

WALL STREET JOURNAL

CALIFORNIA'S NEW PRIMARIES MAY BE COLORING IMMIGRATION DEBATE

By Laura Meckler
August 23, 2013

The effort in Washington to overhaul immigration law has become a test of whether California's new election system, which scraps party primaries, is having the intended effect at pushing lawmakers to the political center.

At least four Republican House members from California are supporting some sort of path to citizenship for illegal immigrants, while a half-dozen others appear open to an immigration overhaul. GOP delegations from other states, on the whole, are neutral, skeptical or opposed to a broad rewrite of the laws.

The stance of California lawmakers reflects many factors, including the state's large population of Hispanics and its strong agricultural and high-tech interests, all of whom overwhelmingly favor an immigration overhaul. But people who follow state politics say another prominent consideration is that California lawmakers no longer run in party primaries. In California's system, backed by voters before the 2012 elections, candidates compete among all voters, not just those in one party, with the top two finishers advancing to the general election.

In general, the major parties oppose the change in election rules, as do minor parties and their supporters, who complain that they can never make it past the first round of voting. "I hate it, despise it and think it is wicked," said Shawn Steel, national Republican committeeman from California. "It devalues both political parties and undermines democratic choice."

Supporters said the change would temper the influence of each party's most active and ideologically driven voters, who tend to hold significant influence in party primaries. "The open primary system makes you more responsive to your entire district," said Rep. Jeff Denham, a Republican from the Central Valley who supports a path to citizenship for illegal immigrants. "If a member leans far to one side of the political spectrum," it will hurt him politically, he said.

Among Democrats, the effect so far is unclear. But it could surface in this fall's budget and debt-ceiling talks, which could include proposals that are divisive in the party, such as plans to revamp and possibly scale back growth of Social Security benefits. The new system could create incentives for Democrats in some California districts to take a more centrist position in order to reach a broad fiscal deal with Republicans.

The primary system appears to be a factor in some GOP lawmakers' deliberations on immigration, analysts say. Robert Lapsley, president of the California Business Roundtable, said Mr. Denham's stance is "unequivocally" influenced by the fact that he won't face conservative opposition in a GOP primary next year, adding, "He would have a completely different challenge."

Analysts also point to GOP Rep. Paul Cook, who in 2012 advanced from the newly configured primary to a November election against a fellow Republican who was an anti-illegal immigration activist. Under the earlier primary system, Mr. Cook might never have made it to the general election, analysts said, where he drew Democrats and independents. Mr. Cook has yet to flesh out his views on immigration legislation.

"It boils down to this: If the entire country voted with California's primary system, the chances of an immigration bill emerging from the House would be much, much greater," said David Wasserman, a House analyst at the nonpartisan Cook Political Report.

Analysts also cite California's nonpartisan system for drawing congressional district lines as affecting the immigration debate. Unlike most states, where legislators draw House district lines with politics in mind, California gave the redistricting job to a citizens' commission, asking them to ignore partisan considerations and instead to keep "communities of interest" intact.

Republican Rep. Gary Miller was a vocal opponent of illegal immigration until his district was redrawn after the 2010 census. He landed in a district that is about half Hispanic and now says he is studying the issue. "I take my responsibility to represent the views of my constituents when forming federal policies very seriously," Mr. Miller said in a statement.

Mr. Lapsley sees one example of the new system affecting Democratic policy stances on the state level. In the Los Angeles area, he said, a generally centrist Democrat, Raul Bocanegra, beat a more liberal candidate for a seat in the state Assembly, in part because they were battling among all voters, not just Democrats, he said. Mr. Bocanegra, who became chairman of the Revenue and Taxation Committee, then helped put on hold a proposal that would have indirectly increased local taxes on commercial property. Mr. Lapsley argued that a more liberal lawmaker might have supported the tax increase.

Some say it is too early to tell whether the new system will truly affect elections and policy debates. "This is a whole lot of 'it depends' and a bunch of 'who knows,' " said Rob Stutzman, a GOP consultant in California. Similar primary systems are in place in Washington state and Louisiana.

Colorado may revamp its candidate-selection process, with some pitching a system similar to California's. State GOP Chairman Ryan Call isn't big on the idea. "Voters deserve a clear choice," Mr. Call said. "I'm not sure it's healthy for the process to always try to drive candidates toward the milquetoast middle."