timeframe.

Finally, Ms. Stimson pointed out that information provided by NCSL shows that at least 14 states are considering changing the type of primary they operate (open versus closed).

She said that NASS has one other issue to consider heading into 2012. The late timing of the nominating conventions will create an extremely tight timeline for printing and mailing absentee ballots for the November presidential election. NASS has sent letters to both the RNC and the DNC noting these concerns. She said they are aware of these member concerns and want to work with NASS to help deal with any issues.

Presentation: RNC Rules on the 2012 Presidential Primaries

Secretary McCulloch then introduced former RNC Rules Committee Chair David Norcross, who has addressed NASS in the past on behalf of the RNC. Mr. Norcross stated that something remarkable happened in 2008. Despite party rules that made it difficult to discuss rules changes at the same time as

the DNC - or in the same fashion - both political party organizations were able to update their rules for 2012.

Working with DNC Rules and Bylaws Committee Chair Jim Roosevelt, it became clear that both parties had the same end goal: move back the start date of the presidential primaries. Mr. Norcross was happy to say that has happened. It didn't happen in the same way, but both provide that nothing starts before February 1. The RNC has tried to create more substantive, meaningful penalties for states that fail to comply with party rules.

Mr. Norcross noted that over a period of twelve years, the RNC considered a variety of reform proposals, including the NASS plan. Over the years, it became clear that simpler would be better. Hence, he noted that the party has established a simple, clear-cut schedule that allows states flexibility to determine their primary dates. Iowa, New Hampshire and South Carolina will go before February 1.

He said the most notable element of the process for 2012 is the penalty for going early. If a state holds its primary between March 1 and April 1, a portion of its delegates must be selected proportionately. Mr. Norcross noted that this is a new concept for RNC members, and not one to take lightly. He said most states have a winner-take-all system of delegate allocation and candidates tend to focus on those states. He noted that many presidential candidates will have less incentive to visit a state that is using the proportionate system.

Presentation: Democratic Change Commission

Secretary McCulloch gave a short presentation summarizing the work and recommendations of the DNC's Democratic Change Commission, highlight two presentations that she has delivered at past NASS conferences.

Presentation: DNC Rules on the 2012 Presidential Primaries

Secretary McCulloch introduced Jeff Berman, a DNC Committee Member who served as National Delegate Director for the 2008 Obama for President campaign.

Mr. Berman gave a brief overview on the creation of the Democratic Change Commission. Its purpose was to study and make recommendations to improve the timing of the presidential nomination processes, reduce the number of unpledged delegates and improve the caucus system. He thanks Secretary McCulloch for briefing everyone on this process as well.

Mr. Berman noted that states now have a window to hold a primary or caucus between March 6, 2012 and June 12, 2012. Events held outside of that window will be subject to an automatic penalty, with the potential for further penalties. He noted the DNC also provides incentives for states that move back. They have "timing bonuses" for states that hold their contest from April 1 to April 30 (10% bonus in delegates) and states that hold their contest from May 1 to June 12 (20% bonus in delegates). Mr. Berman ended by stating that all state parties have received the rules governing the process. Their plans are due to the DNC by May 2, 2011.

There were no action items for the Committee. There being no further business, the meeting adjourned.