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EXHIBIT 2
DATE 2/16/09
HB 509

Linda McCulloch
Secretary of State

HB509 Revise requirements for counting write-in votes

House State Administration, RM

February 16, 2009 @ 9:30 AM

Secretary Linda McCulloch's Testimony

Good morning Mr. Chair, members of the committee. For the record, I am Montana Secretary of State Linda McCulloch.

I am here today to support HB509, because it will make voting and the vote counting process uniform across the state.

As the state's chief election officer (MCA 13-1-201*) it is my responsibility to "obtain and maintain uniformity in the application, operation and interpretation of election laws."

Providing clear statutory guidance on how to handle the counting of write-in votes will eliminate confusion for both election administrators and Montana voters.

This bill clarifies that a voter must fill in the oval, box, or other designated voting area to make their vote count—Whether they are voting for a candidate already on the ballot or for a write-in candidate, or whether they are voting in a machine tabulation county or a hand-count county.

Incorporating uniformity in how each county must count write-in votes only further enhances the accuracy of Montana elections.

Election administrators have some of the toughest jobs in the state, and any law that makes the vote counting process more straightforward is a good law for Montana.

Thank you for your time and for considering HB509.

*13-1-201. **Chief election officer.** The secretary of state is the chief election officer of this state, and it is his responsibility to obtain and maintain uniformity in the application, operation, and interpretation of the election laws other than those in chapters 35, 36, or 37 of this title.

Amendments to House Bill No. 348
1st Reading Copy

Requested by Representative Dennis Himmelberger

For the House State Administration Committee

Prepared by Sheri Heffelfinger
February 13, 2009 (2:42pm)

1. Title, page 1, line 4.
Strike: ", "
Insert: "AND"
2. Title, page 1, line 5.
Strike: ", AND PRINCIPAL REPORTING"
3. Title, page 1, line 7.
Following: "5-7-103,"
Insert: "AND"
Strike: "AND 5-7-208,"
4. Page 5, line 2.
Following: "~~5-7-208~~"
Insert: "and 5-7-208"
5. Page 5, line 9 through page 6, line 21.
Strike: section 4 in its entirety

- END -