

BEFORE THE SECRETARY OF STATE
OF THE STATE OF MONTANA

In the matter of the adoption of New) CORRECTED NOTICE OF
Rules I, II, and III pertaining to) ADOPTION
postelection audits)

TO: All Concerned Persons

1. On February 25, 2010, the Secretary of State published MAR Notice No. 44-2-156 pertaining to the public hearing on the proposed adoption of the above-stated rules at page 516 of the 2010 Montana Administrative Register, Issue Number 4.

2. On April 15, 2010, the Secretary of State published a Notice of Adoption for MAR Notice No. 44-2-156 at page 918 of the 2010 Montana Administrative Register, Issue No. 7.

3. The Secretary of State is filing a corrected notice of adoption because two MCA citations referenced in NEW RULE II (ARM 44.3.1719) were incorrect. The rule, as adopted in corrected form, reads as follows, deleted matter interlined, new matter underlined:

NEW RULE II (44.3.1719) SELECTION PROCESS FOR RANDOM-SAMPLE AUDIT (1) and (2) remain as adopted.

(3) Pursuant to ~~153~~-17-503, MCA, at least 5% of the precincts in each county, or a minimum of one precinct in a county, shall be audited, whichever is greater. The board shall utilize current official precinct information provided by the counties to the Secretary of State to determine the number of precincts to be audited per county. Three additional precincts in each county will be selected pursuant to ~~153~~-17-505, MCA, in case a discrepancy in vote tallies occurs that necessitates further auditing.

(4) through (7) remain as adopted.

AUTH: 13-17-503, MCA

IMP: 13-17-503, 13-17-504, 13-17-505, 13-17-506, 13-17-507, MCA

/s/ Jorge Quintana
JORGE QUINTANA
Rule Reviewer

/s/ Linda McCulloch
LINDA MCCULLOCH
Secretary of State

Dated this 14th day of June, 2010.