

BEFORE THE SECRETARY OF STATE
OF THE STATE OF MONTANA

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

TO: All Concerned Persons

1. On December 10, 2021, at 10:00 a.m., the Secretary of State will hold a public hearing in the Secretary of State's Office conference room, Room 260, State Capitol, Helena, Montana, to consider the proposed adoption of the above-stated rule.

2. The Secretary of State will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Secretary of State no later than 5:00 p.m., December 2, 2021, to advise us of the nature of the accommodation that you need. Please contact Ray Dagnall, Secretary of State's Office, P.O. Box 202801, Helena, MT 59620-2801; telephone (406) 444-9009; fax (406) 444-3976; TDD/Montana Relay Service (406) 444-9068; or e-mail RDagnall@mt.gov.

3. The rule proposed to be adopted provides as follows:

NEW RULE I REGISTRATION OF EMPLOYERS OF PAID SIGNATURE GATHERERS (1) A person who employs a paid signature gatherer shall submit a complete registration form to the Secretary of State's Office prior to collecting signatures on a ballot issue. The registration form is available at sosmt.gov or upon request from the Secretary of State's Office.

(a) A separate registration form is required for each ballot issue.

(b) The registration form must contain contact information for the employer and a list of all persons employed to gather signatures for that ballot issue. If additional persons are employed after the registration form is submitted, an amended form must be submitted.

(c) The filing fee for registration is \$0.

AUTH: 13-27-202, MCA
IMP: 13-27-202, MCA

REASONABLE NECESSITY: On May 14, 2021, the Governor of Montana signed into law House Bill (HB) 651. HB 651 revised laws related to ballot initiatives including a requirement for registration of employers of paid signature gatherers. The Office of the Secretary of State is proposing New Rule I to implement the changes in statute.

4. With regard to the requirements of 2-4-302(1)(c), MCA, it has been determined that these changes will not have a fiscal impact and no persons will be affected.

5. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Angela Nunn, Secretary of State's Office, P.O. Box 202801, Helena, Montana 59620-2801, or by e-mailing angela.nunn@mt.gov, and must be received no later than 5:00 p.m., December 17, 2021.

6. Austin James, Secretary of State's Office, has been designated to preside over and conduct the hearing.

7. The Secretary of State maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding administrative rules, corporations, elections, notaries, records, uniform commercial code, or combination thereof. A written request may be mailed or delivered to the Secretary of State's Office, Administrative Rules Services, 1301 E. 6th Avenue, P.O. Box 202801, Helena, MT 59620-2801, or emailed to the office at sosarm@mt.gov.

8. With regard to the requirements of 2-4-302(2)(d), MCA, the primary bill sponsor, Representative Bertoglio, was contacted by phone on November 7, 2021.

9. With regard to the requirements of 2-4-111, MCA, the Secretary of State has determined that the amendment of the above-referenced rules will not significantly and directly impact small businesses.

/s/ AUSTIN JAMES
Austin James
Rule Reviewer

/s/ CHRISTI JACOBSEN
Christi Jacobsen
Secretary of State

Dated this 9th day of November, 2021.