

EXHIBIT H2DATE 2/7/2013HB 349**MONTANA SECRETARY OF STATE****LINDA McCULLOCH**

HB349: Reimburse counties for costs assoc. w/leg referenda
House Local Government, Rm 172
February 7, 2013 @ 3:00 p.m.
Secretary of State Linda McCulloch's Testimony

Good afternoon Madam Chair, members of the committee. For the record, I am Linda McCulloch, Montana Secretary of State. I urge your support for House Bill 349, because running a statewide, polling place election is expensive - and every penny counts.

Montana's 56 Election Administrators do a great job ensuring fair, accurate and accessible elections in Montana on increasingly limited budgets. They continue to do more, with less, and it only makes sense that if the Legislature (as a branch of government) chooses to add referenda to a general election ballot, and thus add direct costs to already limited county budgets, then it should pay for the services rendered on its behalf.

Nine citizen-proposed ballot issues were submitted to the Secretary of State's Office for the 2012 General Election. Two ended up qualifying for the ballot. For what appears to be only the second time in the past three decades, the Legislature added an additional five legislative referenda (although two were later ruled unconstitutional by the Montana Supreme Court.)

The remaining three legislative referenda cost counties more than \$113,000 to administer. This is a conservative number that only includes the layout and printing of the ballot, and programming of the vote tabulating machines. It does not include the additional time, money and energy expended on answering questions related to the ballot issues, or on mailing the Voter Information Pamphlet (VIP) - Which is sent in October to every household in Montana with at least one registered voter.

The cost to counties would have increased exponentially had all five legislative referenda appeared on a ballot. In fact, with one of the two decertified referenda scheduled to appear on the Primary Election ballot, an entirely separate Voter Information Pamphlet would have had to of been designed, printed and mailed to voters across the state. To put this into perspective, counties spent \$100,000 just to mail the General Election VIP. That doesn't include the design and printing costs to the SOS office.

As Chief Elections Officer, I strongly support the right for individuals and groups to propose changes to Montana law through the initiative and referendum process. It's an important part of elections, and this bill should not deter participation in the process.

However, the citizens of Montana elected each of you to do the job of a legislator, and while asking the voters to approve proposed legislation is at your discretion, there is a very real cost involved with choosing that option. Currently, our counties are paying that cost.

If this Legislature intends to use ballot issues as an extension of the legislative process, then I ask that you be willing to foot the bill and vote "yes" on this measure.

Ensuring Election Administrators have the resources and funding they need will help to ensure Montana elections remain fair, accessible, accurate and secure.

Thank you for your time.