

*Barber*

P U B L I C    H E A R I N G

before

ASSEMBLY CONFERENCE COMMITTEE

on

Assembly Concurrent Resolution No. 68 -  
proposing an amendment to Article IV,  
Section I, paragraph 2, of the Constitution,  
to reduce from 21 to 18 years the minimum  
age for election to membership in the  
General Assembly.

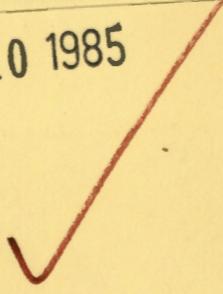
Held:  
March 20, 1973  
Assembly Chamber  
State House  
Trenton, New Jersey

Members of Committee present:

Assemblyman David J. Friedland (Chairman)  
Assemblyman Kenneth A. Gewertz

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SEP 10 1985



# ASSEMBLY CONCURRENT RESOLUTION No. 68

## STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1972

By Assemblymen MERCK, DAWES, BASSANO, KEAN, PERSKIE,  
HYNES and COLASURDO

Referred to Committee on State Government

A CONCURRENT RESOLUTION proposing to amend Article IV, Section I, paragraph 2, of the Constitution of the State of New Jersey.

1 BE IT RESOLVED *by the General Assembly of the State of New Jer-*  
2 *sey (the Senate concurring):*

1 1. The following proposed amendment to the Constitution of the  
2 State of New Jersey is hereby agreed to:

#### PROPOSED AMENDMENT

3 1. Amend Article IV, Section I, paragraph 2, to read as follows:

4 No person shall be a member of the Senate who shall not have  
5 attained the age of 30 years, and have been a citizen and resident  
6 of the State for 4 years, and of the district for which he shall be  
7 elected 1 year, next before his election. No person shall be a member  
8 of the General Assembly who shall not have attained the age of  
9 **[21]** 18 years and have been a citizen and resident of the State for  
10 2 years, and of the district for which he shall be elected 1 year, next  
11 before his election. No person shall be eligible for membership in  
12 the Legislature unless he be entitled to the right of suffrage.

1 2. When this proposed amendment to the Constitution is finally  
2 agreed to, pursuant to Article IX, paragraph 1, of the Constitution,  
3 it shall be submitted to the people at the next general election  
4 occurring more than 3 months after such final agreement and shall  
5 be published at least once in at least one newspaper of each county  
6 designated by the President of the Senate and the Speaker of the  
7 General Assembly and the Secretary of State, not less than 3  
8 months prior to said general election.

1 3. This proposed amendment to the Constitution shall be sub-  
2 mitted to the people at said election in the following manner and  
3 form:

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

4 There shall be printed on each official ballot to be used at such  
5 general election, the following:

6 1. In every municipality in which voting machines are not used,  
7 a legend which shall immediately precede the question, as follows:

8 If you favor the proposition printed below make a cross (×),  
9 plus (+) or check (√) in the square opposite the word "Yes." If  
10 you are opposed thereto make a cross (×), plus (+) or check (√)  
11 in the square opposite the word "No."

12 2. In every municipality the following question:

	Yes.	<p style="text-align: center;"><b>ELIGIBILITY FOR MEMBERSHIP IN THE GENERAL ASSEMBLY</b></p> <p>Shall the amendment to the Constitu- tion, agreed to by the Legislature, to re- duce from 21 years to 18 years the mini- mum age for election to membership in the General Assembly, be approved?</p>
	No.	

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ASSEMBLYMAN DAVID J. FRIEDLAND (Chairman): The actual public hearing will begin in about ten minutes, at 10:30.

This public hearing is being conducted pursuant to the provisions of Article IX of the New Jersey State Constitution which provides that prior to any vote upon any provision to amend the New Jersey State Constitution, a public hearing shall be held. Accordingly, the Conference Committee has directed that a public hearing be held upon Assembly Concurrent Resolution No. 68 which was introduced in the Assembly on March 20, 1972 by Assemblymen Merck, Dawes, Bassano, Kean, Perskie, Hynes and Colasurdo, which provides that any person, otherwise qualified under the New Jersey State Constitution, who has attained the age of 18 years and is a citizen and resident of the State for two years, and of the district for which he shall be elected 1 year, next before his election, may serve as a member of the General Assembly.

The only reason for our delay is that I want to give everybody an opportunity to get here. Ordinarily, at these public hearings we don't find many members of the Committee arriving. Sometimes it may seem silly to have one member of a committee, who is the Chairman of the Committee, conduct a public hearing but that's what we have in New Jersey with something less than a full-time Legislature.

I guess we can begin now.

The Sponsor of the Resolution is Assemblyman Merck from Morris County, and he has requested an opportunity to testify. Would you care to begin?

A L B E R T W. M E R C K: Thank you, Mr. Chairman. I appreciate the consideration of your Committee on a Constitutional Amendment.

Mr. Chairman, the Constitution of our State

now specifies, among other qualifications, that members of our General Assembly must be at least twenty-one years old. This measure was adopted at the time when the voting age and the age of majority was twenty-one. ACR-68 proposes to change the minimum eligible age to eighteen.

The adoption of this Amendment would be consistent with the action of this Legislature last year in lowering the voting age to eighteen and it would coincide with the final paragraph of Article IV, Section I, para. 2, which links membership in the Legislature to those who have the right of suffrage.

It should be emphasized that this Amendment will not require the election of a person 18 to 20 years old, only that he or she would be eligible to run for the Assembly. The voters will have to determine if the young candidate is mature enough or capable enough to serve.

ACR-68 also does not propose that the minimum age of 30 for State Senators be changed. Most of us citizens, I believe, would rather continue to retain the advantages of the greater wisdom and experience of the upper house with the more innovative and younger view of the Assembly.

New Jersey will not be the first state to permit those under 21 to serve in its legislature. As of February 1973, according to the Council of State Governments, the constitutions of seven of our states in which the voting age is 18 now award eligibility to serve in either House to all their voters. These states are California, Idaho, Kansas, Nevada, Rhode Island, Washington and Wisconsin.

In Louisiana and North Carolina, eighteen year olds may serve but only in the lower House.

Hawaii permits service in both Houses for those of "age of majority" which is eighteen in that state.

Mr. Chairman, in my own County of Morris there are about 18,000 citizens between the ages of 18 and 20. This is more than 10% of the registered voters in 1972 and it composes a reservoir of well-educated adult talent which in spite of its youth is mature beyond the experience of those of a similar age only a generation or so ago.

And I would say that our governmental processes need, as never before, the participation and capabilities of these young people.

A few of our young citizens do tend to extreme views but I believe that our two-party system will continue to insure against the election of the extremists. A youthful candidate for the Assembly will have to present a moderate program to attract the majority of votes. He will have to have exceptional appeal before the electorate will honor him with election.

But responsibility is best acquired if one must demonstrate that he is worthy of it. I believe our young adults are worthy of it and that they should be given the opportunity to allow the voters to so decide.

Your Committee's favorable action in releasing this bill will eliminate an inconsistency between the age of majority of a voter and his eligibility to serve in the lower House. It will make available a potential for public service of a presently unutilized human resource.

Thank you very much, Mr. Chairman. I will be glad to answer any questions.

ASSEMBLYMAN FRIEDLAND: Thank you, Assemblyman Merck. I don't see any other members of the Committee present so, obviously, they don't have any questions.

Thank you for your statement.

ASSEMBLYMAN MERCK: Thank you.

ASSEMBLYMAN FRIEDLAND: Our next witness is David Dupell who is, I believe, Chairman of the Voting Age Coalition. I don't know whether I gave you the correct title. Do you have a statement you would like to make?

D A V I D D U P E L L: Yes, I do. I don't have a written statement. I have spoken several times before at hearings similar to this one on rights for 18 year olds.

There are two things that I would like to submit to this Committee. That is the minimum age qualifications for state legislators in other states. There are 14 other states in which the age for the Assembly is 18. In fact, there are several where the age limit for running for the State Senate is also 18.

The second document that I wish to present is from the Constitutional Convention in 1947. It's from Volume III, page 481, and it was from a meeting of the Committee on Legislative on June 24, 1947. The Committee was unanimously of the opinion that the requirements for running for the Assembly be that you be a voter in the State of New Jersey. But at that time the age limit was 21. (See p. 29)

Now that that is changed to 18, I feel that under the proposals of the Constitutional Convention of 1947 we follow along with that and have the age for running for the Assembly lowered to 18.

Something that I would like to point out that is different this year than in other years is, now that we have voting rights for 18 year olds who are now legally adults in the State of New Jersey they have been coming to the Legislature and lobbying for this bill in substantial numbers, and they have

been doing this since January. And they have been taking a head count in the Assembly and find a number of favorable votes, in fact enough to pass this legislation.

We are speaking to the issue of the 18 year old rights. This is the last one that hasn't been granted in the State of New Jersey and we urge this Committee to report the bill out as soon as possible for a vote by the full Assembly.

ASSEMBLYMAN FRIEDLAND: David, I do have a couple of questions. First, is there a companion measure introduced to change the voting age with respect to the Senate?

MR. DUPELL: There is a bill in the Senate which would change not only the Assembly age but the Senate age, which currently is 30 and would reduce it to 25. We are not taking any position on this bill. Our prime concern is ACR-68.

ASSEMBLYMAN FRIEDLAND: Now you obviously feel that the best way to handle this procedure is to introduce it by way of an Assembly Concurrent Resolution rather than by calling for a constitutional convention on the entire subject matter. Do you have any reason for that?

MR. DUPELL: I think this is the easiest way to handle the situation, rather than having a constitutional convention on one particular issue.

ASSEMBLYMAN FRIEDLAND: The Resolution provides: "No person shall be a member of the General Asssmbly who shall not have attained the age of 18 years and have been a citizen and resident of the State for 2 years." Are these citizen and residency requirements going to permit students who come to the State from out of state and actually take up residence at various universities to vote in these elections?

MR. DUPELL: Well, they can already vote in the elections.

ASSEMBLYMAN FRIEDLAND: I mean to serve in the Legislature.

MR. DUPELL: To serve? Well, they would have to meet the requirement of having been here for two years to run for the Assembly, and to be actual citizens. I think there are a number of fears about this is going to open up a new area where young people are going to try to take over the government, and this type of thing. The same arguments were used with the 18 year old vote, the same arguments were used with adults getting the right to drink - 18 year olds getting the right to drink and be considered adults. And there have been no bad effects from either one of these laws. And to continue to question whether young people will work within the system, I think they've demonstrated sufficiently by the lobbying on this bill, if not at other times, that they are prepared to work within the system.

ASSEMBLYMAN FRIEDLAND: I don't have any question about that. For my own part, I frankly believe that we have to look at each other as individuals and if somebody gives a point of view, that's his point of view, irrespective of his age. And I tend to agree with you that the age barriers were artificially drawn and are a little out of style now.

I am really asking some of these questions because I am the only member of the Committee here and I think it would be helpful to kind of bring out some of the possible objections that people might have, so that they are spread out on the record and so that we have the answers to them in the record of the proceeding. When I ask you these, I don't want you

to feel it's because I'm opposed to your particular position, it's just that I want to get a full record on the bill.

One of the questions which has come up is that question of being a citizen and resident of the State for a period of two years. Is that currently a part of the New Jersey State Constitution?

MR. DUPELL: Yes, it is.

ASSEMBLYMAN FRIEDLAND: So that the provision with respect to 18 year olds would be no different than it is for everybody else.

MR. DUPELL: Right.

ASSEMBLYMAN FRIEDLAND: And the same is true of the provision dealing with the district, that an individual reside there.

MR. DUPELL: Right. The only change that this bill represents is an age change. In every other respect it follows the Constitution.

ASSEMBLYMAN FRIEDLAND: Now, you indicated that you had some information concerning other states where the age limits have been lowered.

MR. DUPELL: Right.

ASSEMBLYMAN FRIEDLAND: Do you have that?

MR. DUPELL: Yes. (Given to Committee. See page 28)

ASSEMBLYMAN FRIEDLAND: Do you know whether the residence requirements are the same in any of these states?

MR. DUPELL: No. I have no idea.

ASSEMBLYMAN FRIEDLAND: One of the objections that I've heard floating around is that students who are going to colleges and universities would literally not be able to complete their course of study of requirements if they had to be in attendance over here every Monday and Thursday and when we're in session. What do you have to say about that?

MR. DUPELL: Well, that would be their obligation. I think it's another question again about the age group. There is an example in this legislative body, in the Assembly there is one Assemblyman who is still attending law school and serving in this body. And being a part-time job, not only yourself but all the other Legislators have other duties. So I think it would be an individual choice.

ASSEMBLYMAN FRIEDLAND: Okay. I have nothing further. Thank you.

There is a group of students, I believe, in the balcony from the John F. Kennedy High School in Willingboro, New Jersey, and if any of you care to testify or be heard on this subject, you are welcome to come on down and file your name over here and we will be glad to hear what you have to say.

Next, Kim Peters who is a student at Bound Brook High School. Kim?

K I M P E T E R S: Since I am a high school student and I am soon going to be able to vote, I will agree that this bill is very important.

Since the ratification of the 18 year old vote, a lot of students have looked to their schools for instruction on political education. Our schools have responded with a lot of innovative procedures, text books, in order to teach their classes. And all of this has really resulted in an awakening of the youth who want not just to vote but to really utilize their knowledge in actual participation. Everyone has really realized, you know, what legislation really affects their present life and the future. I really believe that holding a public office is the essence of service and involvement. And since the purpose of lowering the age to vote was to permit

18 year olds to participate in governmental affairs, it should, therefore, not be a barrier to greater participation.

If a person feels he is competent and that is the consensus of the public, regardless of his age he should be free to hold public office.

I know that one complaint against the bill was that a lot of people felt that young people will have more radical or different ideas than other legislators, but since they have to please the majority of the public before they can get into office, they have to have a certain amount of moderation in their views.

Since certain legislation concerns the group between 18 to 21, who would know better the problems and feelings of this group than a member of the group. And the only way you can become a representative of this group is when people, other than 18 through 21, want you to be in office. So in that way there will be a compromise between the two age groups.

I really believe that since the 18 to 21 year olds are going to be - you know, since they are considered adults now, that they will be the real leaders up to the national level in the future, I feel that they should at least be given the right, if they want to, to run for office at the present time.

ASSEMBLYMAN FRIEDLAND: Thank you, Kim.

Kim, do you feel that the youth have a premium on radical or extreme ideas?

MISS PETERS: No, but I know that is the feeling of some other people.

ASSEMBLYMAN FRIEDLAND: What other people? The radical group feels that the other group is extreme.

MISS PETERS: That's true. But I mean, people that you talk to, the newspapers, a lot of the media

feel that way, and I feel that is the consensus of a lot of people that I have talked to. And I personally don't agree with them.

ASSEMBLYMAN FRIEDLAND: We always think that the other side of the fence is the wrong side of the fence.

MISS PETERS: Right.

ASSEMBLYMAN FRIEDLAND: I don't feel that way. Thank you, Kim.

Our next witness is Norman St. Landau, a student at Bound Brook High School. He's not here.

Next, James Durand, a student at New Brunswick High School. He is not here.

Stuart Goldstein, former Chairman of the Undergraduate Education Committee, Trenton.

S T U A R T     Z.     G O L D S T E I N: Good morning, Mr. Chairman, and members of the Conference Committee.

My name is Stuart Goldstein, and I served as the Executive Director of the Voting Age Coalition, with David, during our efforts to lower the voting age to 18 and 19. And I also served as Chairman of a college organization called the Committee on Undergraduate Education, and I would like to make a few comments about our young people.

Two questions that you brought up before which I would just like to answer.

One was a point of residency, coming from other states and then residing in New Jersey and then perhaps running for public office. Under the Supreme Court ruling, which we sought to allow college students to register to vote from their campus address, this is a possibility that students could claim residence in the State. And the reason why I do point this out is so that no one can say that questions were left unanswered. This is a possibility but the probability is not there.

ASSEMBLYMAN FRIEDLAND: Do you think it's a desirability?

MR. GOLDSTEIN: Well, whether it's a desirability or not, the probability of it is not there, it does not exist, because I do not think the public would tolerate it. And I think we have to give some credit to the public in terms of their intelligence as far as voters go. I think they would inquire, and I don't think they would allow a candidate to be elected, let's say, from a college campus from which they would have to run. They would have to run from their college address.

The other question you asked about was a conflict in college attendance and holding office. And I would just like to re-emphasize the point that 60% of our young people, 18 to 20, work for a living and I would hope that if we're talking about public office and candidates we would be addressing ourselves to these people who are out paying taxes and working for a living and supporting themselves, having wives and children, and such.

I am here today to support ACR-68, as I believe that this legislation is a final and necessary step in the direction of full citizenship rights for 18, 19 and 20 year olds.

I do not believe that it is necessary to prove to this Committee that 18 year olds are responsible and mature citizens, as this legislative body recognized those traits when they ratified the 26th Amendment and pass the Adult Rights Bill.

The question at hand then, is whether an 18, 19 or 20 year old has the ability to be elected and to hold public office.

Pursuing the answer to this question, we find that young people have been increasingly elected around the country to such offices as school boards,

city council and in some instances mayor.

Therefore, we are no longer dealing with a simplistic and generalized argument of whether 18, 19 or 20 year olds have the ability to be elected to public office. Young people have spoken to that issue.

We are now faced with the secondary issue of whether they are capable of service as State Assemblymen and Assemblywomen.

In order to place this question in proper perspective, we must travel back in time to colonial America. The New Jersey Constitution of 1776 stated:

"That on the second Tuesday in October yearly, and every year forever.... each county shall choose three members of Assembly; provided that no person shall be entitled to a seat in said Assembly unless he be and have been, for one whole year next before the election, an inhabitant of the county he is to represent, and worth five hundred pounds proclamation money, in real and personal estate, in the same county."

The 1776 Constitution does not mention age as a requirement for a member of the State Assembly. The sole requirement was approximately \$1250 - depending upon how the American dollar is floating on the market, I guess.

The first mention of age as a requirement for a member of the State Assembly was in 1844. The 1844 New Jersey Constitution stated:

"No person shall be a member of the General Assembly who shall not have attained the age of twenty-one years,...provided, that no person shall be eligible as a member of either house of the legislature, who shall not be entitled to the right of suffrage."

This relationship between age and the right of suffrage has remained with us from 1844 to this present day.

The magical age of 21 as an arbitrary age for voting or as a requirement for holding a state Assembly seat, can probably be traced back to the English traditions of Knighthood. These traditions were based primarily on the ability of a 21 year old to bear armor, wherefrom the English accepted the idea that a man was a man if he lived out two decades.

More recently, we have come to recognize that the advancement of technology, science and education has prepared young people at an earlier age.

We, therefore, lowered the right to vote to age 18, but ignored the relationship which had been joined in 1844 between voting and holding public office.

It is important to point out that by lowering the age to become a member of the State Assembly, we are not going to have a take-over of the Legislature. Our political parties provide a sufficient safeguard for such fears.

What we are saying is that with all the responsibilities of citizenship, 18, 19 and 20 year olds should have the right to compete for public office in the true spirit of representative democracy.

An inconsistency seems to exist when 18, 19 and 20 year olds can be elected delegate to a Presidential Convention, partaking in the writing of a party platform and the choosing of a President, and yet be denied access to state level public office on the sole basis of age.

Finally, I would like to stress the point that legislative passage of ACR 68 provides only for a public referendum, and that the public has a right to debate and decide this issue.

I urge the passage of this bill.

Now, that's the prepared context.

ASSEMBLYMAN FRIEDLAND: Do you have a copy of that and would you make it available?

MR. GOLDSTEIN: Yes.

ASSEMBLYMAN FRIEDLAND: I might point out to those of you who are not familiar with our procedure that, although we do not have other members of the Committee present, what we do is make a copy of this record available to every Assemblyman and Senator, so that the members of the Legislature will have an opportunity to become familiar with what goes on here today. So that you will not think that all of this is simply in vain, we do keep a record of this and members of the Legislature do refer to them.

MR. GOLDSTEIN: Mr. Chairman, if I could make some last-minute observations.

Working on the college campuses, I have had a great deal of opportunity to work with many of our young people. I might point out that when I started as Executive Director of Voting Age Coalition I was 18 myself. I believe that there is an enormous amount of talent on our college campuses and in our communities, some of which are capable of holding public office. I think the leaders of our communities, like yourself, were, as we're trying to put forth here today, the 18, 19 and 20 year olds, - the leaders of our communities rise to the top. We are not talking about anyone running for public office. Our system is built and our parties are built in such a way that leaders arise. And what we're really addressing ourselves to is to give these leaders an opportunity to serve in the Legislature, in public office throughout the State.

ASSEMBLYMAN FRIEDLAND: That, Stuart, I agree with you, is what democracy is all about. The whole system of our Republic has been that even unpopular ideas have a right to compete in the common marketplace

for acceptance by the general public, so that we don't deny expression to anyone. Everyone has an opportunity and a right to persuade others. That is the theory that our Country was created on.

That's why I really don't understand why it is even necessary to talk about the idea that some young people may hold extreme points of view. It seems to me they are entitled to under the United States Constitution. And besides, I'm not sure what extreme is. And it seems to me that even if they do, they certainly have the right to try to convince others that their point of view is the view that others should hold, and they should have the full opportunity to do that.

If we don't have that opportunity, we are no longer a free Republic and it then becomes necessary for people to resort to other methods to bring change about. One of the great arguments about violence in a Free Republic is the opportunity for change. And when those opportunities are clogged and not available, then the people do what John Stuart Mill said: "When all else fails, clubs are trump."

So, I realize that a lot of people feel that there is danger in letting young people in because there may be what they call an extreme expression, but I think the real danger is that attitude in a free republic.

MR. GOLDSTEIN: Mr. Chairman, I might like to add that it would seem contradictory for some of our political parties to state that these 18, 19 and 20 year olds have not learned what the issues are or have not been aware of what the political parties are, when you look at a county like Bergen where the Republican Party recruits young people at age 15 and they learn what the issues are all about, or a county

like Mercer which has their Young Democratic Organization and takes students from high school in their sophomore and junior year and they learn what politics is all about.

Our political parties are educating these young people, as well as our schools. To say, after the education takes place, that while you are educated we still feel you're not ready is sort of closing the door and removing the opportunity, when we educated them and our whole goal was to provide that opportunity and to educate them toward that opportunity.

ASSEMBLYMAN FRIEDLAND: I think we're becoming a more conscious group. We no longer feel that life begins at 21 and usefulness ends at 70. And maybe the limits will drop even further than 18. They certainly have in other societies that are recently civilized.

Thank you.

MR. GOLDSTEIN: Thank you.

ASSEMBLYMAN FRIEDLAND: Next is James Durland, a student at East Brunswick High School.

J A M E S     D U R L A N D:     Mr. Chairman, I've come to speak in favor of this bill and to present my experiences and the experiences of my peers as evidence for the bill.

Never before have the youth of New Jersey been more interested and actively involved in our government. Through special programs and innovative courses in our High, Junior High and even in our grammar schools, we have been learning about our governmental process and the issues at hand.

The campaign for the November election saw more young men and women working at every level of the political drive than ever before. In my school alone, the students ran non-partisan voter canvassing and raised substantially the turn-out in a historically bad district. We ran a simulated election with students studying national candidates' views and then writing speeches and platforms. We managed and performed in almost every aspect of a real campaign.

In the recent school board elections, young people exercised their right to run for office for the first time and some did win their seats. The point is that these young people have practical experience in the political process, from the basics of a campaign to actually being a candidate.

Through various programs in our State, students have been interning at almost every level of our governmental and judicial system. I, myself, am working at the State Department of Education and my friends are working with Public Defenders, municipal officials and even travelling to Washington to intern with Representative Thompson. This sort of practical background is available in many of our high schools and colleges. The major point here is that the experience does not necessarily come with age. The opportunity to gain the experience of many

years of observation in the three or four years of one's high school career is there, and many students are taking advantage of it. The students of this State can graduate high school with more experience and know-how than the college student of ten years ago.

You have allowed the public to speak on the matter of the age of eighteen as the age of majority and we now have the rights of an adult. We can decide on the issues and officials presented to us in the voting booth. What we're asking for now is the opportunity to help formulate these issues and be some of these officials up for election.

ASSEMBLYMAN FRIEDLAND: Do you think there ought to be any age limit on the right to seek public office?

MR. DURLAND: Only the limit that is set to vote, the right to suffrage.

ASSEMBLYMAN FRIEDLAND: It should be the same?

MR. DURLAND: Yes.

ASSEMBLYMAN FRIEDLAND: Thank you.

James Constantine, student at Holy Cross High School, Burlington City. (Not present.)

David Siemanowski, student at Holy Cross High School in Burlington City.

D A V I D S I E M A N O W S K I: Mr. Chairman, first of all, I have listened to all the arguments here today for and against. And really I was quite dismayed at how somebody could even argue about giving the 18-year-olds the right to run for Assembly. I think it should be granted, even though realistically speaking, it probably will not be used.

As to radicals getting elected or anything else, I think the great diversity which democracies offer and this government offers in that you can have differences of opinion is good and we need that, as well as differences in age and everything else - differences in life style.

I think that is where the strength of our government lies. And if you deny that, it is a step in the wrong direction, to say the least.

I think that is the major point I wanted to make today. Thank you.

ASSEMBLYMAN FRIEDLAND: Thank you.

You know, interestingly enough, although the current age to be elected to the New Jersey Legislature is 21, we have not had, I believe, anyone 21 years old elected to the New Jersey Legislature.

I believe I was the youngest Minority Leader in the history of the State when I served. So I naturally am sympathetic with your cause. Thank you.

Michael Douglis, student at South Brunswick High School.

M I C H A E L     D O U G L I S: I would like to address myself to the entire question of the idea of establishing an arbitrary line over which you are saying, when a person goes over that line, he is mature enough to run for office, hold office, etc., and when he is under that line, he is not.

I believe that there are some 10-, 11-, and 12-year-olds in this State who are probably capable of holding public office. Likewise, I believe that there are some 30- and 40- and even 50-year-olds who are not mature enough to hold public office.

Therefore, I believe that the whole idea of drawing a line at 21, 18 or any place else is invalid. So I believe it is a step in the right direction to lower the age from 21 to 18. But I don't even think that that is good enough. I believe that the line should be eliminated entirely so that anybody can run for the Assembly.

After all, we must remember that in order to be elected to the Assembly, you must still be elected by the people. If somebody is capable of holding office,

the people will elect him. If he is not capable, the people will not elect him. It is senseless to draw a line in the first place. Thank you.

ASSEMBLYMAN FRIEDLAND: It is a good point. In other words, you would have no age limit.

MR. DOUGLIS: That's correct. I believe that I am capable of running for the Assembly right now. I am 16.

ASSEMBLYMAN FRIEDLAND: Would you include infants?

MR. DOUGLIS: Obviously, an infant is not capable of running. He is not going to get elected. He doesn't have the intelligence to run.

If there was an infant who was capable of running, who was intelligent enough to run, I would include him.

ASSEMBLYMAN FRIEDLAND: You ought to stay here sometimes and listen to the debates.

Assemblyman Gewertz has arrived.

Your point really is that the test is whether or not a candidate can find public acceptance and, therefore, an age limit is not necessary?

MR. DOUGLIS: Yes.

ASSEMBLYMAN FRIEDLAND: And I guess further, you recognize that the constitutional provisions which relate to age limit are the only examples I am aware of in our republic, in which our founding fathers exhibited a fear of the people. Isn't that pretty much so?

MR. DOUGLIS: To my knowledge.

ASSEMBLYMAN FRIEDLAND: In other words, it is a restraint on popular choice.

MR. DOUGLIS: To my knowledge.

ASSEMBLYMAN FRIEDLAND: -- except for the amendatory provisions.

MR. DOUGLIS: However, I can't really speak as an expert because I don't know that much about it.

ASSEMBLYMAN FRIEDLAND: Thank you.

At the current time, we have exhausted our supply of witnesses who offered to testify. However, it may be that by reason of what has occurred initially that some of you would still like to come forward.

I am going to adjourn the meeting for ten minutes and if there is anybody else who wishes to come forward and make a statement, please do so. Just sign the sheet over here and we will be glad to hear from you.

(Ten-minute Recess.)

ASSEMBLYMAN FRIEDLAND: If there is anybody else who has not come forward to sign up who would like to, please don't be reluctant to do so. We want to get as much on the record as we possibly can.

Our next witness is David Schildkret, a student at JFK High School in Willingboro.

D A V I D S C H I L D K R E T: Thank you very much.

I have heard a couple of arguments in favor of the bill since I came in.

I think it should be pointed out that any bill has got to have some drawbacks though as well as advantages. I think you have already pointed out one of them, the fact that the residency requirement of two years gives rise to the possibility that a college student might be able to run for the General Assembly. It is a possibility that has to be considered.

Another argument that was given was since we have allowed 18-year-olds to vote in the State of New Jersey, why shouldn't we let them run for office? This has not always been the tradition, in not only New Jersey but in the United States. After all, you can be 21 and vote for President, but you can't run for President until you are 35. So to necessarily associate voting age with eligibility to run for office, I think is in error.

This bill also has some advantages and I think they should be pointed out too. First of all, the 18- to 21-year-old

group is a group that I think is sometimes not well represented in an Assembly because of the fact that there aren't many representatives from that age group - there aren't any right now.

I think the unfortunate thing though is that if this bill is passed and added to the Constitution, the fact that not many will take advantage of it. That is the sad thing.

I would also like to make one further point. The person who spoke before me, whose name I don't remember, made a point which I think is excellent and should be reiterated. Even though the example he gave kind of stretched his point a little bit, I think he has a valid point in saying that rather than appeal to an age limit, appeal to the voters. You, yourself, said that the voters are intelligent, that they wouldn't accept someone who represented an extreme point of view or someone who came from a campus. I don't think they would accept an infant either. I think that should be pointed out.

I think that this bill should be passed. It is a good bill. It has some good points and I think it will balance the representation in the Assembly. Thank you very much.

ASSEMBLYMAN FRIEDLAND: Excuse me. I would just like to make a little bit of a correction here. I didn't really say that the voters were intelligent.

MR. SCHILDKRET: Are you assuming that they are not?

ASSEMBLYMAN FRIEDLAND: I said that that is really the system that we have. I don't mean to imply that they are not intelligent. Obviously some of them are and some of them aren't. And I don't know what we mean by intelligent. Some of them are not intelligent, but they are smart and wise.

What troubles me is that this is the only system we have of electing people. There are examples when

a mass appeal to people has not produced what history would regard as a wise choice. There are current examples of that in some of our foreign territories where people actually vote in tyrants and despots. We had that experience in Germany with the election of Adolph Hitler. It doesn't mean that because the people are simply given the opportunity to choose, they will always choose wisely. But it is the only system that we have. Thank you.

Assemblyman, would you like to ask a question?

ASSEMBLYMAN GEWERTZ: I might say in the form of a statement that I personally would support a move to bring the bill out of committee for the purpose of placing it on a referendum because I find nothing wrong in allowing someone 18 years or older to seek office in the General Assembly.

I can only tell you from my own brief stay here that some of the individuals that I presently see in the Assembly certainly are not mental giants by any stretch of the imagination. I think that an 18-year-old could certainly be as much of an asset to government, if not more, than some of those that presently sit here.

There seems to be a little confusion over the residency requirement. Do you feel that the present residency requirement is equitable?

MR. SCHILDKRET: I don't see how in the space of two years a person could adequately familiarize himself with the problems of a state as a whole. I think not only does a person have to represent his specific district when he runs, but he must also be very familiar with the problems of the entire state. After all, he is legislating for the whole state and not just his district.

Again, that possibility that an 18-year-old person or a 19-year-old person who has been attending college could run for office - I don't think is advisable. With that possibility in there, it does have that

difficulty.

There has been some talk of amending the existing Consitution to provide that the residency requirement be less. My own feeling is that I would have to oppose this, and from what you have said, I would gather you would agree with me. Because certainly the taxpaying public should not be subjected to training programs for individuals whom they elect to office. It sometimes ends up that way, but hopefully that would not normally be the case.

ASSEMBLYMAN GEWERTZ: Thank you.

ASSEMBLYMAN FRIEDLAND: Isn't there a little problem though with the two-year requirement in this sense, that it literally means that somebody has to start at the age of 16. If you are planning out your life in terms of running for public office at some stage and you want to run when you are 18, you literally have to make the choice of where you are going to live when you are 16, 2 years before, because you need the 2 years residence in the district - in the state.

MR. SCHILDKRET: Remember though that this is a span of 3 years that we are talking about from 18 to 21. It is conceivable that a person who enters college at the normal age of 18 could then run for office when he was 20.

ASSEMBLYMAN FRIEDLAND: That's right. We have the same problem now, don't we?

MR. SCHILDKRET: I imagine that you could have that problem now.

One other thing I would like to bring up: There has been a question in the past sometimes about qualification as far as knowledge - how much would a person know. I would like to point out that there is a great deal of education going on now for young people. I am sure you are very aware of it.

The group that I am representing right now, which is seated in the balcony, is a political science class

and that is why they are here. There is a lot of political education going on and I think in some cases an 18-year-old freshman out of high school might even know more about his government than a 40-year-old who studied about it when he was in 6th grade or something and hardly remembers it at all. So he may even be more qualified.

ASSEMBLYMAN GEWERTZ: On the question of qualification, what is the criteria that you feel at least educationally would be beneficial? When you say a political science course, I unfortunately never had that opportunity. I sort of learned in the college of hard knocks. In what way would you feel this would be of some advantage? What would be your thinking as to what is really needed for an individual to make a good public official?

MR. SCHILDKRET: Obviously I think he would have to have a good working knowledge of how government works. A person walking into government who has no idea of how it works, I don't think can function efficiently in that government. It is like getting into a car and not knowing how to drive - the same type of thing.

ASSEMBLYMAN GEWERTZ: What would be this working knowledge?

MR. SCHILDKRET: I don't know. It might be something as basic as knowing how a bill becomes a law, knowing who runs what, knowing how it is run. But I think more important than that is a knowledge of the problems which maybe you can't get in school. It is a question of knowing people more than knowing the system. I think a knowledge of the system is necessary and that you can get in school. I think more important than that is knowing the people that you represent and knowing what they feel and what they are in favor of.

ASSEMBLYMAN GEWERTZ: When you say "people," are you referring to a specific group of people? How are

you going to acquire this?

MR. SCHILDKRET: It is a good question. The people, of course, are the electorate, the constituency, not only those who can vote but those who can't vote. After all, you legislate for everyone, not for just those people who elect you.

How would you get that knowledge? Maybe you would walk out in the street and shake hands - I don't know - or take surveys, watch the news once in a while and see what's going on, read a newspaper and see what people are writing to the editor about and what the editorials say. There are ways to do that. You can walk into any shopping center and talk to ladies and find out what they are upset about. Maybe it will be high prices or any one of a number of things.

ASSEMBLYMAN FRIEDLAND: Do you think we ought to have longer terms for legislators? Instead of two-year ~~terms~~ make it four years, let's say.

MR. SCHILDKRET: I really couldn't answer that. I don't have the background to answer that.

ASSEMBLYMAN FRIEDLAND: That question is suggested by the nature of the legislative experience. It takes a little while being up here just to get used to it, to get, as you put it, familiar with the structure itself. I think with the recent turnovers that we have had in districts, etc., we have had tremendous turnover in the Legislature - tremendous turnover. So much so that at least 50 per cent of the Legislature almost changes over every year. The result is that by the time you start getting familiar with the process, you are already out of office.

OK. Thank you. I really enjoyed your presentation.

Is there anyone else who would like to be heard? Is there anybody here who is opposed to lowering the age limit? Is there anybody here who wants to say anything at all?

Very well. The public hearing on Assembly Concurrent Resolution Number 68 shall be adjourned and the Conference Committee will meet on Thursday to decide whether or not it wishes to conduct any further hearings or whether it will close the record in this proceeding.

Thank you for coming. You have been very helpful. I want to especially thank those of you who came down here to testify, David DuPell and Stuart Goldstein who organized so much of this. I think it is a good example of the kind of interest which citizens can have. Just take a look at this. Here we have a proposition which is going to fundamentally change the New Jersey State Constitution by lowering the age limit. And many of the people who will criticize this, many of the people who feel it ought not to occur, didn't even have the kind of interest to come up here and present their point of view. It is just an indication of perhaps hypocrisy which exists in our political process that those who would criticize the young people the most, in fact, failed to match their own standard by conducting themselves as spirited citizens and presenting themselves here.

Thank you for your attendance and good-bye.

(Hearing concluded.)

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## MINIMUM AGE QUALIFICATIONS FOR STATE LEGISLATORS

<u>State</u>	<u>Assembly Age Requirement</u>	<u>Approximate Date Adopted</u>
California	18 (to be an elector)	1966
Hawaii	18 (age of majority)	1972
Kansas	18 (to be an elector)	1859
Louisiana	18 (to be an elector)	1921
Maine	20	1972 Referendum
Massachusetts	18 (to be an elector)	?
New Hampshire	18 Op. Attny. Gen.	12/20/71
New York	18	1972
Ohio	18 (to be an elector)	1953
Rhode Island	18 (to be an elector)	?
Vermont	18 (be a "freeman" which has attained age of majority)	?
Washington	18 (to be an elector)	1955
West Virginia	18 (to be an elector)	?
Wisconsin	18 (to be an elector)	1848

Information provided by:

Voting Age Coalition, Inc.  
David R. DuPell, President

RE: ACR-68

Constitutional Convention of 1947

Volume III Pg. 481

Committee on Legislative

Meeting: Tuesday, June 24, 1947

The committee was unanimously of the opinion that the requirements of the present constitution that no person shall be eligible as a member of either House of the Legislature, who shall not be entitled to the right of suffrage be maintained.

Information provided by:

Voting Age Coalition, Inc.  
David R. DuPell, President

March 17, 1973

TO: HONORABLE ASSEMBLYMAN DAVID FRIEDLAND &  
MEMBERS OF THE ASSEMBLY CONFERENCE COMMITTEE

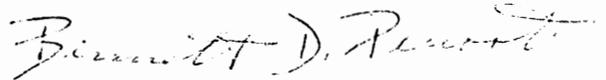
RE: Bill ACR-68

I wish to express my support for Assembly bill #ACR-68 which would give 18 year-old citizens the right to hold seats in the New Jersey Assembly.

My reasons are two-fold: First, it is a logical extension of recent legislation--and the reasons behind it--which both extended the right to vote and modified the minority status of 18 year olds.

Second, it is a matter of representation. Eighteen year olds constitute a large segment of our population which is endowed with political responsibilities; yet, largely unrepresented in our legislature. They are responsible citizens and they will be responsible legislators.

Sincerely,



Bennett D. Pironti  
Chairman, Social  
Studies Department  
Madison High School



