

## **Summary Brief of Utah Legislators, Current and Former**

### **Why Utah's Caucus-convention System Works**

The Utah Republican Party ("Party") has historically selected nominees through a caucus-convention system. Every two years before elections, Party members gather by neighborhood to elect delegates and Party Leadership. The delegates vet candidates on behalf of the neighborhood, and then, at a subsequent convention, either select Party nominees outright or narrow the field of contenders to two.

Utah's caucus-convention system has great advantages that the Party has benefited from for many years. The main advantage of the caucus system is that it forces nomination seekers to focus on their message. In contrast, money or popularity are not a major focus for those seeking the nomination. In fact, the Party's system makes the election process accessible to those who don't possess wealth or connection, and obtaining a Party nomination on minimal funds is realistic. These benefits are largely derived from the role of the caucus delegates. The role of a delegate is to interact with candidates and "give all candidates a fair hearing" and not "blindly support" candidates simply because they are popular. In many races, nomination seekers do not need a campaign staff at all. They don't need television ads. They don't need fame or fortune—they just need themselves and their message to the delegates because personal interaction is most valued.

### **SB54 in Review: Power, Money and a Loss of Interaction**

Senate Bill 54 ("SB54") was enacted in 2014, and it essentially strips away the benefits and power from the caucus-convention system. The idea of SB54 came about after Senator Bennet lost the Party's nomination in 2010. Powerful special interests allied with Senator Bennet were concerned that Senator Bennet's loss meant that the caucus system limited their power in Utah politics. This concern led to the creation of Count My vote.

Shortly before the Party's 2010 Convention, lobbyist LaVarr Webb invited upwards of thirty business leaders to meet at a local club to discuss alternatives to the caucus-convention system. Among these business leaders were the CEO of Zion's Bank, President of Ken Garff Auto Group, a former president of the Salt Lake Chamber of Commerce, and former governor Mike Leavitt. These discussions led to their 2013 launch of the Count My Vote ballot initiative, and it was supported by powerful interests in Utah. LaVarr Webb's publication Utah Policy explained that "[a]s expected, CMV's donation list is a Who's Who of Utah business, civic, and political institutions." Once the Utah Legislature incorporated the initiative language into SB54, however, the group halted its initiative efforts, since SB54 achieved their goal: they now had a way for their candidates to obtain Party endorsement for the general election ballot without having to deal with the Party's message centered caucus-convention system. Once SB54 passed, they created a political action committee "CMV PAC" to make contributions to their candidates and target others for defeat in the first election cycle subject to the State's new scheme, a scheme under which money has a much greater impact on outcomes. These powerful special interests were now less accountable to the interactions with caucus delegates, and could spend money at will to buy their influence.

What is lost with the passage of SB54 is the personal interaction between that occurs between delegates and nomination seekers. Such interaction with every single primary voter simply is not possible. The Party's caucus system not only enables personal interaction, but success requires that interaction. Even Senator Bennett recognized: "Every one of [the delegates] is going to expect me personally in his living room, her living room, knee to knee, answering all the accusations and all of the problems that they will have heard..."

---

35 current and former State Senators and Representatives from Utah's Legislature signed on to this amicus brief: Utah State Senator Keith Grover; Utah State

Representatives Kim Coleman, Brian Greene, Steve Handy, Timothy Hawkes, Ken Ivory, Michael Kennedy, John Knotwell, Karianne Lisonbee, Travis Seegmiller, Marc K. Roberts, Adam Robertson, Casey Snider, Kyle Andersen, Brad Daw, Joel Ferry, Logan Wilde, Lee Perry and Speaker of the House Brad Wilson; former-Senators Margaret Dayton, Stuart Reid and Scott Jenkins; and former-Representatives Justin Fawson, Craig Frank, David Lifferth, Patricia Nix, Michael Noel, Ken Sumsion, Mike Thompson, Matt Throckmorton and Carl Wimmer, Fred Cox, Chris Herrod, Jim Nielson and Curtis Oda.