

BEFORE THE SECRETARY OF STATE  
OF THE STATE OF MONTANA

In the matter of the amendment of	)	CORRECTED NOTICE OF
ARM 44.3.104, 44.3.2014, 44.3.2015,	)	AMENDMENT
44.3.2109, 44.3.2113, 44.3.2114,	)	
44.3.2401, 44.9.202, 44.9.301,	)	
44.9.303, 44.9.305, 44.9.307,	)	
44.9.312, 44.9.315, 44.9.402, and	)	
44.9.404 pertaining to elections	)	

TO: All Concerned Persons

1. On February 25, 2010, the Secretary of State published MAR Notice No. 44-2-158 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 520 of the 2010 Montana Administrative Register, Issue Number 4.

2. On April 15, 2010, the Secretary of State published an Amended Notice and Extension of Comment Period for MAR Notice No. 44-2-158 because it revised the statements of reasonable necessity for the proposed amendments to ARM 44.3.104, ARM 44.3.2114, and ARM 44.9.315 pursuant to e-mailed comments received from David Niss on behalf of the State Administration and Veterans' Affairs Interim Committee at page 906 of the 2010 Montana Administrative Register, Issue No. 7.

3. On May 27, 2010, the Secretary of State published a Notice of Amendment for MAR Notice No. 44-2-158 at page 1319 of the 2010 Montana Administrative Register, Issue No. 10.

4. The Secretary of State is filing a corrected notice of amendment because the MCA citation referenced in ARM 44.3.2109 was incomplete and the MCA citation referenced in ARM 44.3.2401 was incorrect. The rules, as amended in corrected form, read as follows, deleted matter interlined, new matter underlined:

44.3.2109 PROCEDURES FOR CHALLENGES (1) through (4) remain as adopted.

(a) If the challenge was not made in the presence of the elector being challenged, the election administrator or election judge shall notify the challenged elector of who made the challenge and the grounds of the challenge and explain what information the elector may provide to respond to the challenge. The notification must be made pursuant to 13-13-301(4)(b), MCA.

(b) through (6) remain as adopted.

AUTH: 13-13-301, MCA

IMP: 13-13-301, MCA

44.3.2401 BALLOT FORM AND UNIFORMITY (1) through (6)(b) remain as adopted.

(c) A ballot requested pursuant to Title 13, chapter 21, MCA, must be ~~handled as provided in 13-1-104(1)~~ sent to the elector as specified in 13-13-205(2), MCA; and

(d) remains as adopted.

AUTH: 13-12-202, MCA

IMP: 13-12-202, 13-13-205, MCA

/s/ Jorge Quintana  
JORGE QUINTANA  
Rule Reviewer

/s/ Linda McCulloch  
LINDA MCCULLOCH  
Secretary of State

Dated this 1st day of June, 2010.