

**House State Government Committee  
Hearing on House Bill 520  
March 14, 2008**

**Testimony of Deputy Secretary Thomas Weaver  
Pennsylvania Department of State**

***Lowering the voting age requirement***

Chairman Josephs, Chairman Baker and distinguished members of the House State Government Committee:

Good morning. Thank you for the invitation to appear before the Committee to discuss House Bill 520. House Bill 520 amends the Election Code to allow an individual who will be at least 18 years of age on the day of the next general, municipal or special election to register and vote in the primary election. The individual must meet the eligibility requirements set forth in the law and must be enrolled on his or her district register as a member of a political party. Currently, an individual must be 18 years of age by the date of the primary in order to vote in the primary election that precedes a general or municipal election.

In my testimony today, I will discuss the Administration's position on the bill and provide issues for consideration.

The Rendell Administration advocates for involvement in the electoral process, and supports the concept of this bill. Citizens who have the right to vote in the General Election should be able to participate in the candidate selection process.

A candidate of a major political party first seeks election in a primary election, and if the candidate is successfully elected in the primary, the candidate then seeks election in a general or municipal election. Thus, being able to vote in the primary enfranchises young voters earlier in the electoral process and enables them to have a greater voice in selecting candidates.

As of 2006, the Department of Health estimated that there were 184,349 17-year-olds in Pennsylvania. The Department of State estimates that reducing the voting age would have added approximately 100,000 to 120,000 electors to the rolls that year.

Changing the age would require amending section one of the voter registration form pertaining to age. This can be easily accomplished and would have little to no fiscal impact. There would be a need, however, to educate county election officials about reviewing the voter registration form to ensure that the elector's birth date is on or prior to the next general election.

To date, eleven states permit 17-year-olds to vote in the primary election if the voter will turn 18 on or before the date the general election. Those states include Ohio, Maryland, Virginia and West Virginia. Various states are considering proposals to amend their respective constitutions to lower the voting age to seventeen for primary elections. Such states include Arizona, Connecticut, Illinois, and Washington.

There is some discussion as to whether or not the Pennsylvania legislature can enact laws affording the opportunity to participate to 17-year-olds without adopting constitutional amendments. In general, constitutions in a free democracy are written in an inclusive manner to promote and advance the rights of the citizens. Article VII, Section 1 of the Pennsylvania Constitution provides: "Every citizen twenty-one years of age ... shall be entitled to vote at all elections subject, however, to such laws requiring and regulating the registration of electors as the General Assembly may enact." The 26<sup>th</sup> Amendment to the U.S. Constitution lowered the voting age to 18, thereby replacing the number 21 with 18 in the Pennsylvania Constitution, leaving the remaining language the same.

The Department of State believes that the plain reading of the Pennsylvania Constitution does not prohibit the legislature from enacting this legislation. However, the legislature should examine the issue and make a definitive determination. Should a determination be made that a constitutional amendment is required the legislative leaders should keep in mind the cost of that process, which we estimate at \$2 million.

Also, the legislation is unclear as to the issue of 17-year-olds registered as Independents. Independents are not eligible to vote for a candidate in the primary. Direction is needed regarding whether or not they could vote on a ballot referendum. The legislature may want to address this situation as well.

The right to vote is a cornerstone of our democracy. Encouraging participation in the electoral process is fundamental to our nation. Government should be doing

everything it can to encourage greater participation in the electoral process. This proposal would hopefully get and keep young people interested and involved in the electoral process. I thank you for the opportunity to discuss this proposal with you today. I welcome your questions at this time.