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## Is the GOP's Tea Party Over?

By Alan Greenblatt

Over three terms in the Arizona Legislature, J. D. Mesnard has seen lots of controversial legislation pass into law with scarcely any notice. He has also watched as bills that appeared mild or harmless have blown up, bringing the state embarrassing media attention.

It's the latter scenario that Mesnard is seeking to avoid in his new role as speaker of the House. Arizona has repeatedly drawn negative press during debates over matters such as illegal immigration and gay rights. Like other Arizona Republicans, Mesnard believes the national media routinely distort the intent and practical effects of social conservative bills. Nevertheless, he recognizes that having bills portrayed as harsh or intolerant has done no favors for the state. At the moment, he believes, social conflict is too hot to handle. "There has been a conscious effort to keep us out of these divisive, controversial issues," Mesnard says. "We want to have tax cuts and deregulation and make that the narrative about Arizona."

To put it simply, one very red state is cutting back on the red meat.

In Arizona, as in other Republican-dominated states, there have been prolonged battles in recent years that pitted establishment-oriented Republicans—those aligned with the chamber of commerce and large corporations—against GOP legislators backed by the Tea Party and championing hard-line social issues. In Arizona, that battle is over for now. The establishment has won. "The legislature has been more careful about the bills being introduced," says Glenn Hamer, president of the state Chamber of Commerce. "I'm not aware of any mainstream legislators in the state who are eager to move off the road of economic development and education."

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Arizona's evolution may be instructive for the country as a whole. Nationally, the Republican Party is entering into a period in which it will be forced to rethink the principles for which it stands. President Trump won office in part by bringing along Democrats who were unhappy with the status quo, but who were also open to his unorthodox approaches to budgeting and trade. It's not clear yet how far his party will go to back up his plans. Especially sensitive at the moment is the president's harsh crackdown on immigration. Even some of the most conservative Republican officeholders in Arizona have no desire to follow him down that road. They have been there before.

Arizona became the flashpoint for the national immigration debate in 2010 with passage of Senate Bill 1070, which required residents to show proof of citizenship if law enforcement officers had reason to suspect they were in the country illegally. Key parts of that legislation were ultimately ruled unconstitutional by the U.S. Supreme Court. Today, most Arizona lawmakers, including the state's two Republican U.S. senators, are favoring a softer approach, or at least a softer tone. "If anything, the immigration issue probably hurt Trump in Arizona," says Victor Riches, president of the Goldwater Institute, a free-market think tank in Phoenix. "I think the bulk of people in Arizona would be happy not to hear of immigration again."

Arizona Republicans have in mind the state's rapidly changing demographics, which have both political and economic resonance. Under GOP Gov. Doug Ducey, the state has stepped up its trade relations with Sonora, the Mexican state to the south. "Arizona's economy can't survive without immigration," says Steven Slivinski of the Center for the Study of Economic Liberty at Arizona State. "Arizona's probably going to stick to conservatism that's opportunity-based, not so much bashing niches in the population."

There's no telling at this point how Trump will fare during his time in office, or what his ultimate impact on the party will be. But it may be possible to start thinking about a post-Tea Party Republicanism. Much of what drove the Tea Party and other conservative activists in recent times came in opposition to President Obama and his policies. Obama is now safely out of office. "There was a lot about the Tea Party movement that was reactionary," Mesnard says, "and the reaction was to Obama."

Arizona is just a single red state among many. But the shift in approach there suggests one potential path for the Republican party as a whole. "They've come out the other side on some of the social issues that are still playing out in other states," says Jonathan Williams, vice president of the American Legislative Exchange Council (ALEC), a conservative group that brings together legislators and business interests and has similarly shifted its focus away from social issues. "Both policy results and electoral results point to Arizona being a model for conservatives around the country."

Arizona has been dominated by Republicans, with few exceptions, for more than half a century. For years, it's been home to a string of polarizing politicians, especially on immigration. Gov. Jan Brewer, who drew national attention when she wagged her finger in Obama's face on an airport tarmac, became a fixture on cable shows, warning about the perils of illegal immigration. She was term-limited out in 2014. State Sen. Russell Pearce, SB 1070's primary sponsor, was recalled from office a year after its passage amid ethics complaints. Most sensation-ally, Maricopa County Sheriff Joe Arpaio, whose hard line on immigration made him a national figure and a Trump ally, lost his bid for a seventh term last November.

Arpaio's defeat was ascribed by many Republicans to an ongoing FBI investigation, but its symbolic importance was not lost on anyone in Arizona politics. Neither is the fact that voters, on the same ballot, approved a statewide increase in the minimum wage. Or that Trump, while he carried Arizona with a plurality, won by a margin of less than 4 percentage points. In 2012, Republican Mitt Romney carried Arizona by 9 points.

Currently, both chambers of the Arizona Legislature and all the statewide offices are held by Republicans. But the state may not be as red as it looks from the outside. Arizona Republicans believe there's a chance they could lose power in 2018 or 2020, at least in the state Senate, and their fear of the state slowly turning purple helps explain their move back toward the middle and their avoidance of social issues. "Right now, it's the business party," says Doug Berman, a senior research fellow at the Morrison Institute for Public Policy. "Republicans still have a decided advantage, but there's a center of gravity that's moved quite a bit away from Trumpism in Arizona politics."

Democrats have been touting the idea for many years now that the rising share of Latinos in Arizona (currently

above 30 percent) will inevitably turn the state blue. It hasn't happened yet. Social conservatives are convinced that many Hispanics are with them on the issues, even if they're put off by the GOP's immigration politics. Still, many other newcomers—notably transplants from California—are more liberal on social issues than Arizona natives. That may be one reason why Ducey, who was hailed as a “conservative reformer” on the cover of *National Review* last year, is happy to have the legislature concentrating on fiscal matters.

Ducey loves to brag about the state's ability to attract and grow businesses and welcome a large and steady influx of newcomers from elsewhere. Like other Arizona politicians, he's learned from experience that having cable news trucks parked at the Capitol complex, covering the latest controversy, can make the state look bad. He wants to keep Arizona “one of the most welcoming states in the country.” Toward that end, Ducey has made “the reputation of the state” one of his top three priorities, along with K-12 education and economic growth. “They're not issues that cherry pick or inflame,” says Ducey. “They're issues that unite people into broad majorities.”

The state's softened approach on social issues shouldn't fool anyone into thinking Arizona's going to become a bastion of moderation anytime soon. This is, after all, the state that just last year declared ideological war on its cities, passing a blanket preemption law that puts state aid to localities at risk if a city or county has any laws on its books that don't align with what the attorney general decides is state policy. Even before that law was enacted, the legislature had preempted local governments on everything from plastic bag bans to gun control. It passed a bill in 2015 taking away local authority to regulate Uber and similar shared economy companies. “Enforcing preemption bills, especially weapons compliance, was very difficult to get through the courts,” says state Sen. John Kavanagh, who is sponsoring a bill this year to block municipalities from issuing their own identification cards. “So, we hit them in their pockets.”

Arizona has been on the cutting edge of the school choice movement, with a robust scholarship tax credit program and the nation's first education savings accounts. Since the recession, Arizona has made the deepest cuts to higher education, on a percentage basis, of any state in the country. Last year, Ducey signed a bill largely taking the state out of the business of regulating

anonymous campaign contributions from nonprofit groups. “We're concerned that will become the model of how to enshrine dark money, in terms of lack of disclosure,” says Catie Kelley, an attorney at the Campaign Legal Center in Washington.

Aside from its longstanding Republican voting habits, Arizona politics has two structural elements that have made its legislature one of the most conservative in the country. One is term limits; the other, perhaps surprisingly, is public financing of campaigns. Those two features have allowed many free agents, untethered to traditional GOP leaders or the business community, to crash the party and win.

But the tide has shifted. It isn't just the legislative leadership that professes a desire to shy away from bills that court controversy. Many rank-and-file members do as well. The business lobbyists will tell you that. They will also inform you that none of the legislators who were with them on tough votes have been defeated in a recent primary. “In terms of the things Arizona had that were bringing in the trucks from CNN and Al Jazeera, that's really been replaced by a focus on meat-and-potato issues,” says Hamer, the chamber of commerce president. “Comedy Central has had to find other states.”

While social conservatives such as Kavanagh know that now is not their moment, they are confident they have the votes in hand to respond if a new issue should flare up. The desire to use legislation to respond to perceived threats posed by immigrants, for example, has not completely abated. Last month, state senators introduced a bill that would fine charities that assist refugees who settle in the state. But most of the prominent social issue debates over the past few years have been driven by outside events, such as court decisions on same-sex marriage, the sudden increase of awareness about transgender issues or reports about Planned Parenthood's handling of fetal tissue. “I see my caucus as no less socially conservative than they may have been six or eight years ago,” says Steve Yarbrough, the new Senate president. “It's still in our DNA.”

Yarbrough sponsored the state's religious freedom act, which national media outlets criticized as opening the door to discrimination against gays. His bill, SB 1062, was vetoed in 2014. In retrospect, that may have signaled the beginning of the state's shift in direction. Yarbrough believes his bill was mischaracterized but knows that it

attracted attention in a way the state no longer seeks. He recognizes the current lack of appetite in Arizona for pursuing issues that cause controversy or confrontations. "It's more a difference of where the emphasis is," Yarbrough says.

Arizona's most contentious bills—1070 and 1062—are still referred to around the Capitol that way, solely by their number. Secretary of State Michele Reagan is a former legislator who supported both bills. Nevertheless, she recognizes that their media reception left wounds. "It's almost like you have to retire the number 1070, like a jersey," she says. "It's become so tainted."

Reagan notes that she and her family moved to Arizona years ago because it was a great place to start a business. Last year, the state ranked sixth on the *Chief Executive* magazine list of best business states. There are

a lot of misconceptions about Arizona's immigration approach, Reagan says. But, like many other public officials, she recognizes that when outsiders think about Arizona, harsh policies are often what leap first to mind. "It's the job of statewide leaders who care about economic development to dispel the myths," she says.

Hence the effort to concentrate on fiscal matters, with a renewed stress on education and a growing interest in safety-net spending and the costs of mass incarceration. Arizona Republicans are ready to turn the page after years of political upheaval. They've gone back to an old-school approach, concentrating on policies they believe will continue to draw companies, retirees and workers from other states. "It's a winning playbook," Ducey says, "and it's the path forward for Republicans and conservatism."