

OPEN PRIMARIES

Testimony of Jeremy Gruber, SVP of Open Primaries
House State Administration Committee
April 14, 2023
SB566– Opposition

Madam Chair and Members of the Committee,

My name is Jeremy Gruber and I am the Senior Vice President of Open Primaries. We are a national nonpartisan, non-profit organization dedicated to developing more open election systems. You might expect our organization to be supportive of SB566 but as long as this bill applies to a single race and is imposed as part of a process that excludes the full input of Montana voters we are opposed to it.

As an expert on election reform, I travel our great country working with local citizens and elected leaders alike who want to make their state's primary election system more inclusive, representative and fair. South Dakota, Wyoming, Pennsylvania, Rhode Island, Oregon, Florida, Oklahoma, and Nevada are just a few states where elected officials and citizens of all political persuasions are involved in meaningful debates about whether and how to reform their state's primary elections. This is a conversation taking place all across the country. And there are many different policy alternatives being discussed.

Our organization has always believed that every state should adopt a primary system that best serves their citizens, because the strength of American democracy has never lived in one size fits all policy making. Rather, the real strength of American democracy lies in the process of citizens-directly and through their elected leaders- asserting their right to create a more perfect union. It is that process of the people investing in reform that immunizes whatever policy that comes out of it from manipulation. Indeed, it is a prerequisite of reform that the people themselves both want it and have a hand in creating it.

It is therefore telling that so many supporters of election reform in the state of Montana--inc supporters of top two primaries-Republican, independent, Libertarian and Democrat alike-oppose SB566.

Changing any state's primary election system demands a healthy open debate not an insider ploy to use the appearance of reform to try to affect the outcome of a single election. Top two is a form of primary that is growing in popularity. It's been in place in Nebraska for 90 years, Washington for 20 years, and California for 13 years - and is used in cities across the country, (including many in Montana). It's an effective system. The problem with SB566 is not that it proposes bad policy. The problem is that by applying it to a single race and outside of an open

conversation with citizens, it weaponizes good policy to serve narrow partisan interests. And that is bad for the citizens of Montana, poisons genuine debate about reform, and contributes to voter cynicism about our greatest inheritance, our democratic republic.

Montana has been a state committed to fairness, a level playing field, and local control, when it comes to politics and elections. That's why the state has nonpartisan voter registration, open primaries, and a unique system of county elections that allows each county to decide whether to hold partisan or nonpartisan elections. SB566 runs contrary to Montana's history and culture of good faith and common sense.

I therefore ask you to consider a more thorough conversation with citizens across the state about what, if anything, Montanans really want to change about their election system. This body could play a positive role in bringing together citizens to engage in such a process and promote legislation that comes out of it. We're happy to participate in any way that would be helpful.

Thank you