



***Empowering Voters. Defending Democracy***

Written Testimony regarding HB 1369, before the House State Government Committee

Public Hearing, Tuesday, August 16, 2022

Representing the League of Women Voters of Pennsylvania: Diana G Dakey

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Chairman Grove, Democratic Chairman Conklin, and members of the House State Government Committee:

Thank you for the opportunity to participate in this hearing through the submission of written comments in support of HB 1369.

My name is Diana Dakey, a 10-year member of the League of Women Voters. I reside in Lackawanna County, but have lived in Wayne, Dauphin, and Lancaster Counties.

I, myself, am an unenrolled elector.

The League of Women Voters of Pennsylvania is a statewide, nonpartisan, grassroots organization. Our members work to provide voter information, increase understanding of major public policy issues, and influence public policy through education and advocacy. We do not support or oppose any political party or candidate. However, we do take stands on issues after rigorous study and member consensus.

As a nonpartisan organization committed to ensuring that the voting process works for all Pennsylvanians, the League of Women Voters of Pennsylvania supports abandoning the closed primary system in favor of either a semi-open or open primary. A semi-open primary as proposed in HB 1369 is the logical move for Pennsylvania.

Given the importance of primaries in our elections – in many contests the election is decided in the primary – we truly need more voter input at the time of the primary.

Pennsylvania is one of only nine states with fully closed primaries, wherein only registered Democrats and Republicans may vote for their party's candidate, even though all taxpayers pay for primaries.

A growing number voters, especially newly registered voters, are not choosing party affiliation upon registration. Over ten percent of registered voters in Pennsylvania are registered as *No Affiliation* (918,348 out of 8,749,774). In the past month, alone, close to 5,000 voters were added to the No Affiliation category (6/27/22: 913,350; 8/1/22: 918,348). (1)

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Unenrolled voters have no voice in the primary, thus do not contribute to the choices presented to all voters in the general election. A 2020 report by the Knight Foundation, profiling the nonvoter, is telling: The main reason for not voting was dislike of the candidates. (2) We must do better as a Commonwealth to ensure that candidates that advance to the general election do so with a mandate from the electorate.

You see that our slogan is *Empowering Voters. Defending Democracy*. HB 1369 does both. We need to bring unenrolled voters into the election cycle, beginning with the primary. By doing so, we will have candidates engaging on issues more voters care about and, once elected, legislating in a way that is responsive to this wider electorate.

I should mention that as a Judge of Elections in my precinct (Glenburn Township, Lackawanna County), I served this past May without my own right to vote. I had to turn away two would-be voters because they were not registered with a party. As a person familiar with administration of the election-day process, I do not see a technical challenge to opening the primaries to unenrolled electors. And, simple procedural changes can accommodate voters using the absentee or mail route to voting, as is done in other states.

Bills to open Pennsylvania primaries to unenrolled electors have been introduced in legislative sessions going back to 2015. There are bipartisan cosponsors every time. As you are aware, the Senate passed SB 300 in the last legislative session with overwhelming bipartisan support. This is a simple, doable change that can be made legislatively to the Pennsylvania Election Code.

The state of Maine recently passed legislation to open its primaries to unenrolled voters. The bipartisan effort in Maine, supported by the League of Women Voters of Maine, was about fairness and that Maine could not continue to bar 32% of Mainers from voting in primaries.(3)(4)

In conclusion, one should not have to affiliate with the Republican or Democratic party in order to have full and equal rights to vote. HB 1369 is the right move for Pennsylvania at this time.

Again, thank you for consideration of these comments.

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1. Pennsylvania Department of State, Aug. 1, 2022.
  2. Knightfoundation.org. *The 100 million project—The untold story of American nonvoters* [knightfoundation.org/wp-content/uploads/2020/02/The-100-Million-Project\\_KF\\_Report\\_2020.pdf](https://knightfoundation.org/wp-content/uploads/2020/02/The-100-Million-Project_KF_Report_2020.pdf)
  3. <https://www.openprimaries.org/open-primaries-becomes-law-in-maine-over-350000-voters-enfranchised/>
  4. <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078305>