

CASCADE COUNTY ATTORNEY'S OFFICE

State of Montana

Telephone: (406) 454-6915 Criminal Department

(406) 454-6904 Civil Department

FAX: (406) 454-6949



Joshua A. Racki

County Attorney

121 Fourth Street North – Suite 2A

Great Falls, Montana 59401

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Rina Ft. Moore

Cascade County Clerk and Recorder/Elections

Cascade County Courthouse Annex

325 2nd Avenue North Suite 100

Great Falls, MT 59401

In re: *Candidates Schoby, Turoski, and Cox* Eligibility for Placement on the Official City of Great Falls Primary Municipal Election Ballot

Dear Rina,

The Cascade County Elections Office has requested an opinion regarding whether certain City of Great Falls Commission Candidates, specifically Gregory Schoby, Paige Turoski, and Kendall Cox, who have each filed a Declaration for Nomination and Oath of Candidacy (Declaration) with the Cascade County Elections Department, may appear on the Official City of Great Falls Primary Municipal Election Ballot in November 2021.

Under Montana law, “an individual who has filed a declaration or petition for nomination... as a candidate for public office” is a candidate. See 13-1-101(8)(a), MCA. Pursuant to 44.11.220(2) Administrative Rules of Montana, a candidate “**shall file certification**¹ with the commissioner² pursuant to 31-37-201, MCA, **within five days of becoming a candidate** as defined by 13-1-101, MCA.” (Emphasis added.) Further, as set forth at MCA 13-37-201(3), “the certification of a candidate...must be filed with the commissioner.”

Both Gregory Schoby and Paige Turoski presented their Declarations to the Cascade County Elections Department on or about April 22, 2021, making each of them a candidate and necessitating their registering with the Commissioner of Political Practices (COPP) no later than April 27, 2021. In reviewing the Campaign Electronic Reporting System (CERS), Candidate Schoby filed his certification on June 21, 2021 and Candidate Turoski filed her certification on June 29, 2021. Kendall Cox presented his Declaration to the Cascade County Elections Department on or about May 7, 2021, making him a candidate and necessitating his registering

¹ Certification is accomplished by completing a “Statement of Candidacy” through the Campaign Electronic Reporting System (CERS) form C1 or C1A which is located at the Commissioner of Political Practices webpage at www.politicalpractices.mt.gov

² Commissioner means “the Commissioner of Political Practices as created under 2-15-411 and 13-37-102, MCA.” ARM 44.11.103(7)