

POLICY REPORT

**Guinn**  
CENTER

# CLARIFYING QUESTION 3

*Addressing knowledge gaps and answering questions  
about electoral reform in Nevada*

■ PUBLISHED MARCH 2024



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# REPORT ACKNOWLEDGMENTS



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# INTRODUCTION

In November 2022, nearly 53 percent of Nevada’s electorate voted in favor of Ballot Question 3, a measure that would establish open primaries, as well as ranked-choice voting in statewide elections.<sup>1</sup> Since the proposal seeks to change the *Nevada Constitution*,<sup>2</sup> this question will be on the ballot for a second statewide vote in 2024.<sup>3</sup>

Although the measure passed in the 2022 election cycle, it was still met with opposition across the political spectrum. Supporters of the proposal note that this system may help further engage Nevada’s growing population of nonpartisan voters, as well as help address issues of hyperpolarization and negative campaigning. Those who oppose the measure have expressed concern with potential limits on party participation, as well as voter confusion, which may lead to uncounted ballots and increased disenfranchisement.<sup>4</sup>

Survey data suggests that many Nevada voters lack awareness or understanding of the proposed reform and its impacts. Before the 2022 general election, a poll conducted by the *Nevada Independent* and OH Predictive Insights (now Noble Predictive Insights) found that 32 percent of respondents “Neither Support nor Oppose” the measure, a disproportionately high percentage as compared to polling results on other ballot questions.<sup>5</sup> The Kenny C. Guinn Center for Policy Priorities (“The Guinn Center”) survey, conducted in 2023 (nearly one year after the 2022 general election) revealed similar findings. Even after reading the sample ballot explanation of Nevada Question 3, when asked their opinion on the reform, 37 percent of respondents answered, “I don’t know.” For these reasons, we have compiled this report to provide Nevada’s voters with the

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<sup>1</sup> “Ballot Questions - Nevada Secretary of State 2022 General Election Results,” 2023, <https://silverstateelection.nv.gov/ballot-questions/>.

<sup>2</sup> Article 19, Section 2, *Nevada Constitution*.

<sup>3</sup> “Nevada Question 3, Top-Five Ranked Choice Voting Initiative (2022),” Ballotpedia, 2023, [https://ballotpedia.org/Nevada\\_Question\\_3,\\_Top-Five\\_Ranked\\_Choice\\_Voting\\_Initiative\\_\(2022\)](https://ballotpedia.org/Nevada_Question_3,_Top-Five_Ranked_Choice_Voting_Initiative_(2022)).

<sup>4</sup> Nevada Secretary of State, “STATEWIDE BALLOT QUESTIONS 2022,” n.d.

<sup>5</sup> Jacob Solis, “Poll: Nevadans Favor Ranked-Choice Voting, Equal Rights Ballot Questions,” *The Nevada Independent*, August 3, 2022, <https://thenevadaindependent.com/article/poll-nevadans-favor-ranked-choice-voting-equal-rights-ballot-questions>.

essential information needed to make a well-informed decision regarding Ballot Question 3.

Additionally, the implications of electoral reform can vary across different states and regions. While several states and localities across the country have implemented reforms such as open primaries and ranked-choice voting, Nevada's distinct demographics, geography, and governmental context should be considered when evaluating possible reforms. For this reason, it is crucial to develop informational resources that are specific to Nevada's population, taking into account its diverse communities, and voter demographics.

## REPORT CONTENTS

This report contains survey results and a Frequently Asked Questions (FAQ) document that addresses questions and concerns of communities in Nevada regarding Ballot Question 3, which, if approved, would institute ranked-choice voting and open primaries in statewide elections. The Guinn Center's research was conducted in two main phases:

1. **Gathering Questions from Nevadans** - Through the distribution and analysis of a statewide survey, we identify knowledge gaps and common questions and concerns regarding electoral reform in Nevada.
2. **Providing Data-Driven, Nonpartisan Answers** - Using relevant academic literature, case studies, and interviews with policy experts, we clarify preliminary questions about ranked-choice voting and open primaries.

By involving the local communities in generating the questions, we aim to create information for voters that is grounded in the specific needs and interests of the people it may impact. This report is not intended to formulate a stance or position on how Nevadans should vote on Nevada Question 3 but rather is meant to equip voters with the necessary information to make an informed decision on this ballot question, as well as identify areas for future research based on the results of this survey.

## RESEARCH LIMITATIONS

Due to the timeline of this project, we were limited in the number of questions we could answer, as well as the number of Nevadans we were able to survey. We recommend that

researchers continue to understand the questions and concerns of voters across the state. Additionally, future researchers should conduct additional interviews with advocates involved in the support and opposition campaigns to Nevada Question 3, as well as the many community-based organizations that work to engage and educate Nevada's electorate. Recommended areas for future research are outlined at the end of this report.



# METHODOLOGY

To better understand the questions and concerns that Nevadans have about electoral reform, the Guinn Center surveyed Nevadans across the state. Participants were asked about their levels of political engagement, knowledge of Nevada’s current electoral system, understanding of proposed reforms, as well as their questions and concerns regarding Nevada Ballot Question 3.

The sample for this survey includes 803 individual responses who report being 18 or older. By design, over 30 percent of the sample consists of Hispanic/Latino Nevadans. The survey was distributed by the company, Dynata, between July 24 to August 1, 2023.

## SURVEY DESIGN

The survey instrument was developed by Hannah Jackson with the assistance of Dr. Christina Ladam in the summer of 2023. The survey was made available in both Spanish and English. The median time it took a respondent to complete the survey was approximately 9.2 minutes.

In analyzing the results of the survey, we identified six key findings:

- Finding 1:** Nevada respondents exhibit limited awareness about current primary and general election systems, with age as a potentially influential factor.
- Finding 2:** Nevada respondents display limited awareness of proposed electoral reforms, with differences tied to levels of political interest.
- Finding 3:** A written explanation of proposed reforms enhances understanding, yet knowledge gaps still exist.

**Finding 4:** Top areas of interest for respondents include voter participation, examples from other jurisdictions, potential partisan effects, and candidate behavior.

**Finding 5:** Respondents express a preference for learning more about proposed reforms through articles, video explanations, and infographics.

**Finding 6:** A plurality of respondents support Question 3, with a notable portion remaining undecided.

## **FREQUENTLY ASKED QUESTIONS**

Using the findings from the survey, we identified three key questions, along with several supplemental questions, that Nevada respondents had about Ballot Question 3. Using academic literature, news articles, case studies, and interviews with policy experts, we explored the following themes:

1. **What** is Nevada Question 3?
2. **How** do open primaries and ranked-choice voting work?
3. **Where** are similar reforms currently used, and what have been the impacts of these reforms?



# SURVEY RESULTS

This section highlights each survey question and ties them into the six key findings identified above. We've grouped our findings by three major themes: 1) Understanding of Nevada's current electoral system and proposed reforms; 2) Information preferences, and; 3) Respondents' attitudes regarding Question 3.

## UNDERSTANDING OF NEVADA'S CURRENT ELECTORAL SYSTEM AND PROPOSED REFORMS

**FINDING 1**

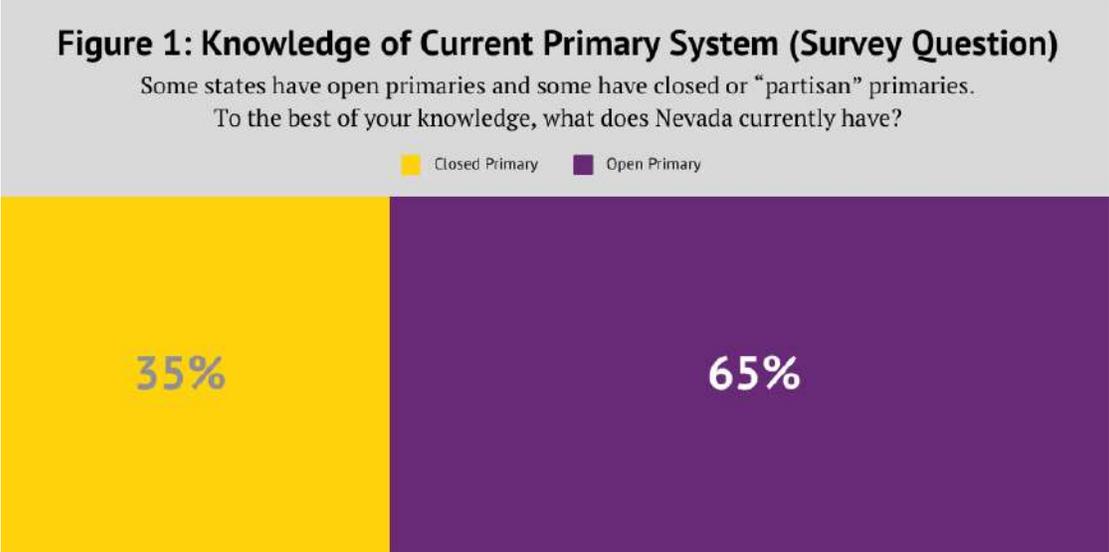
Nevada respondents exhibit limited awareness about current primary and general election systems, with age as a potentially influential factor.

As a preliminary assessment, survey respondents were asked about their current knowledge of Nevada's electoral system. We found that only 35 percent of respondents were able to correctly identify Nevada's current closed primary system.

We observed no substantial relationship between respondents' ability to correctly identify Nevada's primary system and their level of education. About 34 percent of respondents without a college degree and 36 percent of those with a college degree correctly identified closed primaries as Nevada's

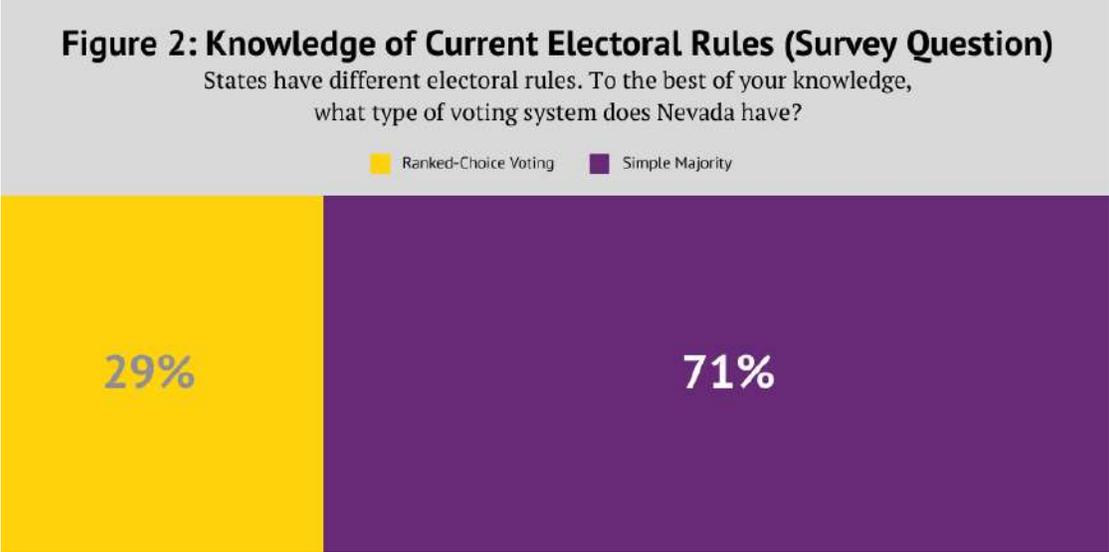
current system.

However, older individuals (those over the age of 45) were significantly more likely to correctly identify Nevada's closed primary system, with 47 percent accuracy. In contrast, only 23 percent of younger respondents (under 45) were able to correctly identify the same system.



In contrast, nearly three-quarters of respondents were able to correctly identify Nevada’s current electoral system for general elections, indicating “simple majority” or “first-past-the-post” as the state’s current voting rules.

In identifying *general* election rules, we found similar trends concerning age, where older respondents were more likely to correctly identify Nevada’s current system. In contrast with the trends in knowledge of *primary* election systems, we found higher levels of education correlated with greater accuracy in identifying general election voting rules. Nearly 80 percent of college graduates were able to identify Nevada’s simple majority system compared to 64 percent of non-college graduates.



## FINDING 2

Nevada respondents display limited awareness of proposed electoral reforms, with differences tied to levels of political interest.

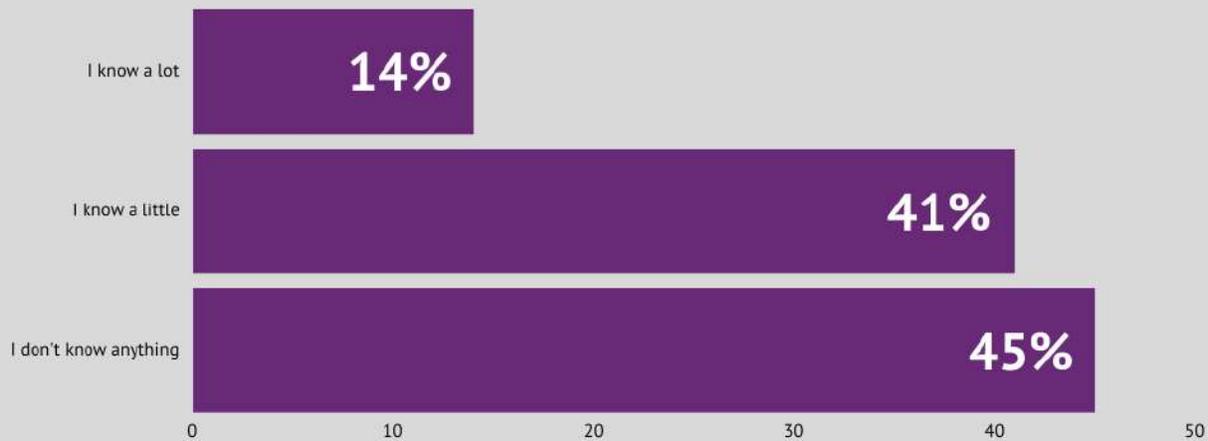
When asked about their awareness of proposed electoral reforms, most respondents admitted to having limited knowledge.

Regarding the proposed primary election reform (open primaries), there was no substantial variation in responses among different age groups or political affiliations. However, a notable difference emerged among respondents based on their self-reported political interest. Specifically, among those expressing an interest in politics, only 37 percent claimed to not know about open primary reform,

while nearly 90 percent of those with no political interest indicated they did not know about open primaries.

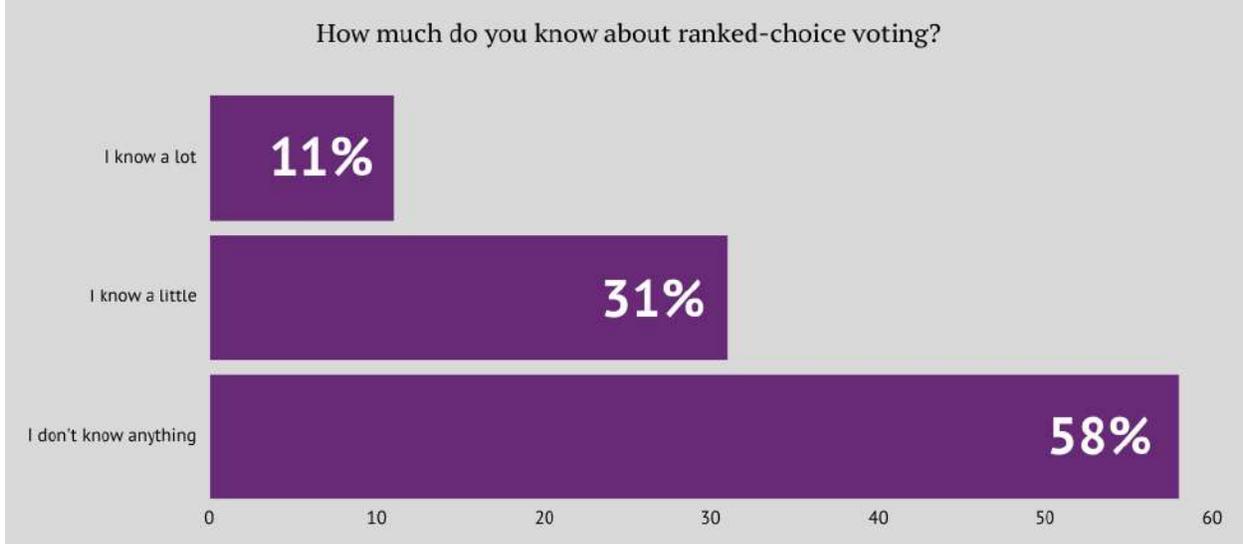
**Figure 3: Baseline Knowledge of Open Primaries (Survey Question)**

How much do you know about open primaries?



Knowledge of ranked-choice voting as a proposed reform appears to be more limited than knowledge of open primaries, with 58 percent of respondents reporting no knowledge of the system, and only 11 percent of respondents claiming to have substantial knowledge of it. This holds true even among individuals with a strong interest in politics, 53 percent of whom report having no knowledge of ranked-choice voting.

**Figure 4: Baseline Knowledge of Ranked-Choice Voting (Survey Question)**



### FINDING 3

Written explanations of proposed reforms enhance understanding, yet knowledge gaps still exist.

After answering questions about their current knowledge, survey respondents were instructed to review a written explanation of Nevada Question 3, which is identical to the one included in the 2022 sample ballot issued by the Secretary of State. The prompt is as follows:

Here is the explanation for Nevada Ballot Question 3, which is the same as what you would find on your sample ballot:

*EXPLANATION—This initiative, if enacted, changes Articles 5 and 15 of Nevada’s Constitution for U.S. Congressional, Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Controller, Attorney General, and State Legislator elections, eliminating partisan primaries and establishing an open top-five primary election and a ranked-choice voting general election. For these offices, all candidates and voters participate in a single primary election regardless of party affiliation or non-affiliation. The top five finishers advance to the general election and the general election winner is determined by ranked-choice voting:*

- *General election voters will rank the candidates in order of preference from first to last if they wish to rank more than just their first preference.*

- *As currently provided for during certain primary races, a general election candidate receiving first-choice votes of more than 50% is declared winner.*
- *If no candidate is the first choice of more than 50% of the voters in the general election, the candidate with the fewest votes is eliminated. Each voter who had ranked the now eliminated candidate as their first choice, has their single vote transferred to their next highest choice candidate.*
- *This tabulation process repeats until the one candidate with more than 50% support is determined as the winner.*

*If passed, the Legislature would need to adopt implementing legislation by July 1, 2025. These changes would go into effect for the 2026 election cycle, starting with the primary election in June 2026.*

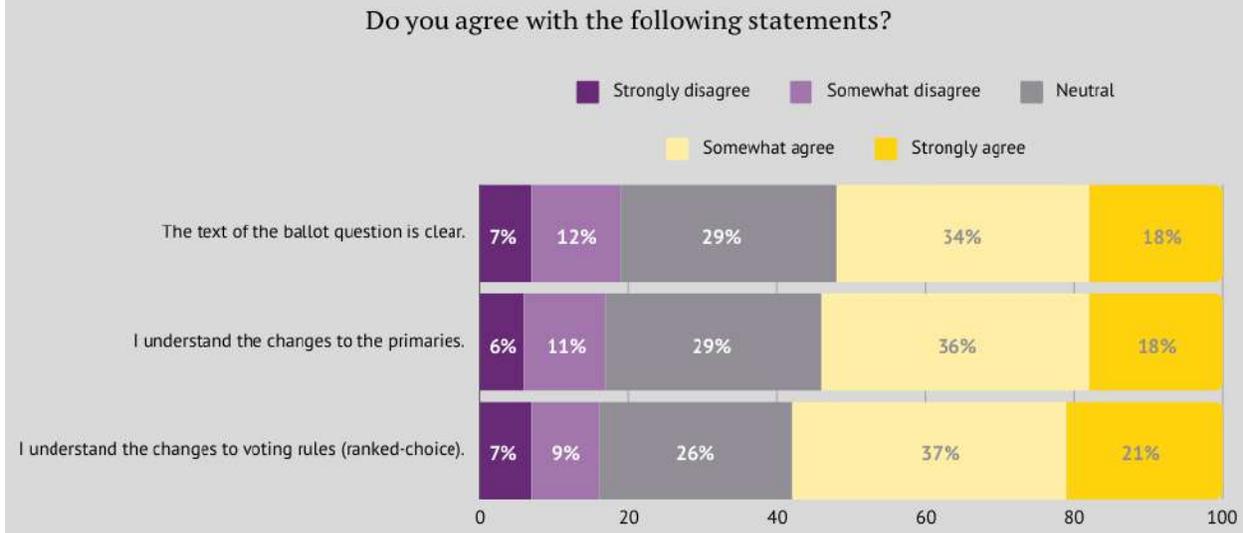
*A “Yes” vote would amend Articles 5 & 15 of the Nevada Constitution to allow all Nevada voters the right to participate in open primary elections to choose candidates for the general election in which all voters may then rank the remaining candidates by preference for the 20 offices of U.S. Senators, U.S. Representatives, Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Controller, Attorney General, and State Legislators.*

*A “No” vote would retain the provisions of Articles 5 & 15 of the Nevada Constitution in their current form.*

After reading the ballot question and accompanying explanation, respondents generally reported an improved understanding of the proposed reforms, with a majority expressing that they either “somewhat” or “strongly” agree with understanding proposed changes. However, more than 15 percent reported having little to no understanding of each reform.

We observed a positive association between reported understanding of open primaries and ranked-choice voting and the respondents’ reported level of education. These results, along with the finding that nearly 19 percent of respondents found the ballot explanation unclear, suggest that additional resources would help to effectively inform voters with diverse educational backgrounds.

**Figure 5: Comprehension of Ballot Question Explanation (Survey Question)**



## INFORMATION PREFERENCES

### FINDING 4

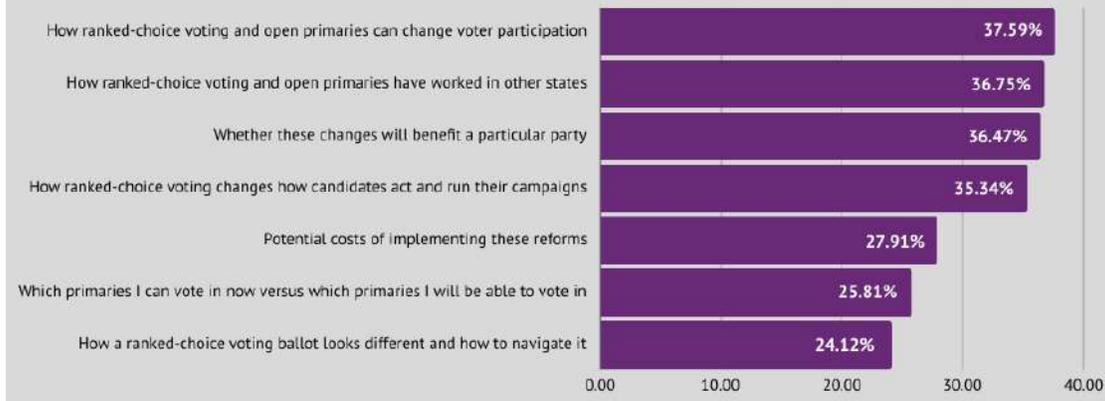
Top areas of interest for respondents include voter participation, examples from other jurisdictions, potential partisan effects, and candidate behavior.

Respondents were asked what information they would like to learn about relative to the proposed reforms and the potential impacts of Nevada’s Ballot Question 3.

Among the provided options, areas of highest interest included understanding how reforms may impact voter participation, examining examples from other states/jurisdictions implementing these reforms, evaluating their potential impact on political parties, and assessing their influence on candidate behavior.

**Figure 6: Areas of Interest for More Information (Survey Question)**

What would you like to learn when it comes to ranked-choice voting and open primaries?  
Select all that apply.



## FINDING 5

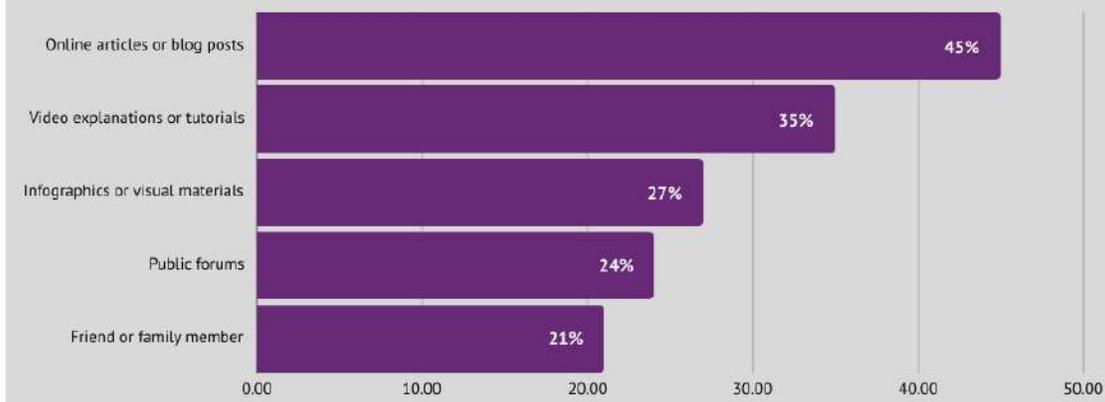
Respondents express a preference for learning more about proposed reforms through articles, video explanations, and infographics.

When asked how they would like to receive information about ranked-choice voting, respondents indicated the strongest preference for online articles (45 percent), followed by video explanations (35 percent), infographics, or other visual materials (27 percent).

Public forums (24 percent) and learning from friends or family members (21 percent) garnered less interest among respondents as a communication medium.

**Figure 7: Information Mediums (Survey Question)**

How would you prefer to receive information about the potential impacts of ranked-choice voting and open primaries? Select all that apply.



# RESPONDENTS' ATTITUDES REGARDING QUESTION 3

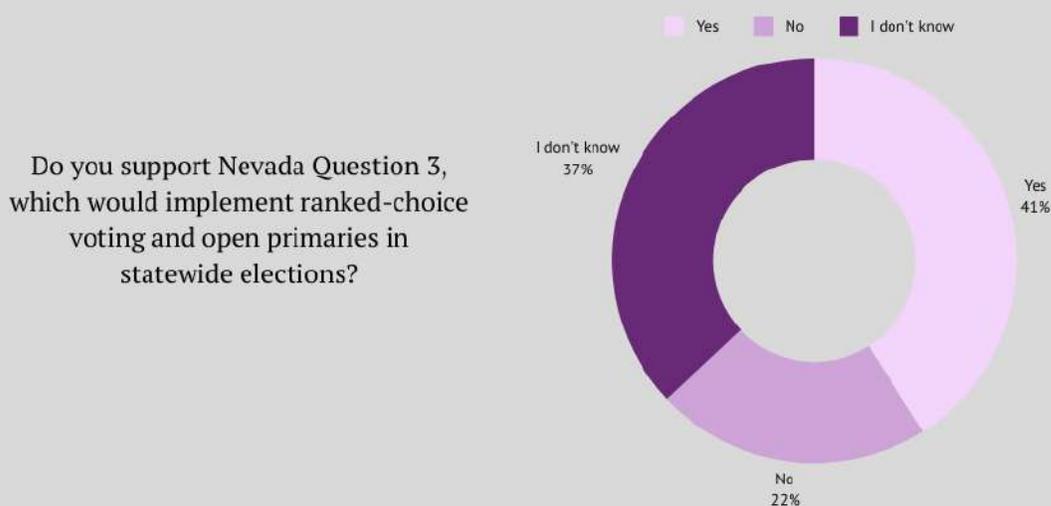
## FINDING 6

A plurality of respondents support Question 3, with a notable portion remaining undecided.

At the end of the survey, respondents were asked whether they supported Nevada Question 3.

While a plurality of respondents expressed support for the ballot question, 37 percent of respondents remained undecided. Furthermore, our findings are consistent with current literature that suggests younger voters are more supportive of ranked-choice voting than older voters and Democrats are more likely to support ranked-choice voting than Republicans.<sup>6</sup>

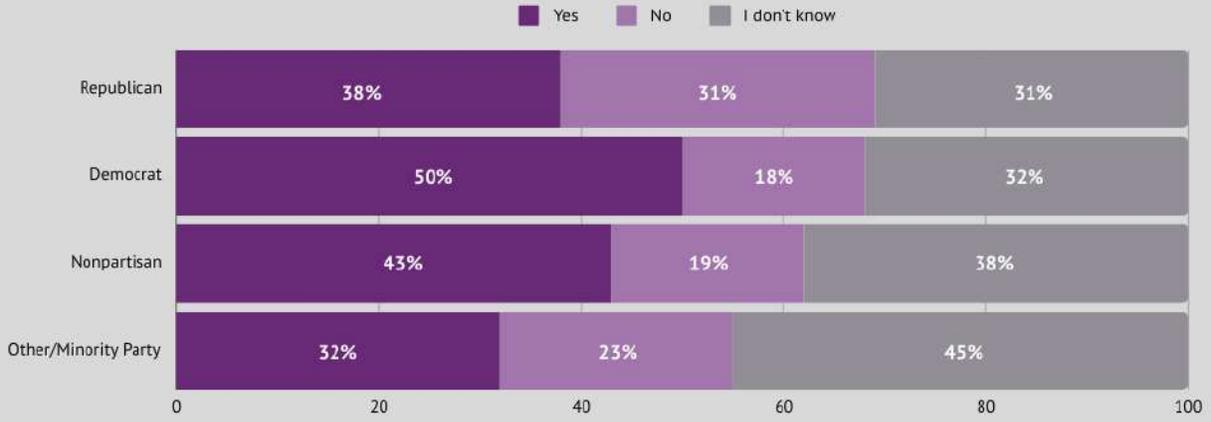
**Figure 8: Attitude on Question 3 (Survey Question)**



<sup>6</sup> David Kimball and Joseph Anthony, "Public Perceptions of Alternative Voting Systems: Results from a National Survey Experiment," SSRN Scholarly Paper (Rochester, NY, April 16, 2021), <https://doi.org/10.2139/ssrn.3854047>.

### Figure 9: Partisan Support for Question 3 (Survey Question)

Do you support Nevada Question 3, which would implement ranked-choice voting and open primaries in statewide elections?





# FREQUENTLY ASKED QUESTIONS

The following Frequently Asked Questions (FAQ) guide was created using findings from our 2023 survey in addition to academic literature, news articles, case studies, and interviews with policy experts.

Three primary themes emerged from these sources, which framed the types of questions we addressed:

1. **What** is Nevada Question 3?
2. **How** do open primaries and ranked-choice voting work?
3. **Where** are similar reforms currently used, and what have been the impacts of these reforms?

This FAQ guide is intended to be public-facing, addressing the knowledge gaps identified during our analysis of the survey.

# WHAT IS NEVADA QUESTION 3?

Nevada Ballot Question 3 reads: “Shall the *Nevada Constitution* be amended to allow all Nevada voters the right to participate in open primary elections to choose candidates for the general election in which all voters may then rank the remaining candidates by preference for the offices of U.S. Senators, U.S. Representatives, Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Controller, Attorney General, and State Legislators?”<sup>7</sup>

Currently, Nevada operates under a closed-primary, plurality voting system. This means two things:

- 1) In the primary election, voters can only select candidates who are also registered within their party; and
- 2) In the general election, the candidate with the largest number of votes—even if not a majority of votes—wins.

If approved, Nevada’s Ballot Question 3 would amend the state constitution to change these two things. It would:

- 1) Allow for a single primary election, in which all candidates are listed on the same ballot, and all registered voters can participate; and
- 2) Implement ranked-choice voting (RCV) for both federal and state offices (excluding the presidential election).

The combination of an open, nonpartisan primary and ranked-choice voting in the general election, as outlined in Ballot Question 3, is commonly known as Final-Five Voting (FFV). The FFV model was created by Katherine Gehl, businesswoman and founder of the Institute for Political Innovation. This electoral model has recently gained national attention and, in 2022, Alaska became the first state in the country to implement FFV for statewide elections (note: Alaska implemented a “final four” model). Campaigns in support of FFV are active in Nevada, Wisconsin, Georgia, New York City, and Washington, D.C.<sup>8</sup>

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<sup>7</sup> Nevada Secretary of State, “STATEWIDE BALLOT QUESTIONS 2022.”

<sup>8</sup> “Final-Five Voting,” *The Institute for Political Innovation* (blog), accessed May 6, 2023, <https://political-innovation.org/final-five-voting/>.

## What is the history of this ballot question?

In November of 2022, Nevada’s electorate voted in favor of Ballot Question Number 3.<sup>9</sup> Initiative proposals to amend the *Nevada Constitution* must be approved in identical form at two successive elections before becoming law.<sup>10</sup> Since Ballot Question 3 proposes a change to the *Nevada Constitution*, the question will appear on the ballot for a second statewide vote in November 2024.

## Why is this a constitutional change?

Unlike Alaska, which adopted open primaries and ranked-choice voting through state statute, Nevada’s proposal would amend the state constitution.<sup>11</sup> Nevada’s constitution requires elections by plurality rules, meaning that the candidate with the most votes wins the election.<sup>12</sup> To change the electoral system, the *Nevada Constitution* would need to be amended to allow the adoption of ranked-choice voting.<sup>13</sup>

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<sup>9</sup> “Ballot Questions - Nevada Secretary of State 2022 General Election Results.”

<sup>10</sup> Article 19, Section 2, *Nevada Constitution*.

<sup>11</sup> “Alaska’s Better Elections Initiative Petition,” n.d.

<sup>12</sup> Nevada Secretary of State, “STATEWIDE BALLOT QUESTIONS 2022.”

<sup>13</sup> “The Legality of Ranked-Choice Voting,” *California Law Review*,  
<https://www.californialawreview.org/print/the-legality-of-ranked-choice-voting>.

# HOW DOES RANKED-CHOICE VOTING WORK?

Question 3 would change Nevada’s electoral system in two ways:

- 1) Change our primary system from a closed (partisan) primary to an open (nonpartisan) primary; and
- 2) Change our general election system from a simple majority/first-past-the-post system, to ranked-choice, instant runoff voting.

To understand these changes, it is important to understand Nevada’s current system, and how it may change if Nevada’s Ballot Question 3 is implemented.

Voter education experts suggest that seeing a ballot is the most effective form of voter education.<sup>14</sup> In the following section, a visualization of what a ballot may look like will accompany each explanation of an electoral system. Although these are not official sample ballots, the closed primary and simple majority ballot examples have been modeled after Nevada’s current system. The open (nonpartisan) primary ballot and ranked-choice voting ballot are modeled after ballots in Alaska, where the Final-Four/Five Voting (FFV) reform has been adopted.<sup>15</sup>

## What would it look like to change from a closed primary system to an open primary system?

To answer this question, we will review the definition of primary elections and Nevada’s current electoral system, then outline what changes Nevada’s Ballot Question 3 would enact if passed.

## What are primary elections?

Primary elections are used to choose which candidates will be on the ballot in the general election. Each state has different primary rules. Currently, Nevada is a closed primary state.<sup>16</sup>

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<sup>14</sup> “THE IMPLEMENTATION PROJECT,” Ranked Choice Voting, <https://www.rcvresources.org/the-implementation-project>.

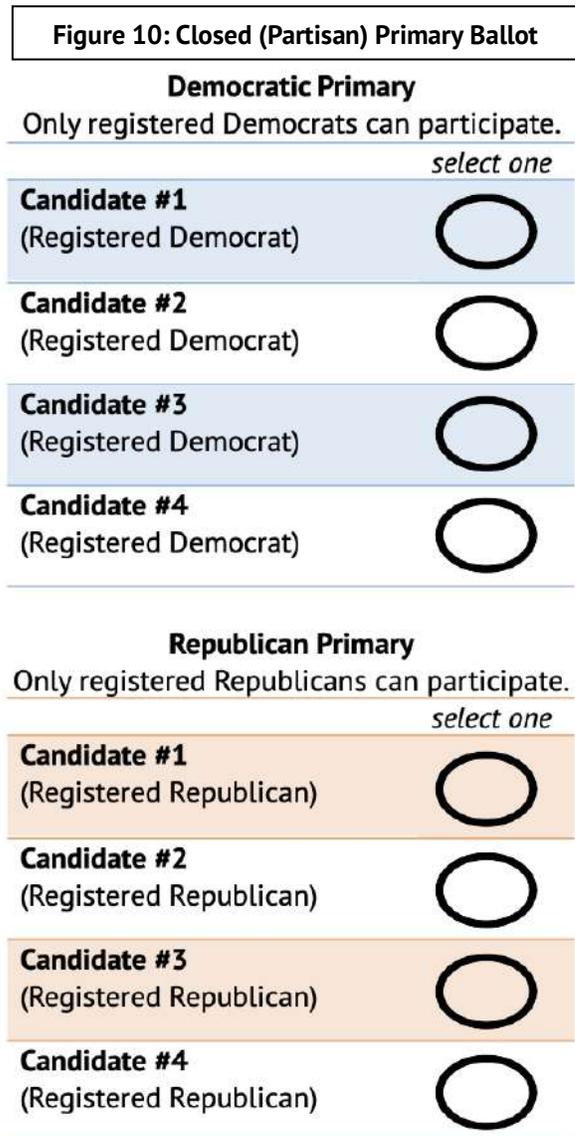
<sup>15</sup> Alaska Division of Elections, “Alaska Better Elections Implementation: Nonpartisan Pick One Primary Election FAQ,” <https://www.elections.alaska.gov/RCV.php>.

<sup>16</sup> National Council of State Legislatures, “State Primary Election Types,” accessed July 6, 2023, <https://www.ncsl.org/elections-and-campaigns/state-primary-election-types>.

## What is the current system Nevada uses in its primary process?

Nevada currently uses a closed primary process to determine which candidates will appear on the ballot in each general election. Here is an outline describing the purpose, function, and eligibility requirements of a closed primary system.

- What is the purpose?** A closed primary is used to select which candidates will represent the major political parties in the general election.<sup>17</sup>
- How does it work?** For partisan races, each party has a separate primary ballot, listing only members of their party. Each eligible voter selects one candidate to represent their party (see Figure 10).
- Who can vote?** Only voters who have registered with a major party (Republican or Democrat) can participate in their own party’s partisan primary election. For example, a registered Republican can only participate in the Republican primary. Voters who are not affiliated with a party cannot participate in a partisan primary election. All voters may vote – no matter their party affiliation – for offices designated and nonpartisan pursuant to *Nevada Revised Statutes* (NRS) 293.195.<sup>18</sup>
- How do candidates get on the general election ballot?** Major political party candidates (Republican or Democrat) are nominated through the



<sup>17</sup> “What Is a Closed Primary Election?,” accessed July 28, 2023, <https://www.washoecounty.gov/voters/old-site/elections/closedprimarystate.php>.

<sup>18</sup> “NRS: CHAPTER 293 - ELECTIONS,” <https://www.leg.state.nv.us/NRS/NRS-293.html#NRS293Sec287>.

primary election. The candidate with the most votes moves on to represent the party in the general election. Minor political party candidates (Libertarian or Independent American Party, and others) are nominated by their respective parties and placed directly on the general election ballot. Independent candidates (no political party) must obtain signatures on an independent candidate petition to be placed on the general election ballot.<sup>19</sup>

- **What are the pros and cons of closed primaries?** Proponents of the closed primary system note that the system may prevent foul play from non-party members, in which voters outside the party may try to sabotage the other party's primary. Those who oppose the closed primary system argue that it disenfranchises voters who are not registered with a major party, as well as produces more ideologically extreme candidates.<sup>20</sup>
- **What other states use closed primaries?** Along with Nevada, Delaware, New Mexico, Florida, Kentucky, New York, and Pennsylvania use a closed primary system.<sup>21</sup>

## What would an open primary process look like?

In this section, we'll outline the key differences of the open primary system, including its purpose and function, as well as its pros and cons.

- **What is the purpose?** A nonpartisan open primary is used to narrow the number of candidates whose names will appear on the ballot at the general election for partisan office.<sup>22</sup>
- **How does it work?** All candidates, regardless of party affiliation, are listed on a common ballot. Voters select one candidate (see Figure 11).
- **Who can vote?** All voters, regardless of party affiliation, can vote in the primary.
- **How do candidates get on the general election ballot?** The top five candidates with the most votes, regardless of party affiliation, advance to the general election.<sup>23</sup>

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<sup>19</sup> "NRS: CHAPTER 293 - ELECTIONS."

<sup>20</sup> Nevada Secretary of State, "STATEWIDE BALLOT QUESTIONS 2022."

<sup>21</sup> National Council of State Legislatures, "State Primary Election Types."

<sup>22</sup> National Council of State Legislatures.

<sup>23</sup> Nevada Secretary of State, "STATEWIDE BALLOT QUESTIONS 2022."

- What are the pros and cons of nonpartisan primaries?** Proponents of nonpartisan primaries argue that this process allows voters more opportunities to participate, especially those not registered with a major party.<sup>24</sup> This system is especially influential in districts where general elections are not competitive, leading to a situation in which the likely winner is decided in the primary.<sup>25</sup> Opponents of nonpartisan primaries argue that political parties should be able to select their nominees without the influence of cross-party voting. Additionally, opponents argue that the current party registration system already provides a method for voters to select nominees for the party of their choice.<sup>26</sup>
- What other states have nonpartisan primaries?** California, Nebraska, and Washington use a top-two nonpartisan primary system, in which the top two vote-getters proceed to the general election. Alaska recently adopted a top-four nonpartisan primary system, in which the top-four vote-getters proceed to the general election.<sup>27</sup>

Figure 11: Nonpartisan Open Primary Ballot

	<i>select one</i>
<b>Candidate #1</b> (Registered Republican)	<input type="radio"/>
<b>Candidate #2</b> (Registered Libertarian)	<input type="radio"/>
<b>Candidate #3</b> (Registered Democrat)	<input type="radio"/>
<b>Candidate #4</b> (Registered Republican)	<input type="radio"/>
<b>Candidate #5</b> (Registered Democrat)	<input type="radio"/>
<b>Candidate #6</b> (Registered Democrat)	<input type="radio"/>
<b>Candidate #7</b> (Nonpartisan)	<input type="radio"/>
<b>Candidate #8</b> (Registered Independent American)	<input type="radio"/>
<b>Candidate #9</b> (Registered Libertarian)	<input type="radio"/>
<b>Candidate #10</b> (Registered Republican)	<input type="radio"/>

<sup>24</sup> OPEN-PRIMARIES, <https://openprimaries.org/>.

<sup>25</sup> “What We Know about Congressional Primaries and Congressional Primary Reform,” New America, <http://newamerica.org/political-reform/reports/what-we-know-about-congressional-primaries-and-congressional-primary-reform/>.

<sup>26</sup> Bethany Dixon, “In Defense of the Closed Primary” 22, no. 1 (2016).

<sup>27</sup> National Council of State Legislatures, “State Primary Election Types,” <https://www.ncsl.org/elections-and-campaigns/state-primary-election-types>.

## What would it look like to change from a Simple Majority system to a Ranked-Choice voting system in the general election?

In keeping with the pattern used to describe changes to the primary election system, we'll first explain how our current general election system functions, then review the same questions for a proposed ranked-choice voting system.

### What is a general election?

In a general election, the winning candidate is elected to political office. The general election must be held throughout the State on the first Tuesday after the first Monday of November in each even-numbered year.<sup>28</sup>

### What is the system currently in place for general elections?

Nevada currently uses a simple majority or “first past the post” system, in which a candidate may enter the ballot as a:

1. Major party candidate (nominated via primary election);
2. Minor party candidate (nominated by minor party); or
3. Independent candidate (must petition through obtaining voter signatures to be on the ballot).<sup>29</sup>

**Figure 12: Simple Majority General Election Ballot**

	<i>select one</i>
<b>Candidate #1</b> (Registered Republican)	<input type="radio"/>
<b>Candidate #2</b> (Registered Democrat)	<input type="radio"/>
<b>Candidate #3</b> (Registered Libertarian)	<input type="radio"/>

Voters select one candidate of choice. The candidate with the largest number of votes (even if not a majority, or 50 percent of votes) wins the election (see Figure 12).

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<sup>28</sup> “NRS: CHAPTER 293 - ELECTIONS,” <https://www.leg.state.nv.us/NRS/NRS-293.html#NRS293Sec287>.

<sup>29</sup> “NRS: CHAPTER 293 - ELECTIONS.”

## How does ranked-choice voting work?

In the proposed “Final Five” voting system, a candidate may qualify for the general election ballot by being one of the top five vote-getters in the open primary election process.<sup>30</sup> See Figure 11 for a reminder of how the open primary process functions. In the ranked-choice voting system, multiple candidates from the same party can be placed on the general election ballot (see Figure 13).

**Figure 13: Ranked-Choice Voting General Election Ballot**

	<i>1<sup>st</sup></i> <i>Choice</i>	<i>2<sup>nd</sup></i> <i>Choice</i>	<i>3<sup>rd</sup></i> <i>Choice</i>	<i>4<sup>th</sup></i> <i>Choice</i>	<i>5<sup>th</sup></i> <i>Choice</i>
<b>Candidate #1</b> (Registered Democrat)	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
<b>Candidate #2</b> (Registered Republican)	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
<b>Candidate #3</b> (Registered Nonpartisan)	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
<b>Candidate #4</b> (Registered Republican)	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
<b>Candidate #5</b> (Registered Democrat)	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5

In a given race, voters can rank up to five candidates. However, voters do not need to use all of their rankings for their votes to count. This means that, if a voter only wants to cast their vote for a single candidate, they may do so. Each vote for a candidate and each ranking will only count once, so voters are encouraged to fill out one bubble per row, and one bubble per column.

Tabulating the votes may take place in multiple “rounds.”

### Round 1

The votes will be counted, beginning with each voter’s first-choice selection (see Figure 14). In the Figure 14 example below, under Nevada’s proposed ranked-choice voting model, the voter ranked Candidate no. 3 first, Candidate no. 1 second, followed by Candidate no. 2 third, et cetera.

<sup>30</sup> Nevada Secretary of State, “STATEWIDE BALLOT QUESTIONS 2022.”

**Figure 14: Ranked-Choice Voting First Through Fifth Choice Selections**

	1 <sup>st</sup> Choice	2 <sup>nd</sup> Choice	3 <sup>rd</sup> Choice	4 <sup>th</sup> Choice	5 <sup>th</sup> Choice
Candidate #1 (Registered Democrat)	<input type="radio"/> 1	<input checked="" type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5
Candidate #2 (Registered Republican)	<input type="radio"/> 1	<input type="radio"/> 2	<input checked="" type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5
Candidate #3 (Registered Nonpartisan)	<input checked="" type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5
Candidate #4 (Registered Republican)	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input checked="" type="radio"/> 4	<input type="radio"/> 5
Candidate #5 (Registered Democrat)	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input checked="" type="radio"/> 5

During tabulation, if a candidate receives over 50 percent of the vote, the candidate automatically wins the election. If **no** candidate receives a majority, **and** two or fewer candidates are remaining, the candidate with the most votes is declared elected and no further tabulation is required. If no candidate were to win 50 percent of the vote, the election would move on to a second tabulation round.

**Round 2 (and all subsequent rounds)**

For Round 2 (and all subsequent rounds) of the tabulation process, the candidate with the least amount of first-choice votes gets eliminated from the election. If your first-choice vote was for the eliminated candidate, your vote will now count towards your second-choice candidate. If your first choice was not for the eliminated candidate, your vote would remain with that candidate. Put another way, the candidate with the fewest votes is eliminated and the votes cast for that eliminated candidate shall be added to the totals of each ballot’s next highest-ranked candidate.

If, during this second round of tabulation, a candidate receives over 50 percent of the vote, that candidate automatically wins the election. If no candidate receives 50 percent of the vote, a new tabulation round is conducted. This process continues until one candidate reaches the 50 percent threshold.<sup>31</sup>

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<sup>31</sup> Alaska Division of Elections, “Alaska Better Elections Implementation: Nonpartisan Pick One Primary Election FAQ.”

# ***WHERE ARE SIMILAR REFORMS CURRENTLY USED?***

As of 2023, the only other state that has adopted a “Final Four/Five Voting” (FFV) model has been Alaska, which adopted a “Final Four” system in 2020.<sup>32</sup> Although recent elections in Alaska may be a useful case study, due to the recency of this reform, data on FFV elections in practice is limited, making it challenging to draw definitive conclusions on the effectiveness and consequences of this model.

However, it is important to note that several states and jurisdictions have adopted open/nonpartisan primaries or ranked-choice voting as separate reforms. Although not a perfect comparison, studying these reforms separately may provide useful insights.

## **“Open Primaries” or Nonpartisan Blanket Primaries**

Although Nevada’s proposed reform has been described as an “open primary” system, this reform would not implement an “open primary” in a traditional sense. There are several types of open primaries with varying rules. In general, open primaries do not require voters to register with a party. Instead, most open primary states allow voters to *choose* the party primary in which they would like to vote.<sup>33</sup> Nevada’s proposal would not only change who is allowed to participate in the primary but would also change how candidates may qualify to appear on the general election ballot. Table 1 further explains the differences between closed, open, and nonpartisan blanket primaries.

A more accurate descriptor for Nevada’s proposed primary reform would be a nonpartisan blanket primary. The only difference between the different types of nonpartisan blanket primaries is how many candidates will appear on the general election ballot. For example, California and Washington use a “Top-Two” primary, in which the top two vote-getters are placed on the general election ballot. Alaska’s nonpartisan blanket primary is referred to as a “Top-Four” system, in which the top four candidates proceed to the general election. If Ballot Question 3 is approved at the 2024 General Election, Nevada would be the first state to use a “Top-Five” system, in which the top five vote-getters proceed to the general election.

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<sup>32</sup> Alaska Division of Elections.

<sup>33</sup> National Council of State Legislatures, “State Primary Election Types.”

**Table 1: Closed Primaries, Open Primaries, and Nonpartisan Blanket Primaries: What is the Difference?**

	<b>What is the purpose of this primary?</b>	<b>Do you have to be registered with a party to participate?</b>	<b>Are candidates from the same party listed on a separate or common ballot?</b>	<b>How does a candidate get on the general election ballot?</b>
<b>Closed Primary</b>  (Nevada's Current System)	Select which candidates will represent the major political parties in the general election	Yes	Separate. Only candidates of the same party are listed on the same ballot.	Through the party's primary
<b>Traditional Open Primary</b>	Select which candidates will represent the major political parties in the general election	No	Separate. Only candidates of the same party are listed on the same ballot.	Through the party's primary
<b>Nonpartisan Blanket Primary</b>  (Nevada's Proposed System in Ballot Question 3)	Narrow the number of candidates whose names will appear on the ballot at the general election for partisan office	No	Common. All candidates, regardless of party, are listed on the same ballot.	Top five vote getters, regardless of party

The most well-known example of a nonpartisan blanket primary is the “top two” system. Current research on the top two system suggests that they have not lived up to their

ideals, as it has not substantially created more moderate candidates.<sup>34</sup> Advocates of the FFV model suggest that integrating a “top five” primary with ranked-choice voting would address many of the criticisms of the “top two” systems, as including more candidates in the general election can help to increase political competition and increase the chances of a non-major party candidate to be on the ballot.<sup>35</sup>

## Ranked-Choice Voting

Most states and districts in the United States conduct their elections through a single-member plurality or “first-past-the-post” voting system. In this system, voters select one candidate and, whichever candidate receives the most votes, wins the election - even if they do not win a majority of the vote. Ranked-choice voting is an alternative voting system to first-past-the-post.<sup>36</sup>

In the United States, there are over 50 jurisdictions that use some form of ranked-choice voting in their elections.<sup>37</sup> Many of these jurisdictions are local governments, however, Maine and Alaska use ranked-choice voting for statewide elections.<sup>38</sup>

## Final-Four/Five Voting (FFV): The Combination of Nonpartisan Blanket Primaries & Ranked-Choice Voting

Final-Four/Five Voting (FFV) combines both nonpartisan blanket primaries and ranked-choice voting into one reform. Only one other state, Alaska, has implemented this model into its statewide elections.

Alaska voters adopted the FFV voting system in November 2020. Unlike Nevada’s proposal, Alaska’s was not proposed as an amendment to the state constitution, but rather as an indirect initiative state statute. Along with the provisions of implementing open top-four primaries and ranked-choice voting, this measure also included a ban on

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<sup>34</sup> “What We Know about Congressional Primaries and Congressional Primary Reform.”

<sup>35</sup> Katherine Gehl, “The Case for the Five in Final Five Voting,” *Constitutional Political Economy* 34, no. 3 (September 1, 2023): 286–96, <https://doi.org/10.1007/s10602-022-09386-6>.

<sup>36</sup> “Ranked Choice Voting: What, Where, Why & Why Not - The Council of State Governments,” March 21, 2023, <https://www.csg.org/2023/03/21/ranked-choice-voting-what-where-why-why-not/>.

<sup>37</sup> Congressional Research Service, “Ranked-Choice Voting: Legal Challenges and Considerations for Congress,” 2022, <https://crsreports.congress.gov/product/pdf/LSB/LSB10837>.

<sup>38</sup> FairVote, “Research and Data on RCV in Practice,” *FairVote* (blog), <https://fairvote.org/resources/data-on-rcv/>.

“dark money,” which would require increased transparency around financial contributions to campaigns.<sup>39</sup> The measure passed with 50.55 percent of the vote.<sup>40</sup>

Due to the recency of this reform, only two elections have been run under this system in Alaska: an unexpected August 2022 special election following the passing of Congressman Don Young, and the 2022 general election.<sup>41</sup> With a limited number of examples to learn from, it is difficult to determine the long-term impacts of this electoral system, especially concerning how this system may impact voters.

However, findings on the initial application of FFV in Alaska suggest potential impacts both on who runs for office and who gets elected.<sup>42</sup> In the 2022 elections for the U.S. House and Senate, an unprecedented number of candidates entered the primaries, the composition of which was more representative of Alaska’s non-major parties than in previous elections. Additionally, the winners of the House and Senate races, Mary Peltola and Lisa Murkowski, respectively, both won a plurality of first-choice votes and later achieved their victory through the vote-transfer process of ranked-choice voting. Although there were no “come from behind” victories, analysts suggest that these results may have been unlikely under the traditional system, as the primary process allowed multiple candidates from each of the major parties to compete against each other.<sup>43</sup>

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<sup>39</sup> “Alaska Ballot Measure 2, Top-Four Ranked-Choice Voting and Campaign Finance Laws Initiative (2020),” Ballotpedia, [https://ballotpedia.org/Alaska\\_Ballot\\_Measure\\_2,\\_Top-Four\\_Ranked-Choice\\_Voting\\_and\\_Campaign\\_Finance\\_Laws\\_Initiative\\_\(2020\)](https://ballotpedia.org/Alaska_Ballot_Measure_2,_Top-Four_Ranked-Choice_Voting_and_Campaign_Finance_Laws_Initiative_(2020)).

<sup>40</sup> Benjamin Reilly, David Lublin, and Glenn Wright, “Alaska’s New Electoral System: Countering Polarization or ‘Crooked as Hell’?,” *California Journal of Politics and Policy* 15, no. 1 (2023), <https://doi.org/10.5070/P2cjpp15160081>.

<sup>41</sup> “How Second-Choice Votes Pushed a Democrat to Victory in Alaska,” Washington Post, September 1, 2022, <https://www.washingtonpost.com/elections/2022/08/31/ranked-choice-totals-alaska-peltola/>.

<sup>42</sup> Reilly, Lublin, and Wright, “Alaska’s New Electoral System.”

<sup>43</sup> Reilly, Lublin, and Wright.



# CONCLUSION

Through the distribution and analysis of a statewide survey, this report identifies knowledge gaps and common questions and concerns regarding electoral reform in Nevada. By involving survey findings in generating the questions of our Frequently Asked Questions (FAQ) guide, the information presented is grounded in the specific needs and interests of the people it may impact. Namely, respondents' questions concerned a deeper understanding of the changes Nevada's Ballot Question 3 proposes, how it would change our current electoral system, and what other jurisdictions have implemented similar reforms. Using relevant academic literature, case studies, and interviews with policy experts, we clarified these preliminary questions in our FAQ guide.

This report is not intended to formulate a stance or position on how Nevadans should vote on Ballot Question 3 but rather is meant to equip voters with the necessary information to make an informed decision on this ballot question, as well as identify areas for future research based on the results of this survey.

## OPPORTUNITIES FOR FUTURE RESEARCH

Due to the time constraints of this research project, this report is fairly limited in scope. To fully understand the potential impacts of Ballot Question 3, researchers should consider studying the following topics:

### **Voter understanding and satisfaction**

Although several studies suggest that repeated exposure to ranked-choice voting can improve voter satisfaction and understanding of the system,<sup>44</sup> similar studies could be conducted to evaluate voter understanding and satisfaction of the changes Nevada Question 3 proposes.

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<sup>44</sup> Lee Drutman and Maresa Strano, "Evaluating the Effects of Ranked-Choice Voting," New America, <http://newamerica.org/political-reform/reports/evaluating-the-effects-of-ranked-choice-voting/>.

## Voter education

If Ballot Question 3 is implemented, sustained voter education before, during, and after the implementation of the new system will be critical. Election officials and other groups should look to best practices on several aspects of voter education, including messaging and language access.

# ADDITIONAL RESOURCES

Listed below are recommended resources regarding Nevada Question 3:

- The Impacts of Open Primaries
  - [What We Know about Congressional Primaries and Congressional Primary Reform](#) (2021) *New America*
- The Impacts of Ranked-Choice Voting
  - [Evaluating the Effects of Ranked-Choice Voting](#) (2022) *New America*
- Ranked-Choice Voting Visualizations
  - [RCVis](#)
  - [Ranked Choice Voting: Here's How It Works In Alaska](#) (2022) *State of Alaska Division of Elections*
  - [Ranked Choice Voting Tabulation Process - Alaska](#) (2022) *State of Alaska Division of Elections*
- Voter and Candidate Education
  - [The Implementation Project](#) (2022) *Ranked Choice Voting Resource Center*
  - [Examining Attitudes of Spanish-Speaking Communities on Democracy, Representation, Voting, and Ranked Choice Voting](#) (2021) *Democracy Rising*



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