

BEFORE THE SECRETARY OF STATE
OF THE STATE OF MONTANA

In the matter of the adoption of New) NOTICE OF ADOPTION
Rule I pertaining to the registration of)
a person who employs a paid)
signature gatherer)

TO: All Concerned Persons

1. On November 19, 2021, the Secretary of State published MAR Notice No. 44-2-252 pertaining to the public hearing on the proposed adoption of the above-stated rule at page 1669 of the 2021 Montana Administrative Register, Issue Number 22.

2. On December 10, 2021, a public hearing was held on the proposed adoption of the above-stated rule. There were no attendees at the public hearing. Written comments were received during the public comment period.

3. The Secretary of State has thoroughly considered the comments received. A summary of the comments and SOS's responses are as follows:

COMMENT #1: A commenter suggested that the person who employs a paid signature gatherer should be listed on the petition.

RESPONSE #1: The 2021 legislative enactment implemented by this proposed rule adoption (House Bill 651) addresses registration, not identification of the paid signature gatherers, so this rule proposal does not address this issue.

COMMENT #2: A commenter suggested that the paid signature gatherers should wear name tags identifying they are paid by the person who employs them.

RESPONSE #2: The 2021 legislative enactment implemented by this proposed rule adoption (House Bill 651) addresses registration, not identification of the paid signature gatherers, so this rule proposal does not address this issue.

COMMENT #3: A commenter suggested that there is no reason to systematically waive the fee for all registrations.

RESPONSE #3: The Secretary of State was given discretion to establish the amount of the filing fee (13-27-202, MCA). The Secretary determined it would take more resources to implement the registration with a minimal fee than to implement with no fee.

COMMENT #4: A commenter suggested that the Secretary of State should consider including the statement of fact on the petition and ballot (when applicable).

RESPONSE #4: The 2021 legislative enactment (House be 651) implemented by this proposed rule adoption does not include this requirement, so the rule proposal does not address this issue.

4. The Secretary of State has adopted New Rule I (44.3.2801) as proposed.

/s/ AUSTIN JAMES
Austin James
Rule Reviewer

/s/ ANGELA NUNN
Angela Nunn
Chief Deputy Secretary of State

Dated this 18th day of January, 2022.