



MONTANA SECRETARY OF STATE

LINDA McCULLOCH

STATE ADMINISTRATION

SB 48: Special Elections to fill vacancies in US Senate
Senate State Administration, Rm 335
January 14, 2011 @ 3 PM
Secretary of State Linda McCulloch's Testimony

Exhibit No. 10
Date 1-14-2011
Bill No. SB 48

- Good afternoon Mr. Chair, members of the committee. For the record, I am Linda McCulloch, Montana Secretary of State.
- I am here today to urge you to allow special elections to fill vacancies in the United States Senate.
- Thank you Senator Branae for sponsoring this long-overdue legislation for our office.
- I regret to inform members of the Committee that former Illinois Governor Rod Blagojevich could not be here today to speak on this bill. He would be a great example of why we need this bill. ☺
- As Montana's Chief Elections Officer, I believe voters have a fundamental right to directly elect those individuals charged with representing our state in Congress.
- I don't believe that Politicians should be choosing Politicians to represent Montana in Congress – regardless of whether those selected serve for one day or for one year.
- Politicians selecting politicians was the law of the land for United States Senators almost 100 years ago. But on January 30th, 1913, Montana became the 11th state to ratify the 17th Amendment to the United States Constitution - establishing direct, popular elections of United States Senators.
- Senate Bill 48 ensures that this right belongs solely to the people by requiring vacant U.S. Senate seats to be filled in the same manner vacant seats are filled in the U.S. House of Representatives – which is by special elections, not by gubernatorial appointment. ***Let me repeat this...***
- While I am confident in the ability of a Governor from Montana to honorably appoint the most qualified person to fill a vacant Senate seat, I am certain that Montana voters can do an even better job of selecting the right candidate.
- Requiring the same process in both the House and Senate is not only appropriate, it is levelheaded, fair, and – most importantly - democratic.

- Historically speaking, appointed Senators have not always been the people's choice in Montana. Montanans are independent. Our voters don't want a self-serving government.
- Filling unexpected or unscheduled vacancies in the United States Senate should require special elections, not special favors.
- I urge you to change the process once and for all by voting "yes" for Senate Bill 48. Thank you for your time today.