

OPEN PRIMARIES

Government, Military and Veterans Affairs Committee

Testimony in Support of LB 776

Jeremy Gruber, SVP of Open Primaries

Mr Chairman and Members of the Committee,

Thank you for the opportunity to speak with you this afternoon. My name is Jeremy Gruber and I am the SVP of Open Primaries-we are a national, nonpartisan organization that conducts research and educates the public about primary election systems. We work with citizens, nonprofits and legislators across the country on how to improve elections to operate in the best interests of voters and to serve as a resource in such discussions.

A hundred years ago, in Nebraska and every state, the election process excluded voters until the general election. Party leaders worked behind closed doors with special interests to select candidates. Voters found themselves with elected leaders that didn't represent them, weren't accountable to them and who didn't govern for them. They grew increasingly angry with a political system that shut them out and felt increasingly powerless to change it.

Leaders from across the country abolished this corrupt system and created the primary election to put voters in charge of selecting candidates. But while every other state developed a partisan primary, Nebraskans under the leadership of Republican Senator George Norris created something far more innovative and forward thinking-the nonpartisan primary.

Senator Norris was unwilling to stand idly by as Nebraska experienced the massive political and social unrest of the Great Depression, so he and other state leaders answered the challenge with a deep faith in the spirit of Nebraskans, respect for the core American values of fairness and competition and a heavy dose of common sense.

A century later, as many states across the country are consumed with partisan bickering. The Nebraska system is proving far more robust by contrast. Nebraska has one of the most productive state legislatures in the country. Senators continue to build an inclusive and productive legislative culture of debate, innovation, transparency, and coalition building. As former Senator Colby Coash told me, "when you're successful in winning an election where you've had to court all voters-you become a better legislator."

Nebraska also has some of the most competitive elections in the country. In the 2022 general election, 25% of all races for the Unicameral were competitive-that's two and half times the national average. Only 13% of races were uncontested. Most states see upwards of 50% or more of general election races uncontested. The Kansas legislature, which uses closed partisan

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primaries to elect its members, by contrast had 12% competitive elections overall, with 44% of races uncontested.

That's the key to the Nebraska system -- empowering voters and elected leaders to work together by removing the structures that keep them apart. Common-sense decision making is in short supply in so many other parts of our country. That's why delegations from other states often visit Lincoln to study the Nebraska system.

As a non-Nebraskan, I urge you not to take this system for granted. It is truly special. As an expert on elections, I've spent much of my career extolling the virtues of the Nebraska system. And as an independent voter and a conservative one at that-quite frankly I've also spent my adult life just being jealous of what you all have built.

Unfortunately, the Nebraska system only applies to state legislative offices. Federal and statewide officials are elected using a Washington-style partisan system of closed partisan primary elections.

You can see the contrast. Elected officials representing the same constituents coming to vastly different policy conclusions. Highly uncompetitive elections, with only 7% of statewide races in Nebraska considered competitive in the 2022 election cycle. Most importantly, voters shut out. There are close to 300,000 independent and third party voters in Nebraska. They are the fastest growing group of voters in the state. In 2010, independents were 18% of all registered voters. Today, they are 22% of all registered voters. At current rates of growth, our data estimates independent voters to comprise at least 27% of all registered voters within the next ten years. Their taxes pay for the primaries, but they are shut out of many of the most important elections in the state.

Today, Nebraska is the only state in the country that uses one system (open and nonpartisan) to elect state legislators, and a completely different system (closed and partisan) to elect federal and statewide officials. LB 776 would extend the same system of nonpartisan primary ballots used for the Unicameral to all other statewide and federal offices. As a result, all Nebraskans -- and especially independents like myself -- would be able to participate in fair and inclusive elections.

I hope you will give serious consideration to LB 776 and the spirit it embodies. I am happy to support and be a resource to your work in any way that would be helpful and to answer any questions you may have.

Thank you