



**Chamber
of Commerce**

Senate Committee on Legislative Operations and Elections
Nevada State Legislature
401 S. Carson Street
Carson City, NV 89701

April 30, 2019

Chair Ohrenschall and Members of the Committee,

For the record, Bill Chernock, Executive Director of the Carson Valley Chamber of Commerce, speaking in support of Assembly Bill 259. We look to this piece of legislation to correct a poor decision made in the 2015 session.

That decision, which was enacted in Senate Bill 499 at that time, contained language that had the effect of dramatically changing certain elections. That effect was to make law that if, in a partisan election, there were only two candidates from a major party and no candidates from the other major party or independent or minor party candidates, the two candidates would appear on the primary ballot and the winner of the primary declared the winner of the office.

This was a change from the previous language, which in that same set of circumstances regarding the number and affiliation of candidates, would forego a primary election for that office and hold that contest as part of the general election. Obviously, the new language, in making the primary election the deciding election, prevents any voter that is not a member of the party with the candidates running unable to vote for that office.

The Nevada Legislature passed a law making it impossible for legally registered voters to cast a ballot in a deciding election for their representatives because they are not registered in a certain political party. Let me repeat that for emphasis. The Nevada Legislature passed a law making it impossible for legally registered voters to cast a ballot in a deciding election for their representatives because they are not registered in a certain political party.

Were there political implications? Of course. But that is not the issue. This is not about politics, it is about allowing all Nevadans to exercise one of their most basic rights. The problem is not, as some have concluded, that independent voters are not allowed to vote in partisan races in primary elections, the problem is that you have made the primary election, with its inherent restrictions and low voter turnouts, the deciding election and that is simply wrong.

You still have a law on the books that, in case you missed it the first two times, makes it impossible for legally registered voters to cast a ballot in a deciding election for their representatives because they are not registered in a certain political party.

This committee has an opportunity to change that. A recommendation of Do Pass from this committee on AB 259, including the language that fixes the issue noted above in NRS 293.260 is the next step towards restoring basic voting rights for all Nevadans.

I thank you for the opportunity to address the Committee and am more than willing to answer any questions related to this request.

Respectfully,

A handwritten signature in black ink, appearing to read "Bill Chernock". The signature is stylized and cursive.

Bill Chernock

Executive Director

On behalf of the Carson Valley Chamber of Commerce Board of Directors