

Testimony AB597 – Neutral

Submitted by:

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Chairs and committee members,

Many of you know I have been advocating for open primaries and ranked choice voting since 2013. Given that, you may be surprised I am testifying in the neutral on AB597.

I would like to thank the Speaker for recognizing the fact that voters have been abandoning the two major political parties for quite some time and that for almost the past two years voters registered as Non-Partisan have been the largest segment of active registered voters.

It is important to note that the shift towards Non-Partisan began long before automatic voter registration was implemented and that registration data shows these voters are for the most part not changing parties to vote in the primaries. This did not change with the implementation of same day voter registration.

AB597 is a start but is far from ideal. Hence my neutral position.

When the 2019 legislature passed same day registration I told then Speaker Jason Frierson that technically Nevada had adopted a semi-closed primary system. He disagreed. Use of SDR to change affiliation has been used sparingly.

This bill replaces a semi-closed primary with a semi-open primary allowing voters registered as Non-Partisan to request the partisan ballot of one of the major parties and vote only for candidates of that party. Voters registered in a minor party are excluded. A reminder, political parties are private organizations and their primary elections are part of their internal operations. As private organizations they are protected under the freedom of association clause of the first amendment. Political parties are not mentioned in the U.S. Constitution but are in the federal tax code. As a member of the Democratic Party, do you like paying for the operations of the Republican Party or vice versa? That's how Non-Partisan and minor party voters feel about paying for both.

Allowing Non-Partisan voters to participate in the major party primaries is a small start. However, I question how effective it will be as the dislike to associate with a political party is strong especially among younger voters.

During the last election, many in opposition to Q3 had no issue with the nonpartisan open primary piece. The measure lost on the ranking element. By placing all candidates on one ballot and allowing a voter to vote for any candidate regardless of party would overcome the who is paying debate. It would allow a voter to vote for the person they felt was best. Under AB597 if a

voter likes a candidate of one party for one office and a candidate from the other party for another, they have to decide, I believe unjustly, between the two and limit their choices to other candidates of that party.

To implement a true open primary would not mean starting from scratch. The bill has already been written by LCB, SB121 from the 2021 session. It did not get a hearing. Times have changed. Voter demographics have changed. This body can take a small or major step.

Thank you.