

Guidelines for Best Practices in Administrative Rules Objection Polling

Prepared for the Legislative Council

By Susan B. Fox

August 2016

Chart on Best Practices

The following chart provides some basic information about the interim committees' objection process and recommendations adopted by the Legislative Council for Best Practices in Administrative Rules Objection Polling.

Items	Recommendation
Method of sending poll ballot – “by mail” in statute	Hard copy mail allows use of numbered ballots. Email is effective for followup with individual legislators (use numbered ballot in follow-up).
Method of response	In person, by mail, by fax, or scanned signed ballot by email
What to include with ballot	Cover letter, text of objected proposed rules, bill or pertinent statutes, ballot, and envelope. Include agency response, if available (may be a timing issue). Give agency informal heads up and 4-5 days to prepare.
Numbering of ballots	Using numbered ballots is best practice. Use a combination of ballot number and district number (based on SOS). Allows use of mail merge and hard copy ballots sent in mail.
Email reminder of impending deadline/late ballots accepted?	Hard deadline – may use group emails for follow-up and reminders. Late ballots not allowed.
Deadline to be returned	Best practice: 2 weeks minimum, more time as process allows. Driven by SOS publication dates, poll published with M.A.R. adoption notice.
Allow legislator to change ballot	1. Signature required on last page of ballot. 2. Allow changes before deadline, last ballot received is accepted.
Online materials	Best practice: post all materials related to original bill (hearings, exec, floor), rule notices, polling materials, polling results, related interim committee agenda items, and agency response, if available,
Authentication-opportunity to go through ballots and verify independently after staff compiles results	Full Interim committee authentication is best practice. Timing may be an issue and interim committee should authorize the chair and vice-chair to be allowed to resolve issues, including authentication, as they arise.
Final publication by SOS	Publication of poll is required by statute. Preference for publishing the overall cumulative poll results with adoption notice in M.A.R. and with the rule in A.R.M.

Proposed to be included in: *Rules, Procedures, and Guidelines for Interim Committees* upon adoption by Legislative Council.