



**FOX CHAPEL AREA
SCHOOL DISTRICT**
COMMITMENT TO EXCELLENCE

Oral Testimony of
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Before the
State Government Committee
Pennsylvania House of Representatives

Legislative Hearing on H.B. 520,
"An Act Amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes"
May 9, 2008

I would like to thank you once again for allowing me the opportunity to speak before you in support of Pennsylvania State House Bill 520, which regards voting rights in primary elections for those old enough to vote in the corresponding general election. I would also like to extend a special thank you to Representative Frank Dermody, whose efforts have been outstanding throughout this legislative process.

Just this Tuesday, the states of Indiana and North Carolina conducted their primary elections. Though much of our nation's attention was focused on these states' Democratic primary returns for the presidential race, there were countless other contests for lesser offices that occurred in these states as well. While the primaries of Indiana and North Carolina do not seem very different from Pennsylvania's own primary election of less than a month ago, there is one obvious difference: Indiana and North Carolina both permit voters who will be eighteen years of age by the general election to vote in the corresponding primary, whereas Pennsylvania does not. The disparity in the voting age requirement in Pennsylvania, as compared to Indiana and North Carolina, is an issue that could be resolved by House Bill 520.

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

One concern raised was that, were House Bill 520 to be passed, voters in primary elections under the age of eighteen would be able to vote yet unable to make campaign contributions due to their legal status as a minor. While some campaigns do not permit online contributions from people less than eighteen years of age, it is possible for a minor to make a financial contribution to a campaign. The Bipartisan Campaign Reform Act of 2002, in its original text, barred political contributions from those less than seventeen years of age. This section of the act, however, was deemed in violation of First Amendment rights in 2003's



Supreme Court case of *McConnell v. Federal Election Commission*. Thus, one can be a voter under the age of eighteen and legally able to make a campaign contribution.

A significant argument voiced in opposition to the bill was the supposed constitutionality of moving the voting age with respect to the Twenty-sixth Amendment. Despite what many may think, there is no place in the amendment prohibiting the voting age from being lowered below eighteen; Section 1 of the Twenty-sixth Amendment to the United States Constitution states:

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

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

Individuals have also compared the supposed lowering of the voting age to a reduction in the age required to secure a driver's license or purchase alcohol. This is an unfair and unrelated association. The reduction of age required to vote so that one may choose in the primary the candidate they would like to see on the general election ballot is a reasonable and just motive based fairness alone. Lowering the ages at which one can drive or buy alcohol has absolutely no reasoning; such decisions would be purely arbitrary. In addition, our state is not suffering from a lack of people who want to drive or purchase alcohol. I would hazard to guess that lines at the local DMV and state store are longer than those of most polling locations. In an age in which primary election turnout is usually around twenty-five percent, a measure to allow more young people to vote would be a welcome aid to our rather deplorable rate of civic participation.

After voting for the first time this past month, I felt proud walking out of the fire hall turned polling place because I knew I had had my say in determining the candidates on the general election ballot. But as I approached my car, I paused for a moment to reflect on the events of the past few months. I thought of my friends who can vote in the general election but not the primary, constantly asking me on a regular basis the status of House Bill 520. I thought back to my time spent assisting with a voter registration drive, remembering the students who felt cheated of voting in the primary because their birthday fell "in between." I thought of my friends who had worked for the Clinton and Obama campaigns yet could not vote, knowing that one group would not see their favored candidate's name on November's ballot. Having been able to vote in the primary, I am not crusading for a personal cause when I speak on this issue. It is my friends, and their beliefs, hopes, and dreams I think of when I envision the difference that this bill's passage could make. Thank you.