



### I-187 COVID-19 Advisory

Updated as of 3/25/2020 (7:20 PM) -- Check back here for updates

**We ask everyone to suspend face-to-face collection of signatures on I-187 petitions and face-to-face notarization of the signatures you have obtained.** As many of you know, COVID-19 can infect and injure people in any age group. It can be spread by people without observable symptoms in early and later stages of the disease. It affects people differently and some will die upon contacting it especially if we cannot contain the spread of the virus and the increase in number of patients overwhelms local healthcare systems. Because we or the people we encounter may be asymptomatic, we cannot tell whether we or someone else is carrying COVID-19. While testing our own temperature and self-isolating before contacting others, etc. can minimize the risk of spreading COVID-19, even taking prudent measures is not a guarantee that face-to-face contact is safe. So far as we know, no one who has collected signatures for I-187 has the virus.

**While we are suspending face-to-face signature gathering and notarization, we are not abandoning the effort to place I-187 on the November ballot.** The Secretary of State has accepted 40.5% (10,315) of the signatures we need. We believe we have 2% to 3% more than that yet to be turned in.

We are exploring ways of obtaining signatures that will not involve face-to-face contact. We will post those in more detail soon. Meanwhile, please:

- 1) Encourage your friends to learn more about I-187;
- 2) Encourage folks to check on their voting status by clicking the “voter registration...” link in the footer at [www.mtcares.org](http://www.mtcares.org) and to reregister or register to be ready to sign I-187 when that opportunity reemerges.
- 3) Volunteer to help when additional legal ways to do that safely are established; and
- 4) Donate to support I-187 and climate crisis education.

#### What we know so far:

1. **We are seeking an emergency rulemaking from the Governor and/or Secretary of State. You may view that request at <https://www.mtcares.org/wp-content/uploads/2020/03/Ballot-Initiative-Proposed-Emergency-Action.pdf>.** Please do not burden those offices with emails or letters supporting that request. Their hands are full.
2. Electronic notarization of signatures is possible under Montana law. However, only out-of-state notaries offer this service at a cost of \$25 a notarization. Thus, at present that is not a viable way to proceed when we often must get a petition sheet with 1 or 2 signatures on it notarized to submit the sheet to one of 56 counties. Our emergency rulemaking request charts a path to suspend the notarization requirement, but that will take time.
3. Printing the petition from the website, signing, and mailing it to the county avoids face-to-face contact, but until the notarization issue is resolved, mailing-it-in is not going to get a signature accepted.
4. Moving the date by which petitions must be submitted to have signatures counted would only add 2 weeks at the end of the gathering period without running afoul of constitutional and statutory time constraints. Adding 2-weeks would not help if we should not be collecting signatures face-to-face in late June.
5. While electronic signatures are allowed in other Montana transactions, gathering signatures online on ballot petitions is not now allowed by Montana law. Even electronic signatures were to be permitted by an emergency rule, it may still require between \$0.40 and \$3.50 per signature to ensure the validity of the electronic signature. This cost would be prohibitive, so this option is still being evaluated.
6. Governor Cuomo signed New York legislation reducing the number of signatures needed for a candidate to run for office. Since the Montana Constitution requires 5% of the voters in the last gubernatorial election to sign before an initiative is eligible to be placed on the ballot, our Governor cannot simply waive that requirement even in an emergency. The legislature could suspend that constitutional provision, but it is not likely that a special legislative session would take up such a measure.