

TRANSCRIPT OF PROCEEDINGS

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COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES
HOUSE STATE GOVERNMENT COMMITTEE

FOX CHAPEL AREA HIGH SCHOOL
611 FIELD CLUB ROAD
BLAWNOX, PA 15238

FRIDAY, MAY 9, 2008
PUBLIC HEARING HOUSE BILL 520

BEFORE :

- Representative Frank Dermody
- Representative Richard Grucela
- Representative Randy Vulakovich
- Representative Sean Ramaley
- Representative Jaret Gibbons

ALSO PRESENT :

- Rodney Oliver, Executive Director (D)
- Matthew Hurlburt, Research Analyst
- Michael Rish, Executive Director
- Office of Majority Caucus Secretary

Reported by Jean M. Bujdos, Court Reporter

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P R O C E E D I N G S

(10:05 o'clock a.m.)

MR. DERMODY: Good morning, everyone.

Can you hear me? My name is Frank Dermody, state representative right here in the Allegheny Valley.

I'm honored to represent at least a portion of the Fox Chapel Area School District, and on behalf of Chairman Josephs, who was not able to be with us here today --

she's chairman of the State Government Committee --

I'd like to welcome you all to this hearing.

Representative Grucela's bill, and that is House Bill

520, is a very important piece of legislation. This

is the third in a series of hearings that were held

and several Fox Chapel Area students have been to

Philadelphia and Easton to testify at these hearings.

And I believe that the members of the committee and

all of us in the legislature have learned quite a bit

from all of these hearings. I was unaware of the

issue until a group of students came to visit me in my

office, and when they explained what they were after

and what the problem is, it is a serious problem, and

that is, you're 17 years old during the time of the

primary, but will be 18 at the general election, you

can't vote on who will be the candidate in the general

election. Several states have addressed the issue and

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1 they thought it would be important for Pennsylvania to
2 do so, and I think it's important also.

3 At that point, I wasn't even aware of
4 Representative Grucela's bill. I said we're going to
5 get started right away, we're going to do the research
6 on this legislation to see how we can get this
7 introduced and passed. And when I started out, I
8 realized that Representative Grucela had introduced it
9 for two sessions and we spoke to him and we got the
10 ball rolling. So we appreciate the Fox Chapel Area
11 students for being the impetus to get going and
12 Representative Grucela did a fine job drafting this
13 legislation and making sure that people who are across
14 the state know how important it is. We've seen how
15 important it is throughout this primary season with
16 the Democratic primary. It's interesting throughout
17 the hearing, you've seen how it just isn't a
18 Democratic issue, it's a very bipartisan issue.

19 Students, 17 year olds on both sides, Republicans and
20 Democrats, are anxious to vote, anxious to have a say.

21 So for me, it really is an honor to be here at
22 the Fox Chapel Area School District, and I'd like to
23 thank all the students that are here today from
24 several school districts. I want to thank the
25 administration of the school district for allowing us

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1 to be here today, Jen Kline for the great work she's
2 done working with all the students to make this
3 happen. We're looking forward to hearing the
4 testimony today from all witnesses.

5 I'd like to introduce Representative Randy
6 Vulakovich, who's also here with us today, who also
7 represents a portion of the school district who's from
8 Shaler. Randy.

9 MR. VULAKOVICH: Yes, I have part of the
10 school district. I represent O'Hara and Fox Chapel
11 and the 30th district and this also was brought to me
12 by some of the classmates here at Fox Chapel and Ms.
13 Kline and they presented it to me. I also did not
14 know that there was a bill out there that was
15 corresponding to this issue, where if you're old
16 enough, or you're going to be old enough on the
17 general election date to vote, that you could vote in
18 the primary at age 17.

19 When they first came to me, I used to teach --
20 I was a policeman for 27 years, and I taught in the
21 schools for five and a half years, five days a week
22 for six years, all I did was teach in the schools and
23 I had a drug program called DARE, so I always made it
24 a point to challenge the students in a debate, and
25 that's pretty much what I did in my office. I think

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1 they left with the idea that I would be totally
2 against this idea, but I played the devil's advocate
3 also.

4 And what I did do is, I did my research on it,
5 a lot of reading on different opinions people had on
6 it and also discovered, I guess, as Representative
7 Dermody did, that there was already a bill out there,
8 so we didn't have to reinvent the wheel and it was
9 already in there and there was a lot of thought put
10 into it, pretty basic bill. There's not much delve in
11 the detail and so after reading it and doing my
12 research and, of course, the enthusiasm that the
13 representatives displayed at my office in a debate, I
14 thought it was worthwhile putting my name on as a
15 co-sponsor. So I welcome your comments today.

16 I would like thank the State Government
17 Committee, which I'm not a member of, it's not one of
18 my committees in Harrisburg, but they were crazy
19 enough to invite me, and I deeply appreciate that. So
20 thank you and we'll wait to listen to everybody's
21 comments. Thank you.

22 MR. DERMODY: I would like to call our
23 first witness, Representative Grucela, the prime
24 sponsor of the bill. Mr. Grucela.

25 MR. GRUCELA: Thank you, Representative

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1 Dermody. My thanks to Fox Chapel High School and the
2 students and Ms. Kline. I'm happy to be here this
3 morning in your beautiful school district. And I also
4 I took a look at some of your honored graduates, both
5 in the field of academics and athletics, and you have
6 a very, very nice setup here and I congratulate you on
7 that.

8 It's really nice to be here, because in a
9 sense, although this bill has been around for a while,
10 this is where it all started. To use a trite
11 Harrisburg phrase, the students out here sort of put
12 this bill on the radar screen and we have received a
13 lot of positive editorials. In fact, I haven't seen
14 one negative editorial yet across the state, several
15 of the state's newspapers, my own two local newspapers
16 have both editorialized in favor of this particular
17 concept.

18 Again, my thanks to Ms. Kline, her students,
19 and you see all these students here in May, which is a
20 short time from the end of the school year, it
21 certainly shows you that based on academic interest, I
22 taught seniors at Easton Area High School for 30
23 years, so I know what May and June is like when you
24 have a bunch seniors in front of you and, in fact,
25 it's very, very nice to see them still enthused. I

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1 try to always save my best stories and my best jokes
2 for April and May, to keep the interest and duty
3 subject of the units that the students also liked.
4 That's part of the background of this bill is my
5 teaching experience.

6 When I taught the unit on voting at that time,
7 in the textbook, Nebraska was prominently mentioned.
8 Today I believe there are upwards of 11 states that
9 allow students, or I shouldn't say students, but they
10 probably are students, that would allow 17 year olds
11 to vote in the primary election. This did once pass,
12 this is the second session, Harrisburg's legislature
13 sessions are two years. This is the second session
14 that this bill has been out there, I was able to get
15 it as an amendment and pass the House as an amendment
16 to another voting bill that went to the Senate, but
17 the Senate never acted on it, so it died in the Senate
18 as most good bills do. And at sometime I may want to
19 talk to the students about a thought that I have about
20 going to Pennsylvania unicameral -- but that's for
21 another day and another hour.

22 But House Bill 520, as I mentioned, is very
23 simple. It simply would allow a person who is
24 eligible to vote in November at 18 to be able to vote
25 in the primary election at age 17. They have not

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1 reached their 18th birthday to be eligible in the
2 primary. As I have said in other testimony, in other
3 hearings, personally, if I were a high school senior
4 today, I would not have been able to vote in the
5 primary. My birthday was five days after the primary
6 election of April 22, so I had a political interest
7 and a government interest obviously when I was in high
8 school, so I would have been shut out of the primary
9 election this year. Of course, when I was in high
10 school, 18 year olds couldn't vote at all, the 26th
11 Amendment had not passed. And I would mention that
12 the 26th Amendment is not really relevant to this
13 particular bill. As the students know, the 10th
14 Amendment to the Constitution has reserved powers for
15 the state and the states usually set up all their
16 election criteria. So it's basically, it's something
17 that a state could certainly do without any violation
18 of the federal Constitution. Although, there is some
19 philosophical background that is the same here, that
20 is for the 26th Amendment, although we no longer have
21 a draft, many of these young men and women do
22 volunteer for the services and they certainly ought to
23 have a say on who might be the commander in chief of
24 their particular party to run in the November
25 election.

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1 And as I mentioned, there are upwards, I'm not
2 sure, because I think there are variations of the
3 bill, I'm not quite sure what those variations are,
4 because I've seen numbers like from nine to 11 to 17
5 states that allow this.

6 In conclusion, I would simply say, I'm sorry
7 you didn't make it for this particular election,
8 especially with the enthusiasm that I've heard from
9 these young people, just because we got a little bit
10 of a slow start on it, but again, my hat's off to the
11 young people out here in Fox Chapel, not only did they
12 sort of give this bill legs, but being all the way
13 across the Commonwealth, we've had hearings, of
14 course, in the eastern part of the state,
15 Philadelphia, and just a week ago, in my own local
16 high school, and today here at Fox Chapel, so we've
17 sort of joined hands from east to west on this
18 particular bill. I didn't find out until after the
19 hearing last Friday that apparently something we
20 didn't have when I was teaching, that there was some
21 sort of a teleconference call between the two high
22 schools, Easton and Fox Chapel, so the students
23 remarked and some of the teachers remarked to me about
24 that last Friday, but I didn't know it until after the
25 hearing was over.

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1 Again, finally, I would say any time we can
2 enlarge the electorate is a good thing. And this bill
3 certainly should enlarge the electorate. It's not a
4 mandate, we're not forcing people to vote. We don't
5 force people to vote now. If anything, if some of the
6 older folks who may be afraid of these young people
7 that aren't voting, they may start to register and
8 actually take part in the process, so we've doubled
9 the electorate in that capacity.

10 But again, I would like to hope that this bill
11 would move out of the committee, that we would move it
12 to the House floor, perhaps get it passed this
13 session, have the Governor sign it. I've heard that
14 the Governor is in favor, I haven't had a chance to
15 speak to him personally, but I was told he does favor
16 the bill, so if we can get it past the House and the
17 Senate and into the Governor's hands, then in the 2009
18 election, we may be able to allow 17 years old to vote
19 in the Commonwealth of Pennsylvania.

20 Thank you, Representative Dermody. And I
21 would certainly answer any questions anyone may have
22 on the bill.

23 MR. DERMODY: Thank you. I'd also like
24 to announce that Representative Sean Ramaley is here
25 from Beaver County. Are there any questions?

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1 MR. OLIVER: Representative, you talked
2 about the fact that this a bipartisan bill, it has
3 both Republican sponsors and Democratic sponsors. So
4 for the record, it's not a bill that would favor one
5 party over another?

6 MR. GRUCELA: No, it isn't. And I
7 actually asked that question to students previously at
8 the hearing when I met with them, one of the young
9 people who testified last Friday did an excellent job
10 in showing, and if I can remember his quote, it may be
11 one of the students here, but it was something like
12 this bill is not about party, it's about youth, it was
13 something like that. That's true, and I think it
14 crosses party lines where many Republican, co-sponsors
15 of the bill, it has -- in my opinion, it has nothing
16 to do with political party.

17 MR. DERMODY: Representative Grucela, as
18 I recall at the first hearing in Philadelphia, a
19 representative from the Department of State testified,
20 I believe they indicated the administration supported
21 this; is that right?

22 MR. GRUCELA: I think so, I think that's
23 where I got the idea, the Governor himself supported
24 it.

25 MR. DERMODY: There was another

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1 discussion at that hearing, the last one, about a
2 possible Constitution problem. Do you have any
3 thoughts on that at all?

4 MR. GRUCELA: Yes, I do. I don't believe
5 there's any Constitutional problem. As I mentioned,
6 the states are empowered and several of the other
7 states are certainly already doing it. I don't think
8 it conflicts with the federal Constitution.

9 The one thing that did come up, and I believe
10 since that time, there's been more research on it, and
11 that is the question whether or not a 17 year old
12 would be then allowed to vote for the questions that
13 might appear on the ballot, the referendum question,
14 and apparently that can't be done, apparently they
15 would have to be separated. I forget the ruling, but
16 they would have to be separated from voting on the
17 questions. In my opinion, I would let them vote on
18 the questions. Again, you don't have to vote on the
19 questions on the ballot. If you want to think about
20 it, you can certainly skip the questions. And I think
21 we can certainly design in this day and age a way to
22 do that. Some people think, well, how are you going
23 to do that? We can't design an election that
24 separates questions from a person's name, I think we
25 could do that, so I don't believe there's any

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1 Constitutional conflict at all.

2 MR. DERMODY: Are there any other
3 questions? Representative Grucela, thank you very
4 much.

5 MR. GRUCELA: Thank you.

6 (Applause.)

7 MR. DERMODY: The next witnesses are Luke
8 Secosky from Fox Chapel Area High School and Julia
9 Hazlet from Fox Chapel Area High School. Start when
10 you're ready in any order.

11 MR. SECOSKY: I would like to thank you
12 all once again for allowing me the opportunity to
13 speak before you today in support of Pennsylvania
14 State House Bill 520 regarding voting rights in
15 primary elections for those old enough to vote in the
16 corresponding general election.

17 I'd also like to extend a special thank you to
18 Representative Frank Dermody whose efforts have been
19 outstanding for us throughout this legislative
20 process.

21 Just this Tuesday, the states of Indiana and
22 North Carolina conducted their primary elections.
23 Though much of our nation's attention was focused on
24 these states' Democratic primary returns for the
25 presidential race, there were countless other contests

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1 for lesser offices that occurred in these states as
2 well. While the primaries of Indiana and North
3 Carolina do not seem very different from
4 Pennsylvania's own primary election of less than a
5 month ago, there is one obvious difference. Indiana
6 and North Carolina both permit voters who will be
7 eighteen years of age by the general election to vote
8 in the corresponding primary, whereas Pennsylvania
9 does not. The disparity in the voting age requirement
10 in Pennsylvania as compared to Indiana and North
11 Carolina is an issue that could be resolved by House
12 Bill 520.

13 Throughout this hearing process, many people
14 spoke with regard to the bill with both positive and
15 negative opinions. And some chose to use personal
16 stories to convey their thoughts, while others chose
17 to use a more fact-based approach. As today is the
18 last public hearing for House Bill 520, I would like
19 to devote the majority of my time to debunking some of
20 the claims that have been made in prior testimony. I
21 feel it is only right for everyone involved in this
22 process to know the difference, however slight it may
23 be, between what is true and what is assumed to be
24 true.

25 One concern raised in the first hearing was

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1 that for House Bill 520 to be passed, voters in
2 primary elections under the age of 18 would be able to
3 vote, yet unable to make campaign contributions due to
4 their legal status as a minor. While some campaigns
5 do not permit online contributions from people less
6 than 18 years of age, it is possible for a minor to
7 make a financial contribution to a campaign. The
8 Bipartisan Campaign Reform Act of 2002, also known as
9 the McCain-Feingold Act, in its original text, barred
10 political contributions from those less than 17 years
11 of age. This section of the act, however, was deemed
12 in violation of First Amendment rights in 2003's
13 Supreme Court case of McConnell v. Federal Election
14 Commission. Thus, one can be a voter under the age of
15 18 and legally able to make a campaign contribution.

16 A significant argument voiced in opposition to
17 the bill was the supposed constitutionality of moving
18 the voting age with respect to the 26th Amendment, and
19 I know Representative Grucela addressed this partially
20 in his testimony already. Despite what many may
21 think, there is no place in the amendment prohibiting
22 the voting age to being lowered below eighteen.
23 Section 1 of the 26th Amendment to the United States
24 Constitution states, The right of citizens of the
25 United States, who are 18 years of age or older, to

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1 vote shall not be denied or abridged by the United
2 States or by any State on account of age.

3 Thus, voting privileges cannot be denied to
4 anyone over the age of 18. However, states are able
5 to lower their state and federal voting ages below 18,
6 for there is no federal law which prevents states from
7 doing so. Nine states have already lowered the voting
8 age requirement to correspond with primary election
9 dates, and Connecticut may very well become the tenth
10 pending voter approval on a ballot question in
11 November.

12 Individuals have also compared the supposed
13 lowering of the voting age to a reduction in the age
14 required to secure a driver's license or purchase
15 alcohol. This is an unfair and unrelated association.
16 The reduction of age required to vote so that one may
17 choose in the primary the candidate they would like to
18 see on the general election ballot is a reasonable and
19 just motive based on fairness alone. Lowering the
20 ages at which one can drive or buy alcohol has
21 absolutely no reasoning; such decisions would be
22 purely arbitrary. In addition, our state is not
23 suffering from a lack of people who want to drive or
24 purchase alcohol. I would hazard to guess that the
25 lines at the local DMV and state store are longer than

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1 those at most polling locations on election day.

2 In an age in which primary election turnout is
3 usually around 25 percent, a measure to allow more
4 young people to vote would be a welcome aid to our
5 somewhat deplorable rate of civic participation.

6 After voting for the first time in this
7 primary this past month, I felt proud walking out of
8 the fire hall turned polling place because I knew that
9 I had had my say in determining the candidates on the
10 general election ballot. As I approached my car, I
11 paused for a moment to reflect on the events of the
12 past few months. I thought of my friends who can vote
13 in the general election but not the primary,
14 constantly asking me on a regular basis the status of
15 House Bill 520. I thought back to my time spent in
16 this school assisting with a voter registration drive,
17 remembering the students who felt cheated of their
18 right of voting in the primary because their birthday
19 fell in between. I thought of my friends who had
20 worked for the Clinton and Obama campaigns yet could
21 not vote, knowing that one group would not see their
22 favored candidate's name on November's ballot. Having
23 been able to vote in the primary, I am not crusading
24 for a personal cause when I speak on this issue. It
25 is my friends, and their beliefs, hopes, and dreams I

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1 think of when I envision the difference that this
2 bill's passage could make. Thank you.

3 (Applause.)

4 MR. DERMODY: Julie.

5 MS. HAZLET: I would like to thank the
6 members of the State Committee for having me here with
7 you again. I'd like to offer a special thank you to
8 Representative Dermody and Representative Grucela,
9 Representative Vulakovich, as well as my teacher, Ms.
10 Kline.

11 My name is Julia Hazlet and I am a senior at
12 Fox Chapel Area High School. I'll be honest with you,
13 I spent a lot of time deliberating about what I'd tell
14 you today, primarily because most of our arguments
15 have been made and partially because this is the last
16 chance I have to speak with you. I had to think a lot
17 about what I wanted to impress upon you since it was
18 my last opportunity.

19 I guess what I decided was that since a lot of
20 really important points have been made here, perhaps
21 some of those things have been forgotten and now would
22 be a perfect opportunity to kind of go through the
23 things we talked about over the past few hearings.

24 This committee has heard about the states of
25 Kentucky, Maine, Maryland, Michigan, Nebraska, North

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1 Carolina, Ohio and Virginia that have already passed
2 legislation similar to House Bill 520. During the
3 last hearing, the constitutionality of the bill was
4 questioned and Representative Grucela mentioned the
5 10th Amendment and the 26th Amendment, and he went
6 over this in his testimony, and I also feel the fact
7 that those nine other states having this legislation
8 passed in their states is also testimony to the fact
9 this isn't something that violates the federal
10 constitution.

11 Before these hearings, most members of this
12 committee had not even considered the consequences of
13 a fluctuating primary date. As we pointed out in
14 Philadelphia, that consequence can be a body of
15 disenfranchised voters. We've repeatedly emphasized
16 that a date change should not be a source of
17 disenfranchisement or a focus of excluding voters. If
18 you qualify for the general election, then you should
19 qualify for the primary election. Every voter that
20 can choose the president should be able to elect their
21 representatives.

22 The only negative comments that we've really
23 heard have not really addressed the issue of this
24 bill, but simply served as a redirection. The issue
25 is a simple one. If you're old enough to vote in the

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1 general election, then you should be able to
2 participate in the nomination process.

3 As we mentioned in the last hearing, right
4 now, there's a great deal of momentum behind this
5 bill, for it is still on the minds of citizens and
6 politicians alike. To address this at any other time
7 would mean we abandon this and essentially try to
8 proceed from ground zero. If we let impediments such
9 as the vague reluctance to pass this bill until next
10 session obscure the real issue, then I fear we have
11 lost sight of this country's ideals.

12 When it comes down to it, we have proven to
13 you all the reasons why this bill should be passed and
14 why it should be passed now. But every example, every
15 statistic and every reason that we have used, pales in
16 comparison to the individuals and the stories that
17 those numbers and words fail to represent. I can name
18 at least five of my classmates who were not able to
19 vote in the primary election this year. Every single
20 one of them held out hope that we would somehow manage
21 to get this passed before April 22nd. They held out
22 because they were hoping that they would be able to
23 contribute and make their voice heard.

24 Before I leave here today, I would like remind
25 this body of something that Madam Chair Josephs

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1 mentioned in the last hearing. Though she said it
2 over a week ago, I could not help but remember it as I
3 was writing my testimony. She told us that at most
4 hearings, very few people attend, but the hearings for
5 this bill there have always been plenty of youth who
6 are eager to show their support. This reality
7 illustrates the sheer importance and relevance of this
8 issue to a large number of citizens. Many youths and
9 adults are following this bill, which is why I request
10 that this committee consider the consequences of not
11 pushing this bill forward. If this bill dies in
12 committee, then there's going to be an entire body of
13 voters that is going to think that their vote and
14 their rights do not matter to this political system.

15 I hope that through these hearings we have
16 shown this committee that there are young voters who
17 are not apathetic, but on the contrary, are
18 enthusiastic but mindful of the political world around
19 them. If this bill does not pass, or if the youth
20 sense that their opinion does not matter, then this
21 enthusiasm and optimism towards the future may well be
22 lost.

23 Thank you very much for your time.

24 MR. DERMODY: Thank you.

25 (Applause.)

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1 MR. DERMODY: In line with what Chair
2 Josephs mentioned at the last hearing, we have
3 students here from several high schools today, I
4 believe from Springdale, Deer Lakes, Fox Chapel, Mt.
5 Lebanon and Monaca. Did I miss anybody? The place is
6 full. We thank you all for coming. I hope you enjoy
7 the hearing. We'll hear from as many of you as we
8 can. Are there any questions? Representative
9 Grucela?

10 MR. GRUCELA: Thank you, Representative
11 Dermody. Thank you, Luke and Julia, for again
12 outstanding testimony. You remind me, when you
13 started to say about what Representative Josephs said,
14 I remember being an advisor to the mock trial team,
15 Representative Dermody will like this, we used to take
16 part in those, and almost every year we went, the
17 judge would comment that the kids were better prepared
18 than the attorneys were that used to come before them.
19 Luke mentioned that he voted at 18 in this election.
20 I missed it, Julia, were you eligible?

21 MS. HAZLET: Yes, I was and I definitely
22 went and cast my vote. I actually had to get up and
23 go before school, because I had occupations I had to
24 do afterwards, but I was there.

25 MR. GRUCELA: And I think that also shows

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1 that you haven't been selfish and said well, okay, I
2 can vote at 18, I don't care about the rest of you
3 guys, so you're actually fighting for a bill for other
4 people to vote at the age of 17. And you did an
5 outstanding job in debunking some of the criticism,
6 and I think one of the problems that I run into with
7 older people is they just believe that 17 year olds
8 are going to vote for everything all the time, like
9 even in November. They misunderstand the bill. And I
10 have to say to them, these people, I mean, if they're
11 afraid of you guys who want to vote, I say well, guess
12 what, they're going to be there in November anyway.
13 This bill says exactly that if you're eligible in
14 November, you can vote in the spring primary, that's
15 all it does. And when they hear that, they sort of
16 change their mind. But they are obviously -- there's
17 the old saying in the absence of fact, that rumor
18 fills the void, so there will be rumors going down the
19 hill as you also did a good job with that horrible
20 driver's license analogy that was brought up at one of
21 the hearings. So if we don't have any other
22 questions, I think you summed it up well. Again, I
23 thank you for contacting Representative Dermody and
24 you guys have given this bill impetus, so like I said,
25 it all started here. Thank you.

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1 (Applause.)

2 MR. DERMODY: On behalf of the committee,
3 great job, we appreciate all the hard work you've
4 done. We'll see if we can bring it to fruition.
5 Thank you very much.

6 The next testifier will be Thomas, I hope I
7 don't butcher your name, Thomas Chidiac from Mt.
8 Lebanon. I apologize. You're on.

9 MR. CHIDIAC: First of all, Benjamin
10 could not be here today, but -- my name is Tom
11 Chidiac, I'm a senior at Mt. Lebanon High School.
12 Before I begin, I'd just like to thank Fox Chapel Area
13 High School for this, I'd thank our teacher, Gary
14 Ford, who brought us here and has also taught us about
15 our civic duty in AP US Government. I'd also like to
16 thank the honorable committee members for actually
17 allowing this hearing to take place.

18 If liberty and equality, as Aristotle reminds
19 us, are chiefly to be found in democracy, they will
20 best be attained when all persons alike share in
21 government to the utmost. From our Founding Fathers
22 to Jacksonian universal white male suffrage to the
23 19th Amendment to the Civil Rights Act, the arc of
24 American government has bent resolutely towards a
25 simple, democratic ideal; the notion that our

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1 republican form of government is enriched when we have
2 as many committed citizens as possible sharing in our
3 freedoms and our duties.

4 As a government and as a people, the United
5 States has led the way in strengthening the beliefs
6 and institutions of democratic action. Today I urge
7 the speedy adoption of House Bill 520 so that this
8 righteous trend surges forward in Pennsylvania.
9 Already 11 other states allow 17 year olds to vote in
10 primaries, provided they're 18 by the time of the
11 general election. These include states like Indiana,
12 Maine, North Carolina, Ohio and Virginia.

13 I view these states as having two essential
14 commonalities. First and foremost, none of the
15 aforementioned has experienced anything but highly
16 positive results. Many 17 year olds today study
17 electoral issues to a depth far beyond classroom
18 learning, as has been thoroughly discussed throughout
19 these hearings. HB520 will only help to strengthen
20 our democratic process through the infusion of young
21 energy and patriotic spirit, as the 11 states who have
22 already instituted a similar policy have already
23 demonstrated.

24 The second commonality of these states is
25 simple: There is no reason to believe that the

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1 benefits touted in places like North Carolina and Ohio
2 wouldn't be at least as strong in Pennsylvania. The
3 sense of civic duty and democratic action is powerful
4 among the Commonwealth's young, as is evidenced by the
5 outpouring of teen support for HB520 from Pittsburgh
6 to the Poconos and everywhere in between.

7 According to Thomas J. Weaver, a deputy
8 secretary in Governor Rendell's administration,
9 lowering the primary voting age to include 17 year
10 olds would make about 120,000 young people in the
11 Commonwealth eligible to vote. Taken as a proportion
12 of actual ballots cast on April 22nd, this constitutes
13 a mere four percent of Pennsylvania's would-be
14 electorate. But when you consider the unquantifiable
15 benefits of increasing democratic participation and
16 the awareness that is in turn raised, there is simply
17 no substitute for HB520. Only by ensuring that our
18 simple, democratic ideal continues to advance can we
19 hope to make the 21st century yet another American
20 century.

21 And with that, I would be happy to entertain
22 any questions.

23 MR. DERMODY: Thank you.

24 (Applause.)

25 MR. DERMODY: Representative Grucela.

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1 MR. GRUCELA: Thank you, Representative
2 Dermody.

3 Very enthusiastic. I'd have you come to the
4 House floor and give that speech for me. But
5 seriously, Thomas, and I meant to ask Julia and Luke
6 this and I forgot, because you brought it up early in
7 the beginning, what classes are you taking now?

8 MR. CHIDIAC: I'm talking Calculus, AP US
9 Government.

10 MR. GRUCELA: Okay. Government. You
11 came up with the four percent, that's pretty good.
12 The reason I wanted to ask that because I forgot a
13 little bit in my opening remarks about what you said
14 and that is, I think there is, you're putting into
15 practice at a time when you're learning, which I think
16 is extremely, extremely important. This is a little
17 bit off of the subject, but I used to like field trips
18 as well and some of you were at the last hearing in
19 Easton, Mr. Lewis, my colleague, we loved to take --
20 you got to get out of the four walls, you got to get
21 out into the society and see what you're learning, not
22 just in the textbooks, so I think this does bridge the
23 gap. While you're in high school, you're taking a
24 class like AP American Government or just American
25 Government, and I'm sure Civics and American

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1 Government, somewhere along the line, all the history
2 is taught as well, somewhere between junior and senior
3 year. So I think you are certainly making it an
4 applicable thing. You're learning about it, you're
5 enthused about it and you're out there. That
6 four percent is interesting.

7 MR. CHIDIAC: That was my own definition.
8 I'm not sure if it's exactly right.

9 MR. GRUCELA: Well, you took it off of
10 the testimony where the guy said 120,000 would be
11 eligible?

12 MR. CHIDIAC: Right, actually that was --

13 MR. GRUCELA: Again, as I mentioned, I
14 think the older -- that's not a mandate. My guess is,
15 my guess is, you'll follow the proportion of the
16 voting. Any textbook that you look at, the voting
17 unit, the teachers will tell you when they draw the
18 graph, the graph goes up. The older you are, the more
19 likely you're going to vote. Again, we're enlarging
20 the electorate, young people, about 125,000 young
21 people register, then you're certainly going to get
22 the other end of the spectrum out there to vote, too.

23 MR. CHIDIAC: Actually, Mr.
24 Representative, from our research, and also just
25 talking to my classmates, the thing that really struck

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1 me is that the kind of 17 year olds who would, in
2 fact, vote in the primary are 17 year olds who are
3 already very enthusiastic about the election, who
4 probably already studied the issues in depth, who
5 already looked very closely at the candidates and who
6 then can make an educated choice. So really I view
7 that HB520 really only would enrichen.

8 MR. GRUCELA: Were you eligible, were you
9 eligible to vote this time?

10 MR. CHIDIAC: Yes, I was.

11 MR. GRUCELA: Just like Julia and Luke,
12 you're campaigning for your peers who are not
13 eligible?

14 MR. CHIDIAC: Absolutely.

15 MR. GRUCELA: Thank you, Thomas.
16 Excellent testimony. I have no other questions.

17 (Applause.)

18 MR. DERMODY: Next is Rich Redmerski from
19 PennCORD.

20 MR. REDMERSKI: Good morning. My name is
21 Rich Redmerski. I was a teacher for 34 years at
22 Hempfield Senior High School in Westmoreland County.
23 While at Hempfield, I created a Project 18 course,
24 which I taught for 30 years. After teaching, I became
25 communications director for Senator Allen Kukovich. I

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1 am presently employed as the Western Pennsylvania
2 Regional Coordinator for PennCORD, a movement that
3 seeks to strengthen civic education throughout
4 Pennsylvania. Regardless of which position I held, I
5 experienced an enthusiasm and willingness of young
6 people to be involved in the political process when
7 given the opportunity and the tools to do so.
8 Basically that is why I have a fervent belief in House
9 Bill 520 and the logic that lies behind that bill.

10 As a PennCORD employee, I congratulate Fox
11 Chapel students for being the catalyst that gave new
12 life to House Bill 520. The students and their
13 teacher, Jen Klein, have done an admirable job of
14 focusing on the issue of allowing 17 year olds to vote
15 in primary election if they will be 18 before the next
16 general election.

17 However, today, I am speaking as the former
18 teacher of Project 18 and seek to provide you with my
19 observations of senior high school students who are
20 engaged in the political process. The Project 18
21 course that I talk about is based on the belief that
22 students should have a solid knowledge base concerning
23 state and local government. They should also
24 understand the pragmatic nature of politics and learn
25 how to operate within that kind of system. And

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1 finally, there is a belief that students must be given
2 opportunities to participate in the political process.

3 By the end of the Hempfield area course,
4 students participate in more than ten press conference
5 experiences with local and community leaders. They
6 learn to interact both socially and politically with
7 office seekers at a candidate's brunch that they
8 organize before local elections. Project 18 students
9 are required to volunteer at least ten hours of time
10 to campaign work, they must be involved in service
11 learning initiatives, and participate in a three-day
12 seminar in Harrisburg. During the Harrisburg seminar,
13 they questioned many of the top leaders in the
14 executive and legislative branch, as well as
15 influential lobbyists and members of the media.
16 Anyone can see that I take great pride in the Project
17 18 course that many leaders consider one of the
18 leading civic courses in the state.

19 There are elements of the course beyond the
20 curriculum that are relevant to the passage of House
21 Bill 520. You'd be surprised to know that the course
22 attracted students of all ability levels, as well as
23 many students who said that they had little or no
24 interest in politics. By the end of the course the
25 students realized that we are all involved in a

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1 process called "politics" every day of our lives.
2 What I learned was that when you give students the
3 chance to be active participants in the political
4 process, you increase the chance that they will become
5 life long participants in the political process.
6 That is what I consider an added benefit of House Bill
7 520.

8 Now I offer you and the students here a few
9 realistic observations. First, I believe that members
10 of the General Assembly will not only judge House Bill
11 520 on its merits but will also question whether it
12 will help them or their party in future elections.
13 Once again, I look back to my experiences with Project
14 18 to respond to that point. There was some fear that
15 Project 18 would benefit one party over another;
16 however, that was never the case. There was never a
17 pattern of advantage to one party or the other.

18 My second observation is that even if you are
19 sitting on this panel and support House Bill 520, you
20 know that passage will not come easy. Therefore, I
21 hope that Fox Chapel students and students throughout
22 the commonwealth will take their advocacy to the next
23 level. I urge you to begin a coordinated lobbying
24 process. I know that Aimee Ho (phonetic), I have
25 Hugus on my written agenda, but that was her maiden

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1 name, I taught Aimee when she was a Project 18
2 student. I know that Aimee Ho, the present Project 18
3 teacher at Hempfield, is ready to engage her students
4 in this process. I fully expect that her students
5 will let their state senator and the three
6 representatives in their region know whether they are
7 for or against this bill. Even more important, they
8 will ask their elected officials to take a position on
9 the bill and will ask those lawmakers, "What are you
10 willing to do to support, amend, or oppose the bill?"
11 That is real politics. It is an example of pragmatic
12 politics that goes beyond hoping that something
13 happens. In the end, whether they are successful or
14 not, young people will gain valuable experience in the
15 art of politics by becoming fully engaged in the
16 lobbying process. They will also gain some
17 understanding about the complicated political process
18 of lawmaking, which goes far beyond the neat and
19 idealistic description that they often find in text
20 books.

21 Young people, the ball is in your court as
22 much as it is for the leaders who sit before you
23 today. I hope that you learn to engage the media as
24 you advocate for your cause. Furthermore, you should
25 understand that you belong to a special interest group

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1 and that you have the power to form alliances with
2 groups that you don't even belong to. It is also my
3 hope that students across the state become a part of
4 this lobbying process by actively advocating for or
5 against this legislation.

6 Personally, I see great benefits for civic
7 education if House Bill 520 becomes law. If my
8 experiences with Project 18 students are correct, I
9 also see great benefits to our country. I know that
10 students who become politically engaged at a young age
11 tend to be more active and informed throughout their
12 lives. I even have one student who is now a state
13 representative.

14 I'd like to end by putting a twist on the
15 quote from the German-Prussian politician, Otto Von
16 Bismarck. He said, "Laws are like sausages. It's
17 better not to see them being made." Perhaps, seeing
18 the entire process of what goes into passing a law
19 might be a little bit much, but I believe that being a
20 part of that process can actually be exciting,
21 rewarding, and yes, even fun for young people. Thank
22 you.

23 (Applause.)

24 MR. DERMODY: You made the crack about
25 the sausages, but that's all right. Are there any

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1 questions? Representative Grucela?

2 MR. GRUCELA: Thank you, Representative
3 Dermody. Rich, do you believe -- just a couple of
4 questions, some of these are going to be redundant,
5 because we've had a few hearings, but there are people
6 in the audience, young people especially, who have not
7 heard this, so do you believe it favors any one
8 political party?

9 MR. REDMERSKI: I absolutely don't. I
10 think in many cases, it's just very similar to what
11 happens with adults, if the party in power is doing a
12 good job or has dynamic leaders, in that particular
13 moment of time, you will have people leaning toward
14 that political party. During the Reagan years, my
15 students were maybe two to one leaning Republican.
16 Today, there might be a different take, I'm not in the
17 classroom at this time. When I say that a pattern
18 never existed, that's what I want to emphasize, a
19 pattern never existed. That particular year, sure,
20 there are, you know, you might have one party have
21 more of an appeal, but that's true to the nature of
22 politics for adults or students.

23 MR. GRUCELA: You and I haven't taught
24 for quite a bit, 30 years making speeches in the same
25 time frame, I would ask you the constitutional

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1 question, do you believe there is any conflict with
2 the Constitution or any constitutional question about
3 this bill?

4 MR. REDMERSKI: I'm probably going to go
5 to the bottom line here. I think if there was a
6 constitutional question, it would have been answered
7 already in response to the ten states, nine states who
8 have such a law.

9 MR. GRUCELA: And having been in the
10 classroom as long as you and I were, I would ask you,
11 because this came up, and in fact, I think it came up
12 from one of the students at the first hearing who was
13 not in favor of the bill, that really believed that
14 his peers were not mature enough. What do you think
15 about the maturity question?

16 MR. REDMERSKI: Nothing could be further
17 from the truth. It's so exciting to have, you know,
18 in my case, these Project 18 students just come alive
19 with getting involved with government and there's one
20 kind of a funny story. One of my seniors was
21 listening to a presentation by a guidance counselor
22 and said, erroneously, don't take Project 18 unless
23 you're interested in politics. She came back to me
24 and said, can you believe he said that? I said what,
25 what's your problem? She said well, I hate politics,

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1 but I love Project 18. So what she was actually
2 saying is, you know, you learn about life, you mature,
3 and you become a part of this system. Government is
4 not some kind of evil entity out there. It's a part
5 of you, and that's what they learn, and a lot of what
6 they said by being involved was I matured so much with
7 this course and with being involved, whether it's in
8 this course or just being able to vote, being more
9 engaged on a senior high level.

10 MR. GRUCELA: I agree. I would just
11 finally comment, you make a good point. We're all
12 political animals, those of us who serve in public
13 office and were elected, and we're certainly looking
14 at this with some jaundiced eye, are these young
15 people going to be my demise, or are they going to be
16 a help? And you're right about that, and I have to
17 tell you, you're right about those Reagan years. I
18 referred to this last week, I had a student one time,
19 he was Michael J. Fox, young people will remember that
20 show, this kid was, he was a very conservative
21 Republican, I'm a somewhat moderate Democrat, but we
22 use to have some great debates. And as Randy had said
23 earlier, I played a little devil's advocate with him
24 sometimes, but actually, I was a member of North
25 Hampton County council, he actually lived in my

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1 district and he actually was eligible to vote for me,
2 but after the election, he came in and he said you
3 know, Mr. Grucela, I went in, put my hand on your
4 lever, closed my eyes and pushed it. So I said, well,
5 thanks, I appreciate that. But no, I don't believe, I
6 think you've done and the students have done a good
7 job.

8 Do you see any downside or any criticism we
9 may have not deflected this morning?

10 MR. REDMERSKI: I don't think there's a
11 downside, but I think you have to expect, just like
12 with the over 18 population or over 24 population,
13 that even if you pass this, there will be times where
14 you don't get great participation and especially in
15 local elections, so I think the more you engage
16 students, the more you will find out they come to
17 realize that the area of government politics that
18 touches their life most happens to be on that local
19 level and happens to be on a level that they could
20 influence more readily.

21 MR. GRUCELA: I just want to comment,
22 too, that I also taught a state representative,
23 Representative Bob Freeman, who serves in Harrisburg,
24 was one of my students.

25 MR. DERMODY: Where did you go wrong?

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1 MR. GRUCELA: And a couple of them
2 actually served in local office, so we've been there,
3 we understand.

4 MR. REDMERSKI: Incidentally, Project 18
5 students, a couple of them were supposed to be here
6 today, I think his name is Richard is addressing them
7 at the school today, because they're conducting --
8 getting training for conducting the survey for
9 Hempfield Township, so this idea of include students,
10 get them involved really works.

11 MR. GRUCELA: Thank you.

12 MR. DERMODY: I'd also like to announce
13 that Representative Jaret Gibbons from Lawrence County
14 has joined us. One last brief question, I'm going to
15 ask some other students, there's a lot of interest
16 today in this election, it's a national election, it's
17 a tremendous primary period.

18 During the time you were in the classroom, did
19 you notice, was there an interest among the students
20 on local issues, the school board, council, local
21 government, that part of the plan?

22 MR. REDMERSKI: Maybe it was the nature
23 of Project 18 or the nature of teachers who do
24 emphasize on local and state government, but I really
25 found that there was as much -- we tried to avoid the

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1 national issues actually, we concentrated on local and
2 state issues and wow, this was a revelation to them
3 that there was another government that meant something
4 and they really, they loved the process. It's a great
5 reward to go out there anywhere and even meet students
6 who are in other states. I'll never forget Project
7 18, I did this and this and I always vote. I mean,
8 I'm involved with local government, so on and so
9 forth, and a lot of pragmatical philosophy that we
10 push, concentration on local issues and local
11 government, I think, pays off.

12 MR. DERMODY: Representative Grucela.

13 MR. GRUCELA: You reminded me of
14 something talking about the local issues, too, and
15 again, probably mirror the way people voted as
16 Representative Dermody said, but I remember that, and
17 for the teachers in the audience, I don't think we
18 teach enough state and local government, but I
19 understand, having been there, you can't always fit it
20 in with everything else you have to teach, that's a
21 problem, but I remember saying what you just said
22 registered with me and that is, I would tell these
23 young people, what are your chances of running into
24 the president here in Easton, what are your chances of
25 running into the United States Senator, whatever, look

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1 at your local officials, you're going to see and hear
2 your township supervisors, your mayor, whatever. And
3 I said if you have some kind of problem, I said if a
4 tree falls in front of your house, I used to say who
5 are you going to call? Of course, the kids will say
6 Ghostbusters. You don't know the names of your local
7 officials, so I think they will be just as engaged,
8 especially if we make a positive connection, a Project
9 18 connection, with the local officials, I think
10 they'd be just as engaged.

11 MR. REDMERSKI: One other thing you find
12 is that, you know, there you have the president, the
13 US senators out there that they'll rarely meet, but
14 they start to learn to have a respect for politicians,
15 which may be missing somewhat in our society, by
16 having this experience with them, by dealing with
17 local politics, with press conferences, by having
18 learned the class, by doing community projects with
19 these people. You could ask in Hempfield, Greensburg
20 area, anyone who is in an elected office, what's
21 Project 18? Oh, it's a great course at Hempfield.
22 Ms. Ho does an excellent job. There's this tie-in
23 with the community that just builds respect.

24 MR. DERMODY: Any other questions? Thank
25 you.

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1 (Applause.)

2 MR. DERMODY: Next to testify is Na'Shaya
3 Gilliam from Monaca High School. Good morning. When
4 you're ready.

5 MS. GILLIAM: I like to take this time to
6 thank the State Government Committee for coming out
7 today for the final hearing.

8 My name is Na'Shaya Gilliam and I am a senior
9 at Monaca Junior/Senior High School.

10 MR. DERMODY: Speak up a little.

11 MS. GILLIAM: My name is Na'Shaya Gilliam
12 and I am a senior at Monaca Junior/Senior High School.
13 Recently turning 18, I had the pleasure and honor of
14 being allowed to vote in an election that truly has
15 the potential to make history. Unfortunately, many of
16 my classmates did not receive the same honor, not
17 because they didn't want to, in fact, many of them
18 tried to register the same time I did, and were
19 rejected. Why is it that our government rejected
20 nearly half of my class who takes honor and pride in
21 the American name and fulfilling their civic duty?
22 Simply, because they weren't born in time. However,
23 all of them will be 18 in time to vote in the general
24 election. I feel it is unfair that my classmates are
25 going to have to vote for a candidate they possibly

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1 didn't want to see on the ballot, when they didn't
2 have the opportunity to vote in the primaries to
3 choose which name they could vote for. Many other
4 states including: Indiana, Kentucky, Maine, Maryland,
5 Mississippi, Nebraska, North Carolina, Ohio, Virginia,
6 Louisiana, and West Virginia allow 17 year olds who
7 will be 18 by the general election to vote in the
8 primary election.

9 None of these states have seen any major
10 issues or have any regrets about their decision;
11 rather they have seen many positive effects.
12 Pennsylvania is already being praised for our high
13 voter turnout this year. I can only imagine how much
14 greater the turnout would be if everyone regardless of
15 age who would be old enough to vote in the general
16 election could vote in the primaries. My hope is in
17 four years, I won't have to imagine. I hope that we
18 will be able to enjoy a politically-minded young
19 society, who finds pride in voting and aren't
20 discouraged by the fact that they have no input on
21 whose name is on the ballot. The only people who can
22 make my dream come to life is the Pennsylvania
23 Legislature and I truly wish you the best of luck in
24 your decision from the bottom of my heart.

25 Thanks a lot for your time and consideration,

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1 and for looking to the people this law affects, the
2 young people, who are often overlooked. We greatly
3 appreciate your efforts to get us involved.

4 (Applause.)

5 MR. DERMODY: Representative Grucela.

6 MR. GRUCELA: Thank you, Representative
7 Dermody. I'm dominating here. Seriously, Na'Shaya,
8 the same questions I've been asking the others. High
9 school right now, what civics or government class are
10 you taking?

11 MS. GILLIAM: We don't have that for a
12 senior course, but personally speaking, I'm a student
13 ambassador, I got to speak in front of a parliament
14 about life as an American teenager, something that was
15 added --

16 MR. GRUCELA: Which parliament?

17 MS. GILLIAM: The English.

18 MR. GRUCELA: You spoke in front of the
19 English parliament?

20 MS. GILLIAM: Yes.

21 MR. GRUCELA: Wow. Congratulations. And
22 you did that as a student ambassador?

23 MS. GILLIAM: Yes.

24 MR. GRUCELA: I congratulate your high
25 school. You were eligible, you said you were eligible

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1 to vote in the primary election?

2 MS. GILLIAM: Yes, I did.

3 MR. GRUCELA: You heard some, maybe, of
4 the criticisms. Do you see any that maybe we haven't
5 addressed or haven't you know, reviewed?

6 MS. GILLIAM: I feel that they've all
7 been thoroughly addressed.

8 MR. GRUCELA: Do you feel your classmates
9 are mature enough?

10 MS. GILLIAM: I do. I believe that the
11 ones who maybe aren't as mature wouldn't have
12 registered to vote anyway, because it's a big step
13 that you take into adulthood when you decide to take a
14 part in the ballots, casting your ballot.

15 MR. GRUCELA: Do you have any thoughts on
16 why, I probably should have asked the others, but this
17 came up, but any thoughts on why 18 to 25 year olds
18 usually have the lowest voter participation?

19 MS. GILLIAM: I believe that it might
20 have to do with the fact that --

21 MR. GRUCELA: Maybe time goes by?

22 MS. GILLIAM: I believe that maybe
23 they're preoccupied with other things that are going
24 on, and at least where I come from, there isn't a lot
25 of focus on politics and government and they don't see

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1 the issue until they get older and realize, hey, I
2 could have been doing something all along.

3 MR. GRUCELA: It was mentioned at a
4 previous hearing that usually most of us, until
5 something affects us, we get involved, and usually --
6 but the point I wanted to make was, which came up at
7 other hearings for the benefit of people coming here
8 for the first time is, and I can relate to this, too,
9 and so can the teachers, many turn 18 after next
10 month, after graduation, and then there's that gap,
11 you go away to college. I taught an American
12 government class in East Stroudsburg University back
13 home, I'm actually going to do it again this fall, but
14 when I would ask them how many voted, especially the
15 freshman who were in the class, almost none of them,
16 and they would say, well, I meant to do it, but I
17 turned 18 in July, I turned 18 in August, I turned 18
18 in September, whatever, and now they're away from
19 home. So I think this bill would probably get more,
20 as you stated, individuals registered at an early age
21 and then it's been mentioned at other hearings, that's
22 a carryover, once you become registered rather than it
23 skips that for whatever reason, you don't register
24 because you're not 18, but when you are 18, you're
25 somewhere else, maybe joined the service, maybe you're

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1 at college far away or something like that. But I
2 appreciate your testimony. Thank you.

3 MR. DERMODY: A few more questions.
4 Representative Ramaley, you're not on the list.

5 MR. RAMALEY: Thank you, Representative
6 Dermody. Good morning. I'd first like to begin by
7 thanking all of our students who have come not only to
8 testify, but to participate in this hearing, I
9 certainly want to thank the Monaca delegation for
10 coming out from Beaver County.

11 We heard a little bit earlier about the
12 attention oftentimes given to national issues or
13 national politics in schools. Of course, Monaca is
14 going through something very serious on a local level
15 with discussion about a potential merger with another
16 school district.

17 Do you find that your peers that are excited
18 about voting that are denied because they're not 18
19 before the general election, do you find that they
20 just have a sincere interest in being involved in
21 these issues or is it just that this particular
22 national election has captured their attention and
23 they just want to participate in this one election?

24 MS. GILLIAM: I believe that they have a
25 sincere desire to participate in all elections. Maybe

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1 this primary has been a very exciting one, but I
2 believe that even in four years whenever it won't be
3 the same, still get out and get out and get their
4 vote.

5 MR. RAMALEY: Thank you. I think that's
6 important, because across the board, and students that
7 are studying this, and certainly we see this all the
8 time, national elections always attract the highest
9 percentage turnout. In the local elections where real
10 policy affects your day-to-day lives, may get 20 to
11 30 percent turnout. So I think that's important to
12 hear that young folks that want to be involved want to
13 be involved across the board, it's not just the
14 national elections that are capturing their
15 imaginations. Thank you for that. Thank you.

16 MR. DERMODY: Any other questions? Thank
17 you very much, Na'Shaya.

18 (Applause.)

19 MR. DERMODY: The next to testify will be
20 two students from Mt. Lebanon High School, John
21 Oxenreiter and Eric Reidy. Welcome. When you get set
22 up, any order that you wish.

23 MR. OXENREITER: Hi. My name is John
24 Oxenreiter, I'm a senior at Mt. Lebanon High School.

25 I'd like to begin by thanking you all for the

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1 opportunity to be here, and speak in favor of what I
2 believe is a fine piece of legislation that would do a
3 great deal to further our democracy.

4 There's a lot to be said in support of HB520
5 and a lot of it already has been said. So I'll try to
6 keep my remarks brief.

7 I turned 18 on January 22nd of this year. I
8 was 18 on April 22nd when I cast my primary ballot,
9 and I'll be 18 on November 7th, when I'll cast my vote
10 for the national election. I was fortunate enough to
11 be born in time to vote in both elections. But those
12 whose birthdays fall in the six months between April
13 and November, despite being able to vote for their
14 presidential candidate, have no say in who their
15 presidential choices will be. This seems strange;
16 choosing a president, after all, is equally great if
17 not a greater responsibility than choosing a
18 presidential candidate. If these young men and women
19 are recognized as having the maturity and the
20 intelligence, not to mention the constitutional right
21 to vote in November, should they not hold the right to
22 determine who they can vote for?

23 According to the Erie Times-News, House Bill
24 520 would affect nearly 60,000 Pennsylvanians, 60,000
25 Pennsylvanians who will gain a crucial lesson in

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1 applied democracy, as well as a lasting appreciation
2 for their power as citizens to effect change. From
3 the very start of their political life, they will have
4 received the responsibility and the power that they,
5 as citizens, will hold for the rest of their lives.

6 Finally, this idea has been successful across
7 the country. States such as Indiana, Kentucky, Maine,
8 Maryland, Mississippi, Nebraska, North Carolina, Ohio
9 and Virginia, as well as West Virginia and Delaware and
10 many other states have already enacted similar laws,
11 according to the Philadelphia Enquirer, and the
12 results have been largely positive. For these
13 reasons, as well as the many reasons expressed, I
14 would urge you all to support House Bill 520, and
15 support a more democratic elections process. Thank
16 you.

17 (Applause.)

18 MR. DERMODY: Eric.

19 MR. REIDY: I'd like to thank the
20 committee, Fox Chapel High School and my teacher,
21 Mr. Ford, for providing us this opportunity to testify
22 today.

23 My name is Eric Reidy, I am a senior at Mt.
24 Lebanon High School. I am 18 years old.

25 I believe that it is through the continuous

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1 questioning and vigorous stewardship of the democratic
2 process that this country has been able to survive. I
3 see this hearing as an installment in that legacy and
4 I'm here to give my best informed opinion on the issue
5 at hand. I believe a proper place to start is with
6 the Constitutionality of this issue. The 26th
7 Amendment states that "the right of Citizens of the
8 United States, who are eighteen years of age or older,
9 to vote shall not be denied." This statement sets an
10 age at which voting rights are guaranteed saying that
11 citizens who are over eighteen cannot be denied the
12 right to vote. It does not, however, set a minimum
13 age requirement for voter eligibility. The fact that
14 eleven other states, including Ohio and West Virginia,
15 have passed a similar bill to House Bill 520, and that
16 they have withstood court challenges, demonstrates
17 that it is indeed constitutional for seventeen year
18 olds to vote in a primary election provided that they
19 will be eighteen by the general election.

20 The question then becomes what are the
21 positive and negative effects of House Bill 520. The
22 bill certainly has its critics in Pennsylvania and the
23 concept has its critics around the nation. In
24 Pennsylvania there has been concern expressed that the
25 bill will be more beneficial to one party than the

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1 other. The research that I have done on this issue
2 has shown that this is a bipartisan effort by the
3 youth of Pennsylvania to bring about change that we
4 see as universally advantageous. Furthermore, voting
5 rights are a keystone of our democracy and should
6 transcend party politics.

7 Another issue that I saw raised in my research
8 by North Dakota Secretary of State Al Jaeger is the
9 question of where the line should be drawn. If
10 seventeen year olds can vote in primaries than why
11 can't sixteen year olds, fifteen year olds and so on?
12 There is legitimate basis to this question that is
13 brought to light by efforts in California in 2004 to
14 rewrite voting laws so that fourteen and fifteen year
15 olds could vote as one quarter of a person and sixteen
16 and seventeen year olds could vote as half a person.
17 I see the California proposal to be flawed in many
18 ways and certainly would not advocate for a system
19 along those lines.

20 The reason that I feel that House Bill 520
21 does not pose the danger of letting the bottom drop
22 out on Pennsylvania voting age is because I believe it
23 is addressing the question of enfranchisement. It is
24 unfair and undemocratic for citizens voting in a
25 general election to not be able to vote in a primary.

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1 This bill only provides for seventeen year olds to
2 vote in a very specific instance, fixing the problem
3 at hand, but not leaving the age issue open ended.
4 The Democratic primary in Pennsylvania this year
5 serves as an example of why seventeen year olds should
6 be allowed to vote in primaries provided that they
7 will be eighteen by the general election. I do not
8 pick this as my example because of a party or
9 candidate preference. I am using the Democratic
10 primary simply to help prove a point.

11 The Democratic presidential primary is
12 incredibly close. Regardless of who the nominee is,
13 nearly half of Democrats in the country will not have
14 their preferred candidate on the ballot come November
15 and the opinions of Pennsylvania citizens who were
16 seventeen for the primary, but will be eighteen for
17 the general election, will not have had any bearing on
18 who the Democratic nominee will be. This is a
19 disincentive for people just turning eighteen to vote
20 because it creates a sense of exclusion from the full
21 democratic process. By denying voters who will be
22 voting in the general election the right to vote in a
23 primary, you are denying them the right to play a role
24 in selecting their party's candidate for the general
25 election. In Pennsylvania, it is estimated that

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1 between 100,000 and 120,000 citizens who are potential
2 voters in November were not able to vote in the
3 primary. House Bill 520 will allow, in the future,
4 citizens of Pennsylvania to participate fully in the
5 democratic process.

6 In order for this to be a worthwhile bill, it
7 has to be applicable beyond just this election cycle,
8 and I believe the argument I made above applies in
9 presidential and non presidential elections. I have
10 to admit that my main motivation for registering to
11 vote was to vote in the presidential primary.

12 However, I know that it is part of my civic duty to
13 vote not just for a president, but for state and local
14 officials as well. It was because I was drawn to the
15 ballot by the presidential race that I took the time
16 to inform myself about the other votes that I cast on
17 the same day. The act of voting for the first time is
18 truly a powerful experience, and it showed me the
19 importance of voting in all future elections.

20 I believe that many of the students at my
21 school had similar experiences, but unfortunately,
22 many who will be eligible in November were not able to
23 engage in the process because they are seventeen now.
24 We have a crisis of engagement in our country and in
25 Pennsylvania when it comes to the youth and politics.

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1 Between 1972 and 2000, the youth voting rate
2 nationwide declined by sixteen percent. In the past
3 several election cycles, it has been on the rise, but
4 we need to help foster this trend by engaging as many
5 people as possible in the democratic process. We need
6 to encourage a sense of stewardship and engagement in
7 our democracy in the next generation, my generation,
8 of Americans and I believe that House Bill 520 is an
9 important step in that process. Please join Governor
10 Rendell, my Pennsylvania House Representative, Matt
11 Smith, and the numerous others in supporting House
12 Bill 520.

13 (Applause.)

14 MR. DERMODY: Representative Gibbons.

15 MR. GIBBONS: Thank you. Let me ask, my
16 question is kind of in three separate parts, I'm going
17 to ask them all together and that way, you can address
18 it all, but basically my question is: Do you think
19 that the concerns of young people are being addressed
20 by our government officials, the state, local and
21 federal government level today? Secondly, how do you
22 think that voter turnout at the younger age range, 18
23 to 25, 18 to 30 range, of which I am part of that
24 group, affects that? And lastly, how do you think
25 this bill can help affect changing that turnout?

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1 MR. OXENREITER: Well, I'll do this a
2 little bit. I guess I'll just address the second
3 first. With regard to youth participation, it was
4 actually very funny going to the primary, I actually
5 saw a lot of people that I knew from high school who
6 are casting their vote at the same time, and I think a
7 big issue with getting youth turnout is registering
8 people to vote. If you look at the statistics, when
9 you have someone registered to vote, the participation
10 in the process goes up, I think it's self-evident, I
11 guess, but I think that one of the things that HB 520
12 will do is make that easier, because many people, like
13 Eric and like myself, would register for the
14 presidential primary and then would remain registered
15 for the general election itself, and I think that's a
16 big advantage.

17 MR. REIDY: In terms of the issue of how
18 government officials are addressing issues that
19 pertain to youth, I think that recently, we see more
20 engagement, because the youth voting block is more
21 intellectual, especially in this current election, you
22 see more engagement and more of an attempt for
23 politicians to reach out and address issues that are
24 facing the youth and I feel like -- I mean, the more
25 people that you have involved in the process, the more

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1 people that you have registered to vote, the earlier
2 you can get to those people, the more interest they'll
3 have in government, and then will take an active role
4 in bringing our concerns to the government as
5 demonstrated by this hearing. Is there anything else?

6 MR. GIBBONS: Thank you for addressing
7 that, because I think it is important, and let me give
8 a very quick why I asked this question, because in my
9 first year in office last year, I had a group of
10 students, high school students, that came to me on an
11 issue important to them and when they came to speak
12 with me, they had said that in the past, when they had
13 talked to other elected officials that at one point,
14 they were told that their issue -- why wasn't this
15 person listening to them is because they didn't vote
16 and that's why he wasn't concerned about their issue,
17 and I don't think any elected official should take
18 that position, and I don't believe any of us up here
19 would take that position.

20 I do think that at some levels, people do
21 believe that and hopefully, you know, by getting out
22 and voting, we can show and young people like
23 ourselves can show that we are concerned and it's
24 going to help us to bring that youth perspective into
25 government, because there are a lot of things that are

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1 important to us, whether it's -- whether it's this
2 bill specifically or other issues. We have our own
3 concerns that need to be addressed, so that's a little
4 background as to why I asked the question. I
5 certainly agree with you that I think this bill could
6 help participation by getting people started early and
7 by doing so, I think help to bring some of our issues
8 to the forefront.

9 MR. DERMODY: I assume you've had
10 discussions obviously at the school and in class about
11 House Bill 520.

12 Based on what you discussed with classmates at
13 the school, do you feel it's a bipartisan effort, or
14 is it a one-party effort, what are your thoughts on
15 that issue?

16 MR. REIDY: There was one thing I was
17 thinking about when we were talking about this earlier
18 in the hearing about the bipartisan bill, talking
19 about voter eligibility for 17 year olds in the
20 primary, Pennsylvania has a closed primary, so
21 Republicans can't vote in the Democratic primary and
22 the Democrats can't vote in the Republican primary, so
23 in that way, it's not favoring one party or another.

24 MR. OXENREITER: Furthermore, I would say
25 that as Mr. Redmerski remarked, that there really is,

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1 in addition to what Eric said, there really is a
2 breakdown of Republican and Democratic students. I
3 would say it is not heavily biased in one way or
4 another. But even if it were, as I said, it's a
5 primary, so it seems to me that this would be a
6 bipartisan issue in the sense of the parties.

7 MR. REIDY: Let me just say if
8 Republicans had more constituents than Democrats had
9 constituency that was under 18 at the time of the
10 primary, but would be 18 by the time of the primary,
11 they would be voting in the general election anyway.
12 It would just be their vote is affecting who the
13 individual in the general election would be from that
14 party, not who the actual elected official would be.
15 That argument, that it affects one party more than the
16 other really just doesn't make sense to me.

17 MR. DERMODY: Representative Grucela.

18 MR. GRUCELA: Thank you, Representative
19 Dermody.

20 Along those political party lines, No. 1, I
21 would, Representative Gibbons actually has a bill that
22 would allow, I don't favor it, but he's still a
23 colleague, but he does, you should know, especially
24 young people, it may be something for your classes to
25 talk about in class, to allow independents to vote in

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1 the Pennsylvania primary, or the Pennsylvania election
2 really, especially the primary, and, of course, as you
3 mentioned, the closed primary, which I still favor the
4 closed primary, which the majority of the states have,
5 but along those political lines, I just wanted to let
6 people be aware of Representative Gibbons' bill.

7 I'm interested, Eric, in this research you did
8 for California. I like to listen rather than read
9 along. They were going to give 14 and 15 year olds
10 the right to vote but count them as half?

11 MR. REIDY: Fourteen and 15 year olds
12 were a quarter of the vote, and 16 to 17 year olds are
13 half of the vote, there was like training wheels to
14 politics type of thing, so it was kind of to get them
15 engaged really early and then kind of push them along
16 as they get older, and more engaged and intelligent, I
17 guess.

18 MR. GRUCELA: I am by no means a
19 constitutional lawyer, but I remember teaching and in
20 my teaching experience, that, I believe, would be a
21 violation of US -- sounds like the three-fifths
22 compromise, so I think that, if anything, I don't
23 encourage 14, 15, 16, that's not what this bill is
24 about. The focus of this bill is those that are 17 in
25 the spring and are going to vote anyway in November,

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1 that's the focus, because people have raised that
2 question to me. Okay, Grucela, what's next, 14, 12,
3 guys are going to vote? You know, sometimes I
4 facetiously, depends on who the person is, I say yes,
5 just to, you know, make them mad or something. But
6 again, I assume, I was going to ask, again, a
7 repetitive question about the maturity of your
8 classmates, your peers, it seems everyone who is
9 testifying is 18 and has voted in the primary and
10 you're carrying the water for some of your younger
11 peers, which I think is commendable.

12 MR. REIDY: I walked into school this
13 morning wearing a suit and I was sitting in homeroom
14 and everybody was like, hey, Eric, why are you wearing
15 a suit. And I explained what I was doing and some of
16 the people in my homeroom didn't know about this bill
17 in the first place. When I explained it to them, two
18 girls in my homeroom were like, yeah, I was 17 on the
19 day of the primary, but I'm going to be 18 by the
20 election, I would have liked to have voted. I've had
21 experiences like that, not specifically related to
22 this bill, but I was talking to a couple friends and
23 they asked me, oh, you guys will be able to vote in
24 the primary? Oh, no, we're 17, I'm really bummed out.
25 There was a legitimate sense of I really wish I could

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1 do it, I'd really like to be engaged, because I'm 17
2 now and will be 18 for the general, I can't. They
3 really felt like they were missing out and they
4 shouldn't.

5 MR. OXENREITER: Speaking of maturity,
6 I've had varying in-depth political discussions with
7 people who aren't the political junkies of the class,
8 but who are just people in my government class, who
9 are extremely engaged in politics and, once again,
10 these are people who would be 18 in the general
11 election. They didn't vote in the primary because
12 they can't, because they're 17, so I really don't
13 think the maturity really is so much as an issue,
14 because those who are likely to register for the
15 primaries are the same people who are likely to be
16 very, very informed, know what they are voting for,
17 know who they are voting for and so to benefit from
18 the electoral process.

19 MR. REIDY: Just a note on that, it's
20 like six months or something between the primary and
21 the general election, I mean, a lot can happen in six
22 months, but I think in terms of the overall population
23 of 17 year olds who are going to be 18 by the primary
24 in Pennsylvania, I mean, I don't think that much more
25 mature and intelligent maturity is going to come about

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1 in just six months.

2 MR. GRUCELA: I agree. If you walked in
3 to my classroom with that suit on back in the old
4 days, the students would ask whether you were going to
5 a trial.

6 MR. OXENREITER: I was asked that.

7 MR. GRUCELA: You were asked that? See
8 that, things never change. I used to teach some guys
9 and I'd say what comes at the end of a sentence, they
10 used to say an appeal.

11 MR. REIDY: What did you teach?

12 MR. GRUCELA: You guys make me want to go
13 back in the classroom, but anyway, I think I covered
14 everything, maturity and the classes. I was
15 interested in that California thing, that was
16 interesting.

17 MR. OXENREITER: I was shot down.

18 MR. GRUCELA: And again, Representative
19 Dermody mentioned, you both did a good job on that,
20 too. And I remember from teaching as well, teachers
21 know, presidential elections, the gubernatorial
22 elections always seem to have a little bit more
23 impetus for whatever reason, mainly because of
24 probably the television and the advertisements, it's a
25 some national issue, as compared to your real, real

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1 element and local government is really where it all
2 happens. And I always made sure I got into local
3 government, so that these people, young students,
4 would know the mayor and the borough council and the
5 supervisor, whatever it might be. Excellent job,
6 young men. Thank you.

7 MR. DERMODY: Thank you, Representative
8 Grucela. Before you leave, I just want to make an
9 announcement that Representative Matt Smith, who is of
10 the 42nd Legislative District, he represents Mt.
11 Lebanon among several other communities, Senator John
12 Pippi of the 37th Senatorial District as well sent
13 letters of support for House Bill 520, they'll be in
14 the record here today. So thank you very much.

15 (Applause.)

16 MR. DERMODY: The last to testify here
17 today is Adam Fogle from FairVote.

18 MR. FOGEL: Thank you very much,
19 Mr. Chairman, members of the State Government
20 Committee and other members of the House that are in
21 attendance. Thank you very much for inviting me here
22 today to speak to you about this important piece of
23 legislation.

24 Pennsylvania should allow 17 year olds to vote
25 in the primary election if they will be 18 for the

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1 general election. Again, my name is Adam Fogle and I
2 am the Right to Vote Director at FairVote, we're a
3 nonpartisan, nonprofit organization headquartered in
4 Takoma Park, Maryland, just outside of Washington, DC.
5 We work on a range of issues promoting reforms to
6 improve the democratic process and expand political
7 participation. In Maryland last year, we led the
8 effort to protect the policy of 17 year olds primary
9 voting after the State Board of Elections called it
10 into question at what turned out to be the inaccurate
11 advice of the State Attorney General.

12 At its core, this policy is one of basic
13 fairness. If someone can vote in the general
14 election, they have the right to choose who should be
15 on that general election ballot. It's also a sensible
16 means of introducing more young adults to the
17 electoral process. Currently, there are 18 states or
18 state parties that allow this policy and several other
19 states, including Connecticut, New Hampshire and Rhode
20 Island, that are considering adopting it this year.
21 In our state of Maryland, the policy has widespread
22 support in both parties, as evidenced by the unanimous
23 votes in favor of protecting this policy in both
24 houses of the legislature during this session.

25 Many people don't realize though how much

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1 control the parties actually have over their primary
2 contests because of their association rights under the
3 First Amendment of the U.S. Constitution. State
4 parties are well within their legal right, as
5 enunciated by the Supreme Court decision, Tashjian v.
6 Connecticut (1986), to expand suffrage in their
7 primaries to any number of groups, including 17 year
8 olds who will be 18 before the general election.
9 Several state parties have already acted alone in
10 allowing 17 year old primary voting. In Alaska,
11 Kansas, North Dakota and Washington, 17 year olds are
12 only allowed to vote in the Democratic caucus.
13 However, I would caution any party that chooses to
14 prohibit 17 year olds from participating in their
15 primary if the other party does allow it. Studies
16 show that if a young person votes for one party in
17 three consecutive elections, that person votes with
18 that party for life. Parties should be encouraging
19 participation, not discouraging it. If a young person
20 cares enough to participate and will be eligible to
21 vote in the general election, we should provide them
22 with that opportunity.

23 Here in Pennsylvania, I hope that both parties
24 will agree that young people deserve to be able to
25 fully participate in the political process and have

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1 the right to vote in primary elections.

2 FairVote, as a nonpartisan organization, does
3 not endorse candidates or political parties and we
4 make every effort to work with both major parties, as
5 well as third parties and political independents. We
6 don't believe this policy has any inherent partisan
7 impact, which explains the political consensus for it
8 in Maryland and its use in Democratic-leaning states
9 like Hawaii and Republican-leaning states like
10 Mississippi. I realize, however, that this policy can
11 raise some initial concerns. I'd now turn to focus my
12 attention and the committee's attention on addressing
13 those concerns that were raised previously in
14 testimony submitted to the committee in opposition to
15 17 year old primary voting.

16 First, the history of the 26th Amendment to
17 the U.S. Constitution, prohibiting states from setting
18 a higher voting age than 18, is well known. Congress
19 and the states did not think it was fair to send 18
20 year olds off to war without giving them a voice in
21 the political process. But note that the 26th
22 Amendment does not prohibit states from setting a
23 lower voting age than 18. It simply restricts them
24 from raising it above 18. In Maryland's thirty-plus
25 year history of its policy of 17 year old primary

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1 voting and the many other states with it, the issue of
2 its consistency with the 26th Amendment has never been
3 in doubt. In fact, I would argue that this policy is
4 exactly in the spirit of the 26th Amendment. The
5 opposition testimony that was heard at the last
6 hearing argues that we were right to lower the voting
7 age to 18 because of the men and women serving in
8 uniform who did not have a vote, but it implies that
9 there is no one currently serving in the military
10 that's under 18. In fact, young people are joining
11 the military with parental consent at 17 years old and
12 they also deserve to have a voice in the political
13 process. Enacting this policy in Pennsylvania would
14 show these brave young men and women that we not only
15 appreciate their service to our country, but that we
16 also respect them as adults.

17 Critics of this legislation also argue that
18 the legislature sets these age restrictions for a
19 reason. They compare the right to vote with a 15 year
20 old driving a car or a 20 year old purchasing alcohol.
21 I see suffrage rights as quite different. Our men and
22 women serving overseas do not fight and die for this
23 country for these minor inconveniences, they fight for
24 our freedom, our democracy and our right to vote. I
25 fear that equating suffrage to driving a car or

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1 drinking alcohol trivializes the sacrifices that have
2 been made throughout our history to protect this
3 sacred right.

4 Finally, the issue of ensuring secure
5 elections that was raised at the last hearing is one
6 on which we can all agree. However, it is never a
7 valid argument to challenge a piece of legislation
8 because there are other issues that need to be
9 addressed. There are always other issues, whether
10 they are ensuring election security or expanding
11 opportunities for voter registration or providing
12 greater access to the polls for those with
13 disabilities, that the Pennsylvania House of
14 Representatives can address. However, one way that we
15 can ensure secure elections is by making sure our
16 youngest citizens have every opportunity to register
17 to vote in a secure and systematic way before reaching
18 voting age. That's why my organization also supports
19 setting a uniform voter registration age of 16 years
20 old, where you register to vote at 16 and then you're
21 automatically added to the voting rolls when you reach
22 voting age. This would allow a more systematic
23 registration in high schools and at the DMV.

24 Giving young people a chance to participate
25 early in the process will make it more likely that

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1 they will continue participating for life. They will
2 also have more time to learn about the issues and
3 candidates so they can make an informed decision on
4 Election Day. Seventeen year old primary voting is a
5 way to encourage our youngest citizens to pay
6 attention to the world around them and to show them
7 that their vote really does make a difference.

8 And that concludes my written testimony, but I
9 just want to say very briefly, that I really
10 appreciate the state of Pennsylvania addressing this
11 issue, I really appreciate all these young people here
12 today that the nice state of Maryland and the young
13 people there can really learn something from all the
14 young people sitting in this room in their activity.

15 I also just briefly want to address an issue
16 that was raised earlier in a question about why
17 there's such low participation among this age group of
18 18 to 24 year olds. One thing that I found from
19 studying this issue is often that when people graduate
20 from high school, they're often not given an
21 opportunity, not just to register to vote, but to
22 learn the mechanics of participation, to learn how to
23 request an absentee ballot, to learn what to expect on
24 Election Day, to know if you're standing in line and
25 the polls close, you still have an opportunity to

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1 vote, you should have an opportunity to vote. It's
2 these sorts of nuts and bolts in the mechanics of
3 participation is something that should be emphasized
4 in a high school setting and I appreciate the teachers
5 here today for doing that. Thank you very much. I'd
6 be happy to answer any questions.

7 MR. DERMODY: Thank you.

8 (Applause.)

9 MR. DERMODY: Representative Grucela.

10 MR. GRUCELA: Thank you. The Maryland
11 court case, what exactly was the question, what was
12 the issue that they brought to court?

13 MR. FOGEL: The Maryland General Assembly
14 passed an early voting law that, leading up to
15 election day, people would be able to vote in specific
16 designated places. The Maryland Court of Appeals, the
17 highest court of Maryland, threw that law out on the
18 basis that the Maryland constitution set a specific
19 date for the election. Therefore, early voting was
20 unconstitutional. It's completely unrelated to the
21 issue at hand. The attorney general's office
22 extrapolated that opinion to say, well, if the
23 constitution sets a date for the election and it also
24 sets an age for the election, well, it would also mean
25 that 17 year old primary voting must be

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1 unconstitutional because the Maryland constitution
2 sets a specific age requirement at 18. It went
3 through the Court of Appeals process, because a 17
4 year old in Maryland challenged this, this ruling, and
5 the Court of Appeals said the attorney general should
6 have never done that. We made this very specific
7 ruling for early voting, it had nothing to do with 17
8 year old primary voting and the attorney general's
9 office was in error to actually do that. But before
10 we got to that point, the Republican party of Maryland
11 and the Democratic party of Maryland said, wait a
12 minute, we like this policy, we want to include 17
13 year olds in our process. So they wrote a letter to
14 the attorney general's office, asserting their First
15 Amendment right about freedom of association. The
16 attorney general accepted that argument and
17 ultimately, before the court made its ruling to say
18 that the attorney general was wrong in the first
19 place, the attorney general reversed itself and said
20 well, based on the partys' arguments, we will allow 17
21 year old primary voting.

22 MR. GRUCELA: I was going to ask that,
23 because it came up and I don't remember the answer, I
24 don't remember the research, but there was actually a
25 question as to whether we really needed the

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1 legislation, whether or not, because primary
2 elections, of course, came about, as we all know
3 because of the constitution, and the question came
4 about whether a political party could do it without a
5 statute, whether the Republican party or the
6 Democratic party chairman or their committees, or
7 however that structure works, could actually say,
8 okay, Republicans at 17 could vote or Democrats at 17
9 could vote, I think if one goes, the other one would
10 obviously be for it, but has that come up?

11 MR. FOGEL: Absolutely. In Alaska,
12 Kansas, North Dakota and Washington only in the
13 Democrat caucus can 17 year olds vote. The problem
14 with this policy, to have it sort of split, in the
15 primary election is because it's a state-run primary.
16 In a caucus, it's much easier to sort of administer
17 your own rules, but in a primary, there should be
18 uniformity. And like I said in my testimony, it's
19 imperative that there's uniformity for the sake of
20 both parties, because if you have one party doing it
21 and another party not doing it, 17 year olds, if they
22 see they can only vote in one party would be more
23 likely to vote forever in that party. They'll say
24 well, this party respects my rights as a 17 year old
25 who will be 18 by the general. So a party would

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1 really be making a strategically bad political
2 decision to not allow 17 year olds to vote in the
3 primary if the other party will allow it.

4 MR. GRUCELA: Thank you.

5 MR. DERMODY: Representative Vulakovich.

6 MR. VULAKOVICH: Your testimony is
7 excellent. These comments, are they on your web site,
8 because when the group from Fox Chapel came over, I
9 want to be somewhat prepared for it, since I didn't
10 know anything about the legislation, I didn't even
11 know it existed, I had to bring the information up,
12 and I thought well, these were the ideas that I was
13 going to question him about. And this seems like what
14 they gave you to do that with and I thought, boy, this
15 is even more, even though it's a simple idea, and
16 just, you know, really down to earth, the logic
17 behind, I can see a lot of effort went into the logic
18 behind why this should be done. This Tashjian versus
19 Connecticut, they had brought that up to me and I was
20 wondering, the caucuses actually can do this on their
21 own. How many of the states?

22 MR. FOGEL: The states, there's 18,
23 there's states or state parties that allow it. There
24 are four where it's only in the Democratic primary, so
25 there would be 14 states that currently allow it. And

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1 as I said, it's sort of in flux right now, because a
2 lot of states are looking at -- the situation in
3 Maryland got quite a bit of press attention, and other
4 states sort of looked at it, Connecticut, New
5 Hampshire, Rhode Island and said, well, this makes
6 sense to do, and then Pennsylvania also. So there are
7 a lot of, I guess, I guess there are a lot of
8 different reforms that our organization just sort of
9 sees as common sense, to help streamline the process
10 of voter registration and to sort of make it easier --

11 MR. VULAKOVICH: So how many of the
12 states actually did it with legislation?

13 MR. FOGEL: I believe 14. I believe 14.
14 I could get back to you and just to double check that,
15 but I think it's 14.

16 MR. VULAKOVICH: I guess my point is, I
17 think it should be done with legislation.

18 MR. FOGEL: Sure.

19 MR. VULAKOVICH: Because we'll get into
20 the -- because when, months and months ago, when they
21 had my staff brought these different copies when I met
22 with them, you know, I started thinking, well, why
23 don't we just let it play through its own through the
24 caucus, and I had not, for some reason, maybe they
25 just made notes for me, or I can't remember, but I did

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1 not think about the part where one party would do it
2 and the other one wouldn't, would not, and that's not
3 what we're looking at here, so the way to go is really
4 with the legislation.

5 MR. FOGEL: Definitely. I think that,
6 No. 1, the fact that the legislature is taking up this
7 issue and bringing so many young people sort of into
8 this process, I think is important just in and of
9 itself. The party would just sort of say they do it,
10 there isn't that process, I think the process is
11 important.

12 Secondly, like I said earlier, to have one
13 party do it and the other not do it is really not
14 beneficial for anyone, because say the Republicans
15 want to do it and the Democrats don't want to do it,
16 all those young people that want to vote in the
17 Democratic primary will be shut out of the process and
18 that's not the way to go about doing it. So I think
19 that going through the legislative process is the
20 appropriate method in this case.

21 MR. VULAKOVICH: Representative Grucela,
22 the idea of registering, registration of 16 year olds
23 at the DMV, that's not in the bill, is it?

24 MR. GRUCELA: I'm sorry. I missed the
25 question.

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1 MR. VULAKOVICH: He brought up the point,
2 would they support setting uniform voter registration
3 age of 16 year olds which would allow systematic
4 registration in high schools and at the DMV, you know,
5 when they actually get their license, they could
6 actually register and then be ready at the age of 17.

7 MR. GRUCELA: No, that's not in the bill,
8 that's the voter/motor, that's not in the bill.

9 MR. FOGEL: And that's something that a
10 few states have taken a look at. It's passed the past
11 few sessions Rhode Island's legislature and the
12 governor has, unfortunately, vetoed it for
13 administrative reasons, but what we're hoping to do as
14 an organization is make it so, we're in the age of
15 compulsory education, 16 years old, so a lot of
16 students are being missed, and they're not being able
17 to register at 18 or it was mentioned earlier that if
18 your birthday is in the summer, there's not an
19 opportunity to register to vote before graduation. So
20 one of the things that we would like to see is
21 actually a national uniform registration at age 16 to
22 make it more systematic, particularly in high schools.
23 I mean, the teachers can tell you that it's sort of
24 difficult to do a widespread voter registration
25 project in the high school, because of lot of the

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1 students aren't even eligible to vote in their senior
2 year and many of them are only eligible in the second
3 half of their senior year. So this would be, I think,
4 a great amendment to add on to the current bill. It's
5 by no means necessary to enact the policy of 17 year
6 old primary voting, but it just makes it easier,
7 because we have young people, they're turning 16, they
8 have a big circle around their 16th birthday, they
9 know they're getting their driver's license, they're
10 going right to the DMV, there's not that same level of
11 excitement about registering to vote, and we think
12 there should be. So it makes sense to combine these
13 two milestones in a young person's life, both getting
14 your driver's license and also getting your right to
15 vote. We think that it's just a sensible policy so
16 that when young people across the country can know, I
17 register at 16 and I vote at 17 if I'm going to be 18
18 for the primary. It should be a standardized process.
19 I think we're well on our way with this legislation.

20 MR. VULAKOVICH: I actually like that
21 idea, I guess.

22 MR. FOGEL: There's plenty of information
23 on our website, FairVote.org and plenty of information
24 on that policy on our website and, you know, I'd be
25 happy to answer any questions about that in the

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1 future.

2 MR. GRUCELA: I just want to chime in for
3 a second, Representative Dermody. I actually had this
4 situation happen this week, a lady came to my office,
5 she was denied the right to vote on election day. She
6 changed her name. In January, she got a Pennsylvania
7 driver's license, and I said to her, well, you got
8 your driver's license, didn't they -- she said yes,
9 they asked her you want to register to vote, she said
10 yes, and somehow it fell through the cracks, because
11 when she went, nobody had her name, they wouldn't let
12 her vote that day. So I had to give her a card to
13 re-register. I know it's off the subject, but it rang
14 a bell, because I had that very situation happen this
15 week.

16 MR. FOGEL: And there's been hearings in
17 Congress recently that I've attended that this
18 situation is happening in a number of states where
19 either DMVs or state agencies are falling out of
20 compliance with the motor/voter law or the National
21 Voter Registration Act of 1993. We think it's really
22 troubling that that's happening and there has been an
23 outpouring with our organization and a lot of other
24 sort of watchdog groups to make sure that these public
25 agencies don't fall off compliance with the law.

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1 They're continuing to ask people if they're registered
2 to vote, if they'd like to register to vote or if
3 they'd like information about registering. It's
4 really important to make sure that our state agencies
5 sort of stay on top of that issue.

6 MR. DERMODY: Thank you. I just want to
7 point out, at the last hearing we had the executive
8 director of the state Democratic party testified and
9 acknowledged that probably the state parties, because
10 they run their primaries, could make the decision to
11 allow 17 year olds to vote, but would much prefer
12 having the statute, having the law in place to verify
13 that, avoid a lot of issues.

14 And the motor/voter issue is a real problem in
15 Pennsylvania. I think it's a matter of communication
16 between PennDOT and local department of elections in
17 the counties, a lot of times that information is
18 filled out at the DMV or whatever your license branch
19 is, does not work its way back to the county board of
20 elections. So before we expand, we better fix what we
21 have instead. Any further questions? Thank you very
22 much.

23 (Applause.)

24 MR. DERMODY: That was our last witness.
25 I know we have students here from several high

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1 schools, Fox Chapel and Springdale and Deer Lakes,
2 Monaca and Mt. Lebanon. Anybody have any other
3 comments they'd like to make?

4 MR. REIDY: This is real quick.

5 MR. DERMODY: Speak up. If you're going
6 to speak, let everybody hear you.

7 MR. REIDY: This is just a real quick
8 comment about the absentee ballot in terms of the
9 youth engagement. I did some campaigning this primary
10 season for one of the political candidates and one of
11 the things I heard a lot is, and I knocked on a lot of
12 doors, and people who were 22, 20, 19, and they were
13 at college and their parents would answer the door and
14 say, well, I mean, can you sign up for an absentee
15 ballot for a primary? Is that even possible or they
16 just don't know how to do it. So I think along with
17 this bill, actually working to get the process of
18 filing an absentee ballot, working to get more
19 knowledge about that process out there would be a good
20 way to engage the youth at the same time.

21 MR. DERMODY: Excellent point. Very
22 good.

23 I really would like to thank everyone for
24 attending, particularly all the students for coming
25 here this morning to participate in the hearing,

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1 whether you were here as a witness or not. All that
2 testified did a tremendous job. I think we've all
3 learned a lot. We've heard throughout the hearing,
4 the fight has just begun. There's a lot to be done
5 yet. The bill has to be moved from committee and then
6 eventually moved for a vote, there's a lot of work to
7 do, but we still have to take the first steps and I
8 appreciate all your participation here today. I, once
9 again, thank the Fox Chapel Area High School for
10 giving us the opportunity to meet here today. Anybody
11 else? Representative Grucela.

12 MR. GRUCELA: Just some closing remarks,
13 Representative Dermody.

14 Again, my sincere thanks to Ms. Kline and the
15 students here at Fox Chapel High School,
16 Representative Dermody as well, who really, as I said
17 earlier, that trite Harrisburg phrase, you put this on
18 the radar screen, and all the students here, all the
19 students, I don't fear the future. Some people get a
20 little older, they start to worry about you young
21 guys, but for those of us who taught and teach for all
22 those years, I know I have no fear of when you guys
23 get ready to take over. Just don't do anything with
24 social security. Kids are people, too, but Mr. Lewis
25 always used to say that.

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1 I would tell you this though: And that is,
2 become a lobbyist, a miniature lobbyist, I'll give you
3 two experiences I had this week on the House floor.
4 One there was a representative who came down and said,
5 hey, Grucela, what's that House bill you have where
6 the kids can vote? I paraphrased that, and I told him
7 House Bill 520, he got his name and put his name on
8 the bill. Another one from my old party who said to
9 me, what the heck are you trying to do with all these
10 young people, what are you doing, you're going to get
11 us all upset here. I said to them well, just remember
12 this, these young people are going to vote some day.
13 They're going to be there in some day, maybe even this
14 November or two years, they're going to remember you.
15 And somebody said earlier about we're all political
16 animals, so I would encourage you, one of the young
17 people said they talked to Representative Matt Smith,
18 but I would encourage you to lobby your
19 representative, lobby your senator, when we get it
20 over to the Senate and tell them that they should go
21 on board for this, and that Mr. Lewis said last week,
22 it should be a no-brainer, and we should be able to
23 hopefully get this through unamended, which can always
24 happen in the House, and keep it as a clean bill, get
25 it over to the Senate and hopefully the Senate would

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1 pass it.

2 And I'll make you this promise. I'll make you
3 the promise that if it passes the House and it passes
4 the Senate, and when the governor has to sign it, I
5 will do everything in my power to persuade the
6 governor to come out here and sign the bill at Fox
7 Chapel High School. I can't guarantee he'll come out,
8 but I can tell you this, if we get it that far, but I
9 think if this should become law, I make you that
10 promise, we'll try to get the Governor to do it right
11 here.

12 And all the other school districts that came
13 down today, as Representative Dermody said, again, we
14 thank you and he's right, whoever said about the
15 hearings, I've been in a lot of committee hearings and
16 rare, this has got to be the largest crowd I've ever
17 seen I think at a hearing. You're lucky sometimes
18 four or five people show up, and some just wandered in
19 by accident.

20 So again, my sincere thanks to all of you. I
21 wish you all a great bright future, I know you'll have
22 a great bright future no matter whatever you do,
23 whatever you choose to do, so keep up the good work
24 and continue to make this a strong democratic country.
25 Thank you.

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1 (Applause.)

2 MR. DERMODY: On behalf of Chairman
3 Josephs, I want to say, once again, thank you all for
4 coming.

5 (Hearing adjourned at 11:49 o'clock a.m.)

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C E R T I F I C A T I O N

I hereby certify that the foregoing transcript
is a true record of the testimony of the witnesses.

Jean M. Bujdos
Court Reporter