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IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

DAVID T. MCDONALD, et al.,
Petitioners,
v.
SECRETARY OF STATE SAM REED, et al,
Respondents,
v.
DINO ROSSI and WASHINGTON STATE
REPUBLICAN PARTY,
Applicants-Interveners

No. 76321-6

DECLARATION OF AUDITOR
NORMA BRUMMETT
OPPOSING PETITIONER'S
REQUEST FOR EMERGENCY
RELIEF

I, Norma J. Brummett, declare as follows:

1. I make the statements in this declaration based on personal knowledge and if called and sworn as a witness in any proceeding, could and would testify competently thereto.
2. I am the Auditor of Skagit County.
3. There are three categories of ballots used in the general election: (a) normal poll ballots used by registered voters who have not requested an absentee ballot and who seek to vote in the precinct in which their name appears in the poll book; (b) absentee ballots which are sent by mail to and returned by those registered voters who request

1 absentee ballots; and (c) provisional ballots (previously known as "special ballots" in
 2 Washington), which are used by a person seeking to vote in the circumstances set forth in
 3 WAC 434-253-043 (e.g., a provisional ballot is given to a person who appears at a precinct
 4 on election day but the person's name does not appear in the poll book or the person
 5 appears to have been issued an absentee ballot already).

6 4. Poll ballots, absentee ballots, and provisional ballots are processed and
 7 handled differently from one another. As part of the initial processing of absentee and
 8 provisional ballots, we determine, among other things, whether the person submitting the
 9 ballot is a registered voter and whether the signature submitted with the ballot matches the
 10 signature on the original voter registration record. If we determine that the ballot is not
 11 from a lawful registered voter, the ballot is rejected and is not tabulated.

12 5. Rejected ballots are kept physically separate from the ballots that are
 13 tabulated. The process for securing and maintaining valid ballots which are tabulated is
 14 more formal and rigorous and is set out by statute. We comply with RCW 29A.60.110
 15 which requires us to seal in containers the tabulated ballots. The sealed containers may
 16 only be opened under a few circumstances, such as a recount, set out in the statute.
 17 Rejected ballots are not placed in sealed containers.

18 I declare under penalty of perjury of the laws of the State of Washington
 19 that the foregoing is true and correct.

20 Executed at Mount Vernon Washington, this 6 day of December, 2004.

21 Norma Brummett
 22 Norma Brummett