



HANDOUT FOR ITEM #1

“Top Two Primary”

Guide to Voting

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2221 Kern Street
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8:30a.m. – 12:00p.m., 1:00p.m. – 5:00p.m.
Monday through Friday (Excluding Holidays)

On June 8, 2010, California voters approved Proposition 14, which created the “Top-Two Open Primary Act”.

Prior to the “Top-Two Open Primary Act”, candidates running for partisan office appeared only on their own party ballot. The top vote-getter from each qualified political party and any candidates who qualified using the independent nomination process would then move on to the General Election.

Now, under the “Top-Two Open Primary Act”, all candidates running, regardless of their party preference, will appear on a single combined ballot, and voters can vote for any candidate from any political party. The “Top-Two Open Primary Act” would not affect the election of President (except parties that allow cross-over voters) and County Central Committees, which are still party specific contests.

The “Top-Two Open Primary Act” requires that only the two candidates for voter-nominated offices who receive the highest and second-highest number of votes cast at the primary shall appear on the ballot as candidates at the ensuing General Election. (EC8141.5)

The “Top-Two Primary Act” changes the way elections are conducted for all statewide offices including:

Governor	Controllor	State Senator
Lt. Governor	Insurance Commissioner	State Assembly
Secretary of State	Board of Equalization	U.S. Senator
State Treasurer	U.S. Representatives	Atty. General

The “Top-Two Primary Act” would not affect the election of President (except parties that allow cross-over voters) and Central Committees, which are party-nominated. Non-partisan offices such as Judges, schools, special districts, municipalities, and the Superintendent of Public Instruction would remain open to all eligible voters.

Quick facts about the “Top-Two Primary Act”

What does this mean for the Voter?

It changes the way candidates are elected in a primary election.

THERE ARE 3 TYPES OF CANDIDATE CONTESTS:

1) Party-Nominated (Partisan)

Party-Nominated offices are contests where the nominee is selected by the political party. Only registered voters in that political party can vote for that party’s candidate on the ballot.

Offices of: *U.S. President and County Central Committees.*

Who can vote: *Only voters registered with the same party preference as the candidate can vote except for parties that allow non-partisans to cross-over. (For the June 5, 2012, Presidential Primary only the Democratic Party and American Independent Party will allow no party preference voters (formerly known as decline-to-state voters) to cross-over and vote for their Presidential candidate).*

Who advances to the general: *Presidential contest only, the top vote-getters in each party.*

2) Voter-Nominated (Formerly known as Partisan)

Voter-Nominated offices are contests in which the nominee is selected by the voter. In voter-nominated contests, any voter can vote for any candidate, regardless of party.

Offices of: *Governor, Lt. Governor, Secretary of State, State Treasurer, State Controller, State Insurance Commissioner, State Board of Equalization, Attorney General, State Senator, State Assembly, US Senator and US Representative.*

Who can vote: *All voters, regardless of party preference can vote for any candidate. This replaces party ballots in primary elections with a single combined ballot listing all candidates.*

Who advances to the General Election: *The top-two vote-getters, regardless of party preference.*

3) Non-Partisan

A Non-Partisan office is an office in which no political party nominates a candidate. Judicial, school, county, and municipal offices are examples of non-partisan offices.

**Offices of: Superintendent of Public Instruction, Superior Court Judges, County Offices, Municipal Offices, Schools, and Special Districts.*

Who can vote: *All voters, regardless of party preference.*

Who advances to the general: *In majority vote contests, candidates that receive a majority of the votes win outright in the Primary. If no candidate receives a majority of the vote, then the top-two vote-getters move on to the general election.*

How does this affect write-in candidates?

- You may write in a qualified write-in candidate's name on the ballot in a Primary Election contest.
- In the General election, you may only write-in a qualified candidate's name in a Party-nominated contest. Write-in votes are not allowed in a voter-nominated general election.

WHAT IT MEANS TO YOU

There will be three types of ballots that will be issued in the Presidential Primary Election:

1. Party Ballots – Democratic Party, Republican Party, American Independent Party, Green Party, Libertarian Party and Peace and Freedom Party. The Presidential race will appear on each individual party ballot, as well as the Central Committee if applicable.
2. No Party Preference Ballot – All races that are voter-nominated (non-partisan) will appear on the ballot. The Presidential candidate and Central Committee members will not be on the ballot as they are Party-Nominated.
3. Democratic and American Independent Cross-Over Ballot – All races that are voter-nominated as well as the Presidential candidate for each individual party will appear on the party's ballot.

If you are a No Party Preference voter (non-partisan), a postcard will be mailed to you so that you can request a cross-over ballot. If you wish to vote for a Presidential candidate of a party other than the Democratic or American Independent, you will need to re-register with your new party before close of registration on May 21, 2012.

How do I change my political party?

To change your political party, you must complete a new Voter Registration card and return it no later than 15 days before the election. For the June election, the deadline is May 21. You should also re-register if you have moved, changed your name, or don't remember voting in the last 4 years. Voter Registration cards are available at post offices, libraries and city halls in Fresno County and at the County Clerk/Elections Office.

What is the difference between a Top 2 Primary and a Regular Primary Election?

Almost all other states in the country conduct nominating Primary Elections. California conducted nominating Primary Elections prior to the passage of Proposition 14 in June 2010 enacting the Top 2 Primary. In these states, the primary is for the political parties, because the purpose of the primary is to select each political party's nominee who will represent the party in the General Election.

For example, if 5 Republicans, 4 Democrats, 2 Greens, 2 American Independents, 2 Libertarians, 2 Peace & Freedom, and 1 Americans Elect candidates file for the office of Governor, the purpose of a nominating primary is to select the one candidate from each of the seven political parties who will advance to the General Election and represent their respective parties in the General Election. In this type of election, the candidates are representing their political party when they appear on the ballot. Also, the voters are required to affiliate with a party in order to vote in the Primary and are restricted to voting only for candidates of that party. Some parties have allowed cross-over voting where voters who are not registered with a party are allowed to vote their party's ballot.

In a Top 2 Primary, the purpose is simply to reduce the number of all candidates down to two, not to select each party's nominee. The candidates are not representing any political party when they appear on the ballot; they are only representing themselves. The party preference information for each candidate is informational only; it has no relevance to the election itself.

IMPORTANT TELEPHONE NUMBERS

Voter Registration & Elections office.....600-8683

Campaign/Candidate Services.....600-8683

Main Fax Number.....488-3279

Website – www.co.fresno.ca.us/elections