

**House State Government Committee
Public Hearing on House Bill 1369
August 16, 2022**

Testimony of David Thornburgh, Chair, Ballot PA

Good afternoon, Chair Grove and Chair Conklin and members of the State Government Committee. I am David Thornburgh, Chair of Ballot PA, a project of the Committee of Seventy that has brought together veterans, business, and civic groups to call for the repeal of closed primaries in PA. It is well past time that Pennsylvania should allow its 1.2 million independent voters to cast a vote in primary elections. I'm here to voice our strong support for HB1369.

As you know, we are one of only nine states that hasn't found some way to include independent voters in primary elections. It's high time that we should join the forty-one who have.

This change is the right thing to do, and it's the smart thing to do. Perhaps the most powerful voice for change comes from our veterans. As you've heard today, and have seen in the video statement from veteran and Steeler great Rocky Bleier, 1 in 2 veterans consider themselves political independents - and are therefore banned from the primary ballot box in Pennsylvania.

I think we can all agree that citizens who serve their country, who lay their lives on the line to protect our democracy, should be able to cast a vote in every election.

We have heard from veterans from across the Commonwealth that they view their oath to the constitution as paramount. Their service and the processes in place have put a value on nonpartisanship while also encouraging them to engage in the electoral process.

For many, it is a frustration to return from service only to be shut out of the primary process. And others have continued their public service as poll workers, only to be forced to turn away Independent voters from primary elections.

Yet while this injustice hits particularly close to home for our veterans, it impacts *all* Pennsylvanians, as well as the very tenets of our democracy. To that end, I want to echo the refrain I have shared with many of your colleagues.

For more than a million duly-registered voters living here in the birthplace of democracy, an archaic system that dates back to 1937, and which was implemented to solve a problem that no longer exists, prevents Independents from participating in primary elections. It chips away at a sacred right: their chance at a fair say in how their local, school, county, state, and federal taxes are spent. At the same time, these voters have to pay for the elections that shut them out. It's taxation without representation.

It's high time to move to a new system where every voter has a genuine voice every spring. Let each party's registered voters continue to participate in their party's primary, but also invite independent voters to cast a ballot in whichever party's primary they prefer.

This overdue change is supported by three quarters of ordinary voters from every political camp, from libertarian to progressive, from Trump voters to fans of Bernie Sanders and everyone in between.

It's time to repeal closed primaries.

Fairness for All Taxpayers

Closed primaries subject hordes of voters, of all ages, to a modern version of taxation without representation. Primary elections decide many local, state, and congressional seats. In state legislative races, 80 to 90% of all races are effectively decided in the primary, and the winner of the primary then breezes to victory in the fall. These elections cost Pennsylvania taxpayers more than \$20 million a year.

Opportunities for Independent Voters

One in eight Pennsylvania voters belongs to this category, one of the fastest-growing in the Commonwealth. Since 2016, 22% of newly registered Pennsylvania voters have chosen the unaffiliated (i.e. independent) category.

Closed primaries cheat primary voters of any say in who will be on the general election ballot in November. This system often leaves many voters with no meaningful say in who represents them in Congress, who decides how their town, school system, county, or Commonwealth government gets run.

A Ballot PA survey of independent voters in Pennsylvania found that independents would benefit both parties. Asked which 2022 party primary they would have voted in if they could, 38% said Republican, 31% Democrat, and 31% said they were undecided.

Increasing Voter Engagement

When the White House is not on the ballot, turnout in midterm general elections is usually lower. While primary turnout this year was higher than in the past, it's worth noting that this was the first primary election in Pennsylvania history when eligible voters could vote on an open US Senate seat, an open Governor's seat, and on representatives for new Congressional, state House, and state Senate maps. Even so, the statewide races were decided by 1 in 5 to 1 in 8 of each party's registered voters. Excluding 12% of voters from even participating only lowers the accountability and representation that we expect from our electoral process.

While repealing closed primaries enjoys wide support, some critics claim that ending closed primaries would allow parties to "game the system" and engage in misbehavior in opposing primaries. Their argument is simply false. If it were true, it could happen under our current closed primary system. And if the parties want to control who votes in the primary elections, then the parties should pay for "their" elections.

Ending closed primaries is a thoroughly nonpartisan solution to the fundamental unfairness of forcing voters to pay for elections they can't participate in. It is a solution that enjoys broad, bipartisan support among voters.

It's time to tell everyone in Pennsylvania: No more taxation without representation. No more closed primaries that shut more than a million Pennsylvania voters of a full right to vote even though their tax dollars pay for primaries.

Let every voter vote in every election. The birthplace of democracy deserves nothing less.