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VIA EMAIL lhsjud.akleg.gov
ORIGINAL MAILED

April 11, 2017

House Judiciary Committee
Attn: Rep. Matt Claman, Chair
State Capitol, Room 118
Juneau AK 99811

Re: HB 200 - Jungle Primary Election

Dear Chair Claman and Committee Members,

I have attached another article about the California voter turn-out for your information.

Also, I did not comment on the suggestion that I heard yesterday - that a Republican was interested in nominating candidates by party convention. I knew nothing about this, or who wrote the letter to all of you. However, the political parties have a Constitutional right to do so, if they want to select their candidates in that manner. However, I disagree with this manner of selection because, among other things, it further removes the voters from the selection process and will generate additional voter suspicion and resentment.

It does have one advantage, however. If every party is required to select its candidates for the general election ballot in this manner, the State of Alaska could avoid holding a primary election at all, and save the State probably \$4 to \$6 million or so (just an estimate from figures given to me years ago) by not paying for a primary election.

See you on Wednesday.

Thank you.

Very truly yours,

KENNETH P. JACOBUS, P.C.

By


Kenneth P. Jacobus

KPJ:me

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Is There A Connection Between California's Recent Low Voter Turnout And The Top-Two System?



By [Richard Winger](#)
Editor of Ballot Access News
Thursday, February 26th, 2015

California had the greatest drop in voter turnout of any state in the November 2014 election, compared to the November 2010 election. According to the voter turnout statistics gathered by Political Science Professor Michael P. McDonald, available at www.electproject.org, California's turnout went from 45.8% in November 2010, to 30.8% in November 2014. Professor McDonald calculates turnout by calculating the number of people who cast a ballot as a percentage of the number of individuals who could have registered to vote and could have voted. His methodology, by not depending on the number of registered voters, avoids the problem that in some states, the voter registration rolls are inflated with duplicates and other "deadwood."

California is the only state in which the turnout in 2014, as a percentage of the 2010 turnout, was below 70%. Twelve states and the District of Columbia improved their voter turnout between 2010 and 2014. The median state's 2014 turnout was 91% of its 2010 turnout. California's figure was 67%.

In November 2014, California was the only state in which it was impossible for any voter to cast a vote for any statewide office for a candidate who was not a Republican or a Democrat. At the November 2014 election, 49 states had statewide offices up. All but five of them had minor party or independent candidates on the ballot for statewide office, and the other four besides California (Alabama, New Hampshire, New Mexico, and Pennsylvania) allow write-ins. California no longer allows write-ins for partisan state office or congress, so only in California was a voter who wanted to vote for someone other than a major party member for statewide office utterly unable to do so.

By contrast to 2014, in November 2010, California voters had the choice of six political parties for all of the statewide races. Many California voters that year voted for minor party candidates for statewide office. The total California minor party vote in 2010 was: Governor 539,645; Lieutenant Governor 1,073,984; Secretary of State 827,593; Treasurer 711,041; Controller 847,506; Attorney General 835,871; Insurance Commissioner 1,116,826.

I suggest that by blocking voters from voting for minor party candidates for statewide office in November 2014, the California top-two system injured voter turnout. Many people, when told that California had low turnout in November 2014, simply say, "That's because the election was boring." One reason it was boring in the eyes of many is that some of the most interesting candidates were not permitted to run in November. If the top-two system had not been in place in 2014, the November ballot would have listed two very interesting candidates for Governor, Luis J. Rodriguez of the Green Party, and Cindy Sheehan of the Peace & Freedom Party. Both of them were on the June 2014 primary ballot, but they got virtually no publicity because the mainstream media customarily does not cover minor party candidates very well, and when it does, it does so in the general election season. The primary season is dominated by news of which major party member will be successful in gaining a major party nomination.

Luis Rodriguez, as a youth, was a gang member, an alcoholic, and a drug user. But he changed his life dramatically, and is now the author of 15 books. In 2014 he became poet laureate of Los Angeles. He is co-founder of several institutions that help fight urban social problems, and the recipient of many awards, including the Hispanic Award for Literature, the Lila Wallace-Readers Digest Writer's Award, a PEN Josephine Miles Literary Award, a Lannan Poetry Fellowship, and a Paterson Poetry Prize. His web page, luisirodriguez.com, tells more about him, including his policy ideas.

Cindy Sheehan is well-known for activism against U.S. involvement in the Iraq war of 2003, especially for setting up "Camp Casey" outside President George W. Bush's ranch in Crawford, Texas, and maintaining a vigil there for many months. She ran for U.S. House in San Francisco as an independent in 2008, and was the only independent congressional candidate in the nation that year who outpolled a major party nominee. She received 46,118 votes, beating her Republican opponent, Dana Walsh, who got 27,614 votes.

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If these two candidates had been permitted to be on the November 2014 ballot for Governor, the gubernatorial race would have been more interesting than it was, because Rodriguez and Sheehan are two very interesting people. If there had been televised candidate gubernatorial debates in the general election season in California that included the minor party candidates (as there were in a majority of other states in 2014), voter interest in the race would have increased.

If California wants to improve voter turnout in future general elections, ending the top-two system, and bringing back multiple choices in November, will help with that goal.

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