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Pennsylvania House State Government Committee

Testimony in Support of HB 976 and HB 979– Open Primaries
Jeremy Gruber, SVP of Open Primaries

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Mr. Chairman and Members of the Committee,

My name is Jeremy Gruber and I am the Senior Vice President of Open Primaries. Open Primaries is a national non-profit organization dedicated to more open and inclusive election systems. I want to thank you for the opportunity to submit testimony in favor of HB 976 and HB 979- two bills that would open primary elections in the state of Pennsylvania to registered independent voters.

There are over 1.2 million independent voters in the state of Pennsylvania that are currently disenfranchised by the state’s closed primary elections. To put that in context, Pennsylvania bars more voters from participating in its primary elections than exist of all political persuasions in 15 American states¹-almost a third of our country.

Pennsylvania’s independent voters are not going away. They are the fastest growing group of voters in the state by far. While both the Democratic and Republican Parties’ growth as a share of the electorate has slowed and even decreased, PA independents are growing at a rate of 7% a year².

Denying the fastest growing group of voters the franchise is simply unsustainable.

Who are independent voters? They are a cross section of America, but some groups stand out. That starts with our young people. Over 50% of millennial and GenZ voters-now the largest group of voters by age in the country-identify as independent.³ Half our veterans are independent.⁴ 40% of Asian Americans, 37% of Hispanics, and 30% of African Americans identify as independent.⁵ These are the voters being shut out in closed primaries.

¹ <https://worldpopulationreview.com/state-rankings/registered-voters-by-state>

² https://d3n8a8pro7vhmx.cloudfront.net/openprimaries/pages/4575/attachments/original/1637687269/ROI_Report_R1-1-compressed.pdf?1637687269

³ <https://www.axios.com/2023/01/15/voters-declare-independence-political-parties>

⁴ https://www.pewresearch.org/short-reads/2017/05/26/u-s-veterans-are-generally-supportive-of-trump/ft_17-05-26_veteranstrump_party/

⁵ https://www.openprimaries.org/wp-content/uploads/2022/01/POC_Party_Politics_Sheet_V2.pdf

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That increasingly matters, because general election races in Pennsylvania and across the country are becoming more and more uncompetitive. In the 2022 general election, for example, 34% of Pennsylvania State House and Senate races were uncontested and only 4% of races were competitive.⁶ 4%! That means the state's primary elections are where the real competition, real choices and real opportunities to have a meaningful impact exist for voters.

There's several myths about open primaries that have been perpetuated. I'm here to refute each in turn:

Myth #1: Independents don't vote: It's quite the opposite. More open primary systems have a marked effect on voter turnout. That's why when Colorado adopted the form of open primary envisioned by these bills, voter registration in the state surged, and the state shattered records for participation. A new report⁷ from the Bipartisan Policy Center found definitively that states with open primaries have higher voter participation. Indeed, when polled 88% of Pennsylvania independents said they would vote in primaries if they could.

Myth #2: Opening the primaries would be too complicated. Actually, 41 states already have some form of open primary. Pennsylvania is in poor company as one of only 9 states that continue to maintain a closed primary. HB 976 and 979 encapsulate the most common form of open primary by far, where independent voters are allowed to choose the ballot of either the Democrat or Republican Party in the primary. The vast majority of states in the U.S. today have been able to adopt open primaries-red states, blue states and purple states-easily and without incident.

Myth #3: HB 976 and 979 would increase strategic or "cross over" voting. The research is both extensive and definitive. Strategic voting does not happen in any meaningful way in the United States- whether in open primary elections OR in closed primary elections.⁸ More importantly, though, the debate on strategic voting is related to a form of open primary not envisioned by either of these bills. Twenty states-primarily in the South-combine nonpartisan voter registration with an open primary. That allows every voter-not just independents-to pick a party ballot in the primary. To be clear, these bills would ONLY allow independents to pick a ballot. Crossover voting would not even be theoretically possible.

⁶ https://ballotpedia.org/Pennsylvania_House_of_Representatives_elections,_2022

https://ballotpedia.org/Pennsylvania_State_Senate_elections,_2022

⁷https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2023/03/Primary-Turnout-Report_R03.pdf

⁸ See for example: R. Michael Alvarez and Jonathan Nagler, Analysis of Crossover and Strategic Voting, Social Science Working Paper, California Institute of Technology.

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Myth #4: Primary elections are private party affairs. Some have raised the question of why independent voters should be afforded the right to vote in private party elections. It's akin to having a member of the Elks Club vote in the election of the Lion's Club, they argue. But primary elections are anything but private. Primary elections in the state of Pennsylvania cost taxpayers over 50 million dollars every election year⁹. They are held in government buildings, run by government employees and administered by the Secretary of the Commonwealth, yet they remain closed to many of the taxpaying citizens that fund them. It's a modern version of taxation without representation.

Myth #5: Opening the primaries would be bad for the parties: Including independents in the primary process is actually critical for the health of both parties. These voters now decide the outcome of almost every close election in this country-including right here in Pennsylvania. Opening the primaries allows both parties to build bridges to these critical voters, focusing candidates and party platforms that can win in general election races. Parties in open primary states are thriving.

That's why HB 976 and HB 979 are such important bills. Everyone-including political parties-benefit from a healthier, more inclusive political system. It is a solution that enjoys broad, bipartisan support among voters. Instead of lagging behind the rest of the nation, Pennsylvania has the opportunity to lead. HB 976 and HB 979 would let all voters vote, and give Pennsylvania more inclusive and democratic elections. I hope you will lend your support to it.

Thank you again and I'm happy to answer any questions the Committee may have.

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⁹ <https://www.ballotpa.org/issue>