



THE LEAGUE  
OF WOMEN VOTERS  
OF COLORADO

1410 Grant, B-204  
Denver, Colorado 80203  
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August, 2002

## PRECINCT CAUCUS/ASSEMBLY STUDY

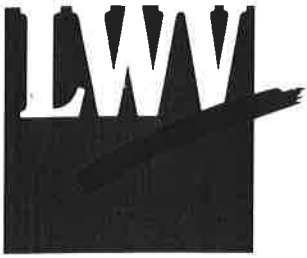
Enclosed you will find Leader's Guide Materials and Survey Questionnaires for the 2 year Caucus/Assembly Study. Included are:

- # Background Information
- # Colorado Definitions and Statutes
- # History of "Caucus"
- # Pros and Cons of the Caucus/Assembly System
- # States that use the Caucus/Assembly Process for Party Nominations
- # States that do not use the Caucus/Assembly Method
- # Party Affiliation in the Primary Process
- # The LWVCO Caucus Survey Form
- # LWVCO Caucus Survey Results (from political leaders)

The suggested time for the local study unit is approximately 1-2 hours. We would like presentations to be made at the first unit meeting in October if possible, in order that results may be tallied and subsequently reviewed by the State Board prior to their December 4<sup>th</sup> meeting. (This study should also be of educational value if an initiative to eliminate the Caucus system appears on the November ballot.) Consensus Questions will be forwarded to you in January/February and we ask that you set aside time in a March/April meeting for your consensus.

Please forward the completed survey forms, along with your compilation of the results to: LWVCO, Attn: Gari Westkott, 1410 Grant St., B-204, Denver, CO 80203 by November 25<sup>th</sup> at the latest. If you have any questions please contact either Gari Westkott, at (303)986-4792, or e-mail, [WestkottG@aol.com](mailto:WestkottG@aol.com).

Committee Members: Co-chairs: Wayne Knox and Gari Westkott  
Mary B. Gilroy, Vicki Harimon, Pat Buchanan, Mary Ann Greenhill, Judith Janay, Amy Truby, and Mary Hess.



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**LEAGUE OF WOMEN VOTERS OF COLORADO  
CAUCUS/ASSEMBLY STUDY**

Our charge was to “conduct a statewide study of the Colorado caucus system, to include the following aspects of the process: background of the precinct caucus system, value of the process as perceived by the membership, value of the process as perceived by local political entities. The goal would be to determine if this is a valuable and necessary step in the Colorado political process.”

Since 1992 when the state of Colorado conducted its first presidential primary and used this method to select the party nominee instead of the caucus method, attendance at caucuses seems to have made a significant downturn. No longer were there to be the heated discussions as to which Democrat or which Republican would be the best candidate to head the party ticket. With the demise of this friendly debate seemed also to go the interest in state and local offices. With attendance falling off dramatically, the question to be studied is do caucuses have any value in the present process? Firstly, it must be noted that the caucuses, i.e., rental of rooms, distribution of materials, coffee/cookies, etc., are paid for by the particular political party involved, not by the government at taxpayers' expense. Yet even then, are they worthwhile to continue? Figures on attendance are sporadic but they do show this decrease. In 1998 Larimer County Democrats had approximately 1.4 persons per precinct show up for their precinct caucus; Jeffco Dems, 2.2; Boulder Dems, 6.1; while Arapahoe Republicans had 6.8; Adams County Republicans, 2.3; and Jeffco Republicans, 7.2. Of the 1200 seats set aside for Arapahoe Democratic delegates at the county assembly only 250 persons participated; and at the state assembly level in the year 2000 virtually every county (Arapahoe, Boulder, Denver, El Paso, Jefferson, La Plata, Larimer, etc.) had seating available for more than the number of persons willing to participate as delegates in both parties.

Clearly participation as we used to know it has dropped off. Why?  
Some reasons frequently mentioned are:

- Inadequate civic education at the schools and universities
- Feelings of inefficacy – that political participation and engagement cannot make a difference in our political system
- How the media present (or do not present) important political issues
- No interest in state or local politics- interest only in the Presidential race
- No interest in joining a political party because they don't want the literature and they don't want to be solicited.
- Lack understanding of the primary, i.e., that it does not commit one in the general election.

## COLORADO DEFINITIONS AND STATUTES

The CAUCUS/ASSEMBLY/CONVENTION system and the PETITION method are used to place major party candidates on the ballot<sup>1</sup>.

- **PRECINCT CAUCUS:** A meeting of eligible registered voters in a precinct (about 1000 to 1500 active voters), held the 2<sup>nd</sup> Tuesday in April.
- **ASSEMBLY:** A meeting of party delegates, held 10-30 days after the CAUCUS, to designate candidates for nomination at a subsequent primary election.
- **CONVENTION:** A meeting of party delegates, held to designate delegates to other political conventions and for other political purposes (e.g., to elect party leaders and to create resolutions for the party platform). Convention and Assembly delegates are essentially the same people, who just change hats during the meeting. For this study, the two groups will be lumped under the title "ASSEMBLY."

### Caucus proceedings:

- To vote, one must be a precinct resident 30 days, registered to vote 29 days before the caucus, and affiliated with the party at least 2 months. No proxies are allowed.
- The caucus elects two committee persons (precinct chairs). It also selects delegates to the county assembly in proportion to the percentage of votes obtained for each candidate and number of seats to be filled. Attendees may also sign up to serve as election judges.
- Any caucus member may submit ideas or resolutions for the party platform.

### Assembly proceedings:

- Delegates vote for the party candidate of their choice. To qualify as a candidate, one must have been affiliated with the party for at least 12 months preceding the assembly.
- For a candidate to qualify for the party's primary ballot, s/he must receive 30% of the votes of the delegates. If no candidate gets 30% after two ballots, the two candidates with the highest numbers of votes are certified as the party candidates.
- Candidates who receive between 10% and 30% of the assembly vote may petition onto the ballot. Candidates receiving fewer than 10% may not get onto the ballot. The winning candidate receives the top line position on the primary ballot.

Candidates may elect to use the PETITION method directly, bypassing the caucus/convention method entirely. All petition signers must be affiliated with the party named for at least 29 days. They must intend to vote for the candidate they sign for, not sign a petition for any other candidate for the same office, and be a resident of the political subdivision for which the candidate is to be elected. The number of qualified signatures needed depends upon the office sought.

- County offices: 20% of the votes cast in the last primary for that party's candidate.
- General assembly, District Attorney, and any office greater than a county office: the lower of 1000 signatures or 30% of the votes cast in that political district at the last primary for that political party.
- State offices: 1500 signatures from each Congressional district (10,500 total).

The petition or assembly certificate must be filed with the secretary of state.

- Candidates certified by the assembly are placed on the primary ballot in the order of the number of votes received at the assembly. The names of candidates who get on by petition follow the assembly candidates in an order established by lot.

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<sup>1</sup> Minor parties and unaffiliated voters are excluded from this study. Even if they have caucuses, they do not capture the required 10% of the previous gubernatorial votes that allows them to place names on the primary ballot by certificate, and therefore they must use the petition method exclusively to get onto the ballot.

## **PROS AND CONS OF THE CAUCUS/ASSEMBLY SYSTEM**

Arguments in favor of the caucus/assembly method of placing names of candidates on the primary ballot include:

1. The caucus is the most grassroots way of involving citizen participation
2. Because there is such disinterest by the general public in politics in general, it makes more sense for the party activities who know their talents better to pick the candidates.
3. The caucus is a time for social and community development
4. The caucus is the time to actually meet some of the candidates themselves
5. The caucus allows the party regulars to have a say in the party platform

Arguments in favor of eliminating the caucus/assembly method and replacing it with petition/and/or fee method of placing names of candidates on the primary ballot include:

1. The caucus method may be determined by favoritism rather than merit
2. Attendance is poor
3. The political party could use their money more wisely to help promote candidates.
4. Party activists who show up at these functions tend to pick more extreme candidates.

## **HISTORY OF THE "CAUCUS"**

The term "caucus" refers to a meeting of members of a political party within a precinct or ward, county, state legislature, or national Congress. The word was also used in Britain, with a similar meaning. The derivation of the word is unclear, being described variously as Latin, Greek, or Algonquian Indian. (Encyclopedia Americana).

The intent of the precinct caucus is to have a grassroot's method of electing candidates to government offices. A second, but important, aspect of a precinct caucus is the contribution of ideas from ordinary citizens. At the precinct caucus any registered party member may suggest issues of support or opposition to a policy, principle, or law. With mutual support from others of his/her party, these issues then become part of the party's platform.

The Colorado State Constitution requires that precincts or wards shall be established by the county commissioners. Precincts were established in Colorado's first counties, even before statehood. (Semi-Centennial History of the State of Colorado, Vol. I, Lewis publishing Co, 1913) There is no mention of the word "caucus" in the Constitution, but this term immediately became commonly used to describe the meeting of the precinct, as the "precinct caucus". ( Numerous newspaper articles in the Denver Times and Rocky Mountain News, at least 1879 and later.)

## STATES THAT USE CAUCUS/ASSEMBLY PROCESS FOR PARTY NOMINATIONS

**Colorado** Any candidate receiving 30% of the assembly delegate vote automatically earns a place on the primary ballot. Candidates receiving between 10%-30% may petition onto the ballot. Those receiving less than 10 % may not proceed. HOWEVER, a candidate may by-pass the caucus/assembly process altogether and petition onto the primary with the required number of signatures. Required by state statute

**Massachusetts and Connecticut** A candidate must collect the required number of signatures for a petition AND receive 15% of the delegate vote in order to get onto the primary ballot. Those not receiving this percentage may not proceed. In Connecticut if the election district involves only a single town, candidates may also petition onto the primary ballot.

**Utah** ALL candidates must pay a filing fee. Caucuses are open to anyone, but because the Democrats and Republicans have their caucuses at the same time a person can only attend one, though it may not be his/her own Party. At the assembly a candidate who receives 60% of the vote becomes the Party's nominee and there is no primary. If 60% is not reached, then the top two candidates have a run-off in the primary. This procedure is neither required by state constitution nor by state statute, but rather in the by-laws of the respective Parties.

**Virginia and South Carolina** Each year both Parties decide, independently of each other, whether to choose candidates by caucus/assembly or primary vote.

**New York** This state is not required to use the caucus/assembly method but it does, and it uses it in a most unusual way. Assembly delegates do not vote directly for candidates, but rather like our Electoral College, they vote for members of the Party's State committee and they in turn vote for the candidates. A 25% state committee vote is necessary for a candidate to get onto the primary ballot. HOWEVER, those who do not receive this percentage may petition on.

**North Dakota** This state is not required to use the caucus/assembly method, but candidates may go to the primary by way of either caucus/assembly or by petition.

**New Mexico** Again this state does not require the caucus/assembly method, but uses it. First, ALL candidates must petition on with the required number of signatures (based on 3% of that party's gubernatorial vote in the last election.) Then at assembly, if they receive 20% of the delegate votes, they go onto the ballot, if not, they may petition on by acquiring 3% more signatures.

**Michigan** Michigan's process for picking candidates is mixed but fixed. Candidates for governor, state legislature, Congress and President become candidates only by way of the petition method; for all other offices, candidates must use the caucus/assembly method only.

**Minnesota** All candidates must meet the petition signature requirement to be placed on the primary ballot. Although the caucus/assembly method is not required in Minnesota, this method is used for Party endorsement. It has no bearing on access to the primary ballot, nor does the primary vote affect who the Party's endorsed candidate will be.

**Indiana and South Dakota** use the caucus/assembly method only for the office of governor.

**Iowa** uses the caucus/assembly method after the primary and only in the case that no one candidate receives 35% of the vote.

## STATES THAT DO NOT USE THE CAUCUS/ASSEMBLY METHOD

In states that do not use the caucus/assembly method (or only partially use it) the main method of getting onto the ballot is by filing a signature petition or by paying a fee or a combination of the two: (We will be using the office of US Senate for our example.)

- Filing fee only – 14 states
- Signatures only – 17 states
- Fee **and** signatures – 5 states
- Fee **or** signatures – 13 states
- Alabama also requires a 250 word essay

The fees range from \$75 in Hawaii to \$10,000 in Arkansas. In many states these fees are computed as a percentage of the salary that the prospective office holder will receive (range .75% to 6%). In Louisiana a partisan candidate will also have to pay a fee of \$300 to the political party. In some states Independents are exempt from the filing fee and can only get on the ballot by obtaining signatures. New Hampshire sets higher filing fees if the candidate will not accept the campaign expenditure limitations. Delaware will allow the political party involved to waive the fee if they so choose.

The number of signatures is determined in many ways.

- A set number of signatures
- .5% up to 2% of the number of voters of that particular party who voted in the last election or the last general election
- 1% up to 5% of the total number of registered voters in that particular party
- 1% of the total number of voters registered in the state
- A percentage based on the number of party votes for that particular office in the last election or general election

Of those states having a set number of signatures, Tennessee and Hawaii have the fewest, set at a mere 25. This number goes all the way up to 10,000 in North Carolina and Massachusetts. In one particular year in Florida, which is a fee or signature state, a candidate had an option of gathering 82,203 signatures or paying \$8202. Some states require that a certain number of these signatures be obtained from each Congressional District or from each county. In some states the parties themselves set the number of signatures that are to be required.

Rhode Island is the only state that allows an unaffiliated voter to not only vote in a partisan primary, but if he/she gathers 1000 signatures he/she may run in a partisan primary as a candidate.

## **PARTY AFFILIATION IN THE PRIMARY PROCESS**

Although all 50 states and the District of Columbia have primaries, how they treat party affiliation in these primaries differs widely. Below is a summary of how states treat this matter for non-presidential primaries.

- 22 states require NO party affiliation registration.
- 3 states (California, Washington, and Arkansas) allow voters to receive a ballot that lists all candidates, and voters may vote regardless of party affiliation.
- 16 states require a closed primary, allowing only pre-registered voters of a party to vote on a party ballot. (In Connecticut and Nebraska, the parties can permit unaffiliated voters to vote through rules changes.)
- 14 states require the same as above, but allow an unaffiliated voter to declare a party affiliation at the polls. Colorado falls in this category.

Registration for party affiliation also varies widely. 14 of the states that require party affiliation allow voters to declare or even change affiliation at the polls. Most states require affiliation 30 days or less before an election. New Jersey requires 50 days before an election, 3 states require 90 days, 5 states require specified day or date, and New York requires party affiliation at least ONE YEAR prior to the election.

Of the 22 states where one need not pre-register with a particular party, 12 require a public declaration (signing a list) of the party whose ballot one is voting. 9 states allow the voter to receive both ballots and choose privately which party he wishes to vote; or in some cases all candidates from both parties are listed on one ballot and the voter chooses candidates in only one party.

North Dakota has the highest voting rate of any state. Slightly more than 70 percent of its voting-age citizens cast ballots in 2000. This state does not require any voter registration ( Christian Science Monitor 2/28/02).

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LWVCO wishes to acknowledge the Big Horn Center for the primary data upon which this study was compiled.

# LEAGUE OF WOMEN VOTERS OF COLORADO CAUCUS SURVEY FORM

Please check either I (Retain), II (Retain but modify), or III (Abolish & replace)

I.        Keep the caucus/assembly/convention process and the option to petition onto the ballot the way it stands at present. Please state why you think it is important to keep it as is. \_\_\_\_\_

II.        Modify the caucus/assembly/convention method by: ( x all that you support)

- moving the caucus earlier in the year (before April) – what month? \_\_\_\_\_
- moving the caucus to a time during the day –e.g. Saturday 10:00 am
- enlarging precincts or election districts to increase attendance
- using mail-in caucus forms delivered to registered party members only
- having open caucuses, wherein members of one party could participate in the other party's caucus
- letting each party decide independently whether or not to hold its caucus
- separating the election judge selection process from the caucus system
- lowering the percentage of delegate votes required to get onto the ballot
- requiring over 50% of the vote in a primary to get onto the general election ballot, with provisions for runoff elections
- requiring a signature petition in addition to the required assembly vote
- requiring a certain number of petition signatures to be considered as a candidate at the party assembly
- requiring a filing fee

III.        Abolish the present caucus system and replace with:

- the petition method with the same signature requirements required of petition candidates at present
- the petition method with a set number of signatures for each office rather than a proportional amount
- the petition method with a filing fee attached
- the filing fee method only

If you favor the petition method or the filing fee method or a combination, what would be your recommendations on the following?

Number of signatures required on petition

Filing fees

For State Representative \_\_\_\_\_

\_\_\_\_\_

For State Senator \_\_\_\_\_

\_\_\_\_\_

For Governor \_\_\_\_\_

\_\_\_\_\_

Please include your e-mail address if you would like the results of this tally sent to you

Please circle: legislator / county chairperson

Please circle: Democrat / Republican

**IF YOU HAVE OTHER SUGGESTIONS OR COMMENTS, PLEASE WRITE THEM HERE OR ON THE BACK.** \_\_\_\_\_



## LEAGUE OF WOMEN VOTERS OF COLORADO CAUCUS SURVEY RESULTS

The League of Women Voters of Colorado sent the attached survey to 230 key political leaders in Colorado to get their point of view on the question of keeping the present caucus/assembly system, modifying it, or abolishing it. Specifically, the survey was sent to the Republican and Democratic County Chairpersons in each of 63 Colorado counties, to the two state party chairs, to all 100 Colorado state legislators, and one survey to each of the minor parties.

81 survey forms were returned, out of 230 sent out. This was a 35% return.

41 (51%) favored keeping the present caucus/assembly system.

26 (32%) favored keeping the current system, with modifications.

14 (17%) favored abolishing the current caucus/assembly system.

Among those who supported modifications, the following specific modifications were supported:

9 supported moving the caucus earlier in the year (mostly to February)

16 supported moving the caucus to a time during the day, e.g. Saturday

10 supported enlarging precincts or election districts to increase attendance

6 supported using mail-in caucus forms delivered to registered party members

None supported open caucuses attended by members of either party

12 supported letting each party decide independently whether or not to hold its caucus

10 supported separating the election judge selection process from the caucus system

4 supported lowering the percentage of delegate votes required to get onto the ballot

3 supported requiring over 50% of the vote in a primary to get onto the general election ballot, with provisions for runoff elections

4 supported a signature petition in addition to the required assembly vote

7 supported requiring a certain number of petition signatures to be considered as a candidate at the party assembly

None supported requiring a filing fee

Among those supporting abolition of the current caucus/assembly system, the following replacement procedures were supported:

7 supported the petition method with the same signatures for each office currently required of petition candidates

5 supported the petition method with a set number of signatures for each office rather than a proportional amount

5 supported the petition method with a filing fee

None supported a filing fee only

Suggested signature requirements were as follows:

State Representative: Suggestions ranged from 100 – 1000 signatures

State Senator: Suggestions ranged from 200 – 2000 signatures

Governor: Suggestions ranged from 1000 – 5000 signatures

An alternative suggested was 5% of the Secretary of State vote in the affected district

Among those who favored a filing fee:

State Representative: Suggestions ranged from \$100 - \$500

State Senator: Suggestions ranged from \$100 - \$1000

Governor: Suggestions ranged from \$300 - \$5000

The survey was sent to the Republican and Democratic county chairs in each county, to the two state chairs, to 100 state legislators, and one form each to the minor parties. Those who identified themselves by political party and/or by position were as follows:

35 Democrats

31 Republicans

1 Minor Party

43 County Chairs

1 State Chair

25 State Legislators

The following comments were made by those favoring keeping the current system.

It gives the people more voice in government.

It works.

We didn't think it was broken, so no need to fix it. It is really grassroots.

Better representation; local involvement.

We will lose all grassroots participation without precinct caucuses.

This process involves people in the party at the "grassroots" level and enables the chair to have really active precinct organizations.

It keeps party "machinery" vital, and that is critical to elections.

If it ain't broke, don't fix it.

In a small county, the caucus system is the best, maybe the only way, to find people to run for office. Without it the average Joe/Jane will likely never consider running for office.

Elimination of the system would greatly harm the parties, and we need to keep the parties strong. Colorado's system is vastly superior to other states.

It is the only way to give citizens a chance to be part of the process and to understand how it works.

The petition method stinks. Everyone is used to this method.

The caucus system is how our county gets new workers and "involvement". It also makes county elections a priority, which are otherwise ignored.

Encourages grass roots participation.

It works. Why change it?  
We've had extremely high attendance. The candidates will bring out the people.  
Most people who sign petitions aren't really aware of what they're signing.  
It has worked well for years.  
It works for those who care.  
Those who attend their caucus truly have a voice in picking candidates.  
Provides parties the method to ensure their candidates are campaigning on the party principles.  
It's working very well in Conejos County.  
It gives those most involved in the process a strong voice in who gets on the ballot.  
Our caucus/assembly process is the basic grassroots level of the political system.  
The people have more personal representation and involvement.  
Grass roots participation is important to true democracy.  
Difficulties in "getting a crowd" is not an adequate excuse for eliminating firsthand involvement in selection of candidates.  
Energizes the grassroots early.  
What we really need is campaign reform.  
Caucuses are our best opportunity for grass roots participation.  
It rewards efforts, organization, and involvement.  
It's working.  
It is consistent with a representative form of government. It preserves representation at the precinct level.

The following comments were made by those favoring modifications of the current system:

Parties should be required to send out a neutral form letter before the caucus with all candidates listed, with candidate-approved reasons for election for each.

The caucus/assembly process is the only way interested individuals can feed the "grass roots" system we enjoy.

We have a county platform which generates quite a bit of interest, even some press coverage, and is generated at the caucus and the county assembly. They are also social events.

I'd like to see a lot more discussion and debate.

Promotion of third party independent candidates will do more for the voters in increased political debate.

In a large rural county with spread out population, we have the caucus and assembly at one location.

Let the counties decide the date and time for the caucuses.

The following comments were made by those favoring abolition of the current system:

If there could be a forum (early, before the assembly) to discuss issues, I'd like to see the caucus system abolished.

I like the caucus system, but lack of citizen participation has shown that it may not be the most effective method. I wish it were not so.

**UPDATE ON USE OF CAUCUS/ASSEMBLY SYSTEM AND PETITIONS IN 2002**  
JUNE 24, 2002

As this is written, all of the precinct caucuses in both major political parties for 2002 have been held. So have the county assemblies and the two state assemblies. Candidates for the primary elections have been designated by assemblies and by petitions. And party platforms have been adopted.

The overwhelming number of candidates were designated by the party assemblies. A relative few gained the ballot by petition. All candidates for governor, state treasurer, attorney general, secretary of state, CU board of regents, and the state board of education were designated by their party's assembly. Candidates in six congressional districts were chosen by their party's assembly. Two candidates (one in the 4<sup>th</sup> CD and one in the 5<sup>th</sup> CD) attempted to gain the ballot by petition but failed to get the required number of signatures. One other candidate took out petitions but did not submit them. Only in the new 7<sup>th</sup> Congressional District, where several candidates are competing in each party, did 3 candidates gain the ballot through the petition method. One other candidate in the 7<sup>th</sup> CD attempted to make the ballot by petition but fell short of the required number of signatures.

Candidates were also designated for the state legislature. The parties chose candidates for 65 State House of Representative seats and for 17 State Senate seats. All legislative candidates were designated by the appropriate assemblies except for six candidates, in six separate districts, who successfully went the petition route. One other candidate took out petitions but did not submit them.

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The Colorado Republican Party, at its state assembly, adopted a party platform that included the following position: "We oppose any effort to abolish the caucus system in Colorado."

The Colorado Democratic Party has not taken a position, to date, on the issue.

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Finally, as this is written, petitions are being circulated to put on the November ballot the Big Horn Action Initiative which, if adopted, would abolish the current caucus/assembly system for designating primary election candidates and replace it with strictly a petition method for gaining primary ballot access.