

BEFORE THE SECRETARY OF STATE
OF THE STATE OF MONTANA

In the matter of the adoption of New)	NOTICE OF PUBLIC HEARING ON
Rule I, amendment of ARM)	PROPOSED ADOPTION,
44.3.1101, 44.3.2004, 44.3.2005,)	AMENDMENT, AMENDMENT AND
44.3.2014, 44.3.2015, 44.3.2110,)	TRANSFER, AND TRANSFER
44.3.2111, 44.3.2114, 44.3.2203, and)	
44.3.2304, the amendment and)	
transfer of 44.3.1403, 44.3.1716, and)	
44.3.2016, and the transfer of)	
44.3.1715 pertaining to elections)	

TO: All Concerned Persons

1. On July 11, 2013, at 9:30 a.m., the Secretary of State will hold a public hearing in the Secretary of State's Conference Room, Room 260, State Capitol Building, Helena, Montana, to consider the proposed adoption, amendment, amendment and transfer, and transfer of the above-stated rules.

2. The Secretary of State will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Secretary of State no later than 5:00 p.m. on June 27, 2013, to advise us of the nature of the accommodation that you need. Please contact Jorge Quintana, Secretary of State's Office, P.O. Box 202801, Helena, MT 59620-2801; telephone (406) 461-5173; fax (406) 444-4249; TDD/Montana Relay Service (406) 444-9068; or e-mail jquintana@mt.gov.

3. The rule as proposed to be adopted provides as follows:

NEW RULE I BALLOT FORM AND UNIFORMITY (1) Guidelines that prescribe the ballot form for each type of ballot used in this state are provided to each election administrator in the prescribed forms and election judge handbook, as applicable.

(2) The guidelines conform to the requirements of 13-12-202, MCA.

AUTH: 13-12-202, MCA

IMP: 13-12-202, MCA

REASON: The Secretary of State is adopting this rule as required by 13-12-202, MCA. Detailed guidelines regarding ballot form and uniformity are provided to election administrators in either the prescribed forms or election judge handbook as referenced in the rule and are available on the Secretary of State's web site.

4. The rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

44.3.1101 SCHEDULE OF FEES FOR STATEWIDE VOTER DATABASE REGISTRATION LISTS AND EXTRACTS (1) Upon written request, the secretary of state through its vendor shall furnish, for noncommercial use to private individuals or entities, a list of registered electors as compiled and maintained in its statewide voter ~~database~~ registration system. For the statewide list or available extracts from the statewide list the charge is \$1,000.00. For a legislative representative district list the charge is \$100.00, for a legislative senate district list the charge is \$150.00, for a county list the charge is \$200.00, and for the petition signers report the charge is \$200.00. For a subscription for ongoing access to the ~~database~~ statewide voter registration system and all other available extracts or lists the charge is \$5,000.00 for one year.

AUTH: 2-15-404, MCA
IMP: 13-2-122, MCA

REASON: These amendments are reasonably necessary to conform the terminology to statutory language.

44.3.2004 VOTER REGISTRATION CARD APPLICATION (1) Election administrators shall use the voter registration ~~card~~ application substantially in the most updated form prescribed by the secretary of state.
(2) Only registration ~~cards~~ applications substantially in the form prescribed by the secretary of state after June 1, 2003, shall be used by election administrators.
(3) Election administrators may print registration ~~cards~~ applications for their county use as long as the ~~cards~~ applications are substantially in the most updated form prescribed by the secretary of state.
(4) If an applicant submits an outdated registration ~~card~~ application that does not contain all of the required information, the election administrator may obtain that information and process the registration according to ARM 44.3.2005.

AUTH: 13-2-109, MCA
IMP: 13-2-110, MCA

REASON: These amendments are necessary to conform the terminology to statutory language.

44.3.2005 VOTER REGISTRATION CARD APPLICATION INFORMATION REQUIREMENTS (1) An applicant for voter registration must provide all required information on the voter registration ~~card~~ application.
(2) An election official shall:
(a) enter the driver's license number, or the last four digits of the social security number provided by the applicant on the voter registration ~~card~~ application into the voter registration ~~database~~ system maintained by the election administrator in a field provided for the number;
(b) and (c) remain the same.

(3) An applicant for voter registration who does not provide the applicant's driver's license number, the last four digits of the applicant's social security number, or a form of identification required in ARM 44.3.2002(6), shall be registered as a provisionally registered elector pending receipt and verification, at any time up to and including on election day, of one of the required numbers or, if the applicant has not been issued either number, receipt of a form of identification required.

(4) If an applicant does not provide all required information and the election administrator is unable to obtain that information, except for the information in (2) on the form prescribed by the secretary of state, the applicant ~~shall be registered~~ may be entered as "pending - incomplete" status in the statewide voter registration database system until the required information is provided.

AUTH: 13-2-109, MCA

IMP: 13-2-110, MCA

REASON: The amendments to (1) and (2) are necessary to conform the terminology to statutory language. The amendment eliminating the citation earmark in (3) is to conform to the Secretary of State's guidelines advising agencies to avoid using citation earmarks in rule text. The amendments to (4) are to clarify that applicants are not "registered," but can be entered in pending status in the system if the county chooses to do so and to conform terminology to statutory language.

44.3.2014 MAINTENANCE OF ACTIVE AND INACTIVE VOTER REGISTRATION LISTS FOR ELECTIONS (1) Election administrators shall, in every odd-numbered year ~~do at least one of the following:~~ follow the procedures in 13-2-220, MCA.

~~(a) compare the entire list of registered electors against the national change of address files and provide appropriate confirmation notice to those individuals whose addresses have apparently changed;~~

~~(b) mail a nonforwardable, first-class notice to all registered electors of each jurisdiction using current U.S. Postal Service language to ensure the mailing if undeliverable is returned with a corrected address, if available, to confirm their addresses and provide the appropriate confirmation notice to those individuals who return the notices;~~

~~(c) mail a targeted mailing to electors who failed to vote in the preceding federal general election, applicants who failed to provide required information on registration cards, and provisionally registered electors by:~~

~~(i) sending the list of nonvoters a nonforwardable notice, followed by the appropriate forwardable confirmation notice to those electors who appear to have moved from their addresses of record;~~

~~(ii) comparing the nonvoters and applicants described in (3) against the national change of address files, followed within 30 days by the appropriate confirmation notices as described in (2) to those electors who appear to have moved from their addresses of record;~~

~~(iii) sending forwardable confirmation notices; or~~

~~(iv) making a door-to-door canvass.~~

~~(2) Any notices not returned or returned as undeliverable to the election administrator after using a procedure provided in (1) must be followed by an appropriate confirmation notice that is a forwardable, first-class, postage-paid, self-addressed, return notice. If the elector fails to respond within 30 days of the confirmation notice, the election administrator shall move the elector to the inactive list.~~

~~(3) A procedure used by an election administrator pursuant to this rule must be completed at least 90 days before a primary or general election for federal office.~~

~~(4) The election administrator shall cancel the registration of an elector if the elector fails to respond to certain confirmation mailings, is placed on the inactive list, and fails to vote in two consecutive federal general elections after being placed on the inactive list.~~

~~(5) The name of an elector must be moved by an election administrator from the inactive list to the active list of a county if an elector meets the requirements for registration provided in this chapter and meets the requirements provided in 13-2-222, MCA, for reactivation in any election.~~

~~(6) An elector reactivated pursuant to (5) is a legally registered elector for purposes of the election in which the elector voted.~~

AUTH: 13-2-108, MCA

IMP: 13-2-220, MCA

REASON: Sections (1)(a) through (5) are deleted because they repeat statutory language of 13-2-220, 13-2-222, and 13-2-402, MCA. Section (6) is deleted because a person is legally registered whether active or inactive.

44.3.2015 LATE REGISTRATION PROCEDURES

(1) through (3) remain the same.

~~(4) If an elector has already been sent an absentee ballot for the election, the elector may change the elector's voter registration information only with respect to the next election, and may not receive another ballot from the county in which the voter is newly registered. This voter registration shall become effective on the day following the day of the election for which the elector has already been sent an absentee ballot.~~

(5) and (6) remain the same but are renumbered (4) and (5).

~~(7) To correct administrative error, an election official may register a late registration applicant in the statewide voter database as a duplicate voter:~~

~~(a) issue the applicant a provisional ballot; and~~

~~(b) after the election, contact the county from which the applicant is transferring the applicant's registration in order to determine whether the applicant voted in the other county, and follow all other applicable requirements specified in laws and rules for provisional electors.~~

AUTH: 13-2-108, MCA

IMP: 13-2-304, 13-2-514, MCA

REASON: Section (4) is eliminated because it conflicts with current statutory language. Section (7) is eliminated because it is no longer necessary.

44.3.2110 PROCEDURES AT THE POLLING PLACE FOR DETERMINING THE SUFFICIENCY OF IDENTIFICATION - PRIOR TO CASTING A BALLOT

(1) through (3)(b) remain the same.

(c) consistent with 13-13-114, MCA, if the identification provided differs from information in the precinct register, but an election judge determines that the information provided is sufficient to verify the voter's identity to vote pursuant to 13-2-512, MCA, the elector may sign the precinct register, complete a ~~transfer form~~ or new registration form to update or correct the elector's voter registration information, and vote. An election judge shall write "~~transfer form~~" or "registration form" in the register beside the name of any elector submitting a form.

(4) remains the same.

AUTH: 13-13-603, MCA

IMP: 13-1-116, 13-13-114, MCA

REASON: The amendments to (3)(c) are necessary to specify that the elector may be updating or correcting information and to eliminate the outdated reference to "transfer form."

44.3.2111 PROCEDURES AT THE POLLING PLACE FOR DETERMINING ELIGIBILITY TO VOTE - PRIOR TO CASTING A BALLOT

(1) remains the same.

(2) Consistent with 13-13-114, MCA, if the information provided by the elector differs from information in the precinct register, but an election judge determines that the information provided is sufficient to verify the voter's eligibility to vote pursuant to 13-2-512, MCA, the elector may sign the precinct register, complete a ~~transfer form~~ or new registration form to update or correct the elector's voter registration information, and vote. An election judge shall write "~~transfer form~~" or "registration form" beside the name of any elector submitting a form.

(3) remains the same.

AUTH: 13-13-603, MCA

IMP: 13-13-114, MCA

REASON: The amendments to (2) are necessary to specify that the elector may be updating or correcting information and to eliminate the outdated reference to "transfer form."

44.3.2114 PROVISIONAL VOTING PROCEDURES ON ELECTION DAY AFTER THE CLOSE OF POLLS - THE SIXTH DAY AFTER ELECTION DAY

(1) Provisional ballots must be handled consistent with 13-15-107, MCA.

~~(4)~~ (2) The election administrator shall direct election officials in each precinct, after the close of polls on election day, to tally the number of electors who have chosen to cast provisional ballots, but whose voter information is not verified at

the polls by the end of election day, in a location specified by the election administrator in the records maintained by election officials.

(3) For verified provisional ballots, an election official shall mark the provisional ballot outer envelope with the reason(s) why it was verified and removed and place the provisional ballot outer envelope in the verified provisional ballot container.

~~(2) (4)~~ All information regarding electors who have chosen to cast provisional ballots shall remain private at all times prior to and during the counting of provisional ballots and shall not be released prior to, during, or after the counting period without a court order.

~~(3) (5)~~ Election officials shall seal the unverified and verified provisional ballot containers and ensure delivery according to the election administrator's instructions.

~~(4)~~ The election administrator may open a package containing a precinct register to resolve questions concerning provisional ballots.

~~(5)~~ The election administrator shall, until 5:00 p.m. on the day after election day, allow electors who cast provisional ballots to verify eligibility to vote, in person, or by sending by facsimile or electronic mail a copy or scanned document.

~~(6)~~ The election administrator shall allow electors who cast provisional ballots to verify eligibility to vote, by mail postmarked on election day or the day after election day.

~~(7)~~ If a legally registered elector casts a provisional ballot because the elector failed to provide sufficient identification as required pursuant to 13-13-114(1)(a), MCA, the election administrator or designee shall compare the elector's signature or the signature of an elector's agent designated pursuant to 13-13-116, MCA, on the affirmation required under 13-13-601, MCA, to the elector's or elector's agent's signature on the elector's voter registration card.

~~(a)~~ If the signatures match, the election administrator shall handle the ballot as provided in 13-15-107(6), MCA.

~~(b)~~ If the signatures do not match, and the elector or the elector's agent fails to provide valid identification information by the deadline, the ballot must be rejected and handled as provided in 13-15-108, MCA, and this section.

~~(8)~~ Provisional ballots must be handled consistent with 13-15-107(5), MCA.

~~(9)~~ After the process in (8) is completed, an election official shall mark the provisional ballot outer envelope with the reason(s) why it was verified and removed and place the provisional ballot outer envelope in the verified provisional ballot container.

~~(10)~~ Provisional ballots that are not resolved by the end of election day may not be counted until after 3:00 p.m. on the sixth day after the election.

~~(11)~~ Election officials must not count any provisional ballots cast by electors whose voter information is not verified by 3:00 p.m. on the sixth day following the election.

~~(12)~~ After the completion of the count of provisional ballots, election officials must assure the secrecy of the ballots. An election administrator shall not release any information regarding any ballot, including provisionally cast ballots, if that information will result in any person being able to determine how an elector voted on any race or issue on the ballot.

AUTH: 13-13-603, MCA
IMP: 13-15-107, 13-15-301, MCA

REASON: The addition of new (1) and new (3) are necessary to move the rule language in current (8) and (9) to a more appropriate placement within the rule. Language is added to (3) to clarify that the ballots referred to are "verified" provisional ballots. Sections (5), (6), (7), (10), and (11) are deleted because they repeat statutory language in 13-15-107, MCA. As indicated, current (8) and (9) are deleted because the language has been placed in new (1) and new (3). Section (12) is deleted because it duplicates (2).

44.3.2203 FORM OF ABSENTEE BALLOT APPLICATION AND ABSENTEE BALLOT TRANSMISSION TO ELECTION ADMINISTRATOR (1) ~~Consistent with 13-13-212, MCA, an elector may apply for an absentee ballot by using a standardized form provided by rule by the secretary of state, or by making a written request which must include the applicant's birth date and must be signed by the applicant or by~~ An elector or an agent designated pursuant to 13-1-116, MCA, may apply for an absentee ballot following the procedure in 13-13-212, MCA, except that ~~if~~ If the election administrator can independently obtain the applicant's birth date, the application shall not be rejected for lack of the applicant's birth date. The request must be submitted to the election administrator of the applicant's county of residence within the time period specified in 13-13-211, MCA.

(2) The minimum acceptable prescribed form for an application for an absentee ballot must include a written request for the absentee ballot, the elector's birth date, and the elector's or the elector's agent's signature. Additional recommended statements include the election for which the elector is requesting an absentee ballot and the address to which the elector wants the ballot mailed. Electors are strongly encouraged to use the form available from ~~election administrators, which appears in the forms booklet that is provided by~~ at the county election office or on the secretary of state's web site to each election administrator.

~~(3) Consistent with 13-13-213(1), MCA, and except as provided in 13-13-213(4), MCA, all absentee ballot application forms must be addressed to the appropriate election official. The elector may mail the application directly to the election administrator, deliver the application in person to the election administrator, or transmit it by facsimile pursuant to ARM 44.3.1403. An agent designated pursuant to 13-1-116, MCA, or a third party, may collect the elector's application and forward it to the election administrator.~~

~~(4) When applying for an absentee ballot under 13-13-212, MCA, or at any other time by written request of the elector, an elector may also request to be mailed an absentee ballot, subject to the procedures in (5) and (6), as soon as the ballot becomes available, for each subsequent election in which the elector is eligible to vote or only for each subsequent federal election in which the elector is eligible to vote for as long as the elector remains qualified to vote and resides at the address provided in the initial application.~~

~~(5)~~ (3) An election administrator who receives a request under ~~(4)~~ pursuant to 13-13-212, MCA, shall determine whether the elector's or the elector's agent's signature on the request matches the elector's or the elector's agent's signature on

the elector's voter registration card application, prior to placing the elector on a list of individuals who wish to receive absentee ballots in subsequent elections.

~~(6) The election administrator shall mail a forwardable address confirmation form, prescribed by the secretary of state in January of each year to each elector who has requested an absentee ballot for subsequent elections. The annual address confirmation form is for elections to be held between February 1 following the mailing through January of the next year. The form shall, in bold print, indicate that the elector may update the elector's mailing address using the form. The elector or elector's agent shall sign the form, indicate the address to which the absentee ballot should be sent, and return the form to the election administrator. If the form is not completed and returned, the election administrator shall remove the elector from the annual absentee list.~~

~~(7) (4) In order for an elector to be sent an absentee ballot for an election under the procedures and during the period specified under (4) through (6) 13-13-212, MCA, the elector shall return the confirmation form specified under (6) to the election administrator within the time period specified for receipt of absentee ballot applications under 13-13-211, MCA.~~

~~(8) An elector who has been removed from the annual absentee list may later request to be mailed an absentee ballot for subsequent elections.~~

AUTH: 13-1-202, MCA

IMP: 13-13-211, 13-13-212, 13-13-213, MCA

REASON: Section (1) is amended to delete language that repeats statutory language found in 13-13-212, MCA. Section (2) is amended to specify that the application form is available from the county election office or from the Secretary of State's web site. Section (3) is deleted because it repeats statutory language found in 13-13-212 and 13-13-213, MCA. Section (4) is deleted because it repeats statutory language found in 13-13-212, MCA. New (3) is amended to substitute a statutory reference and to conform rule terminology to statutory terminology. Section (6) is deleted because it repeats statutory language found in 13-13-212, MCA. New (4) is amended to provide a statutory reference. Section (8) is deleted because it repeats statutory language found in 13-13-212, MCA.

44.3.2304 PROCEDURES FOR ABSENTEE AND MAIL BALLOT VOTING - DETERMINING THE SUFFICIENCY OF IDENTIFICATION OF PROVISIONALLY REGISTERED ELECTORS (1) After completion of the signature verification procedures in 13-13-241 or 13-19-309, MCA, as applicable, the election administrator shall determine prior to an election whether a provisionally registered absentee or mail ballot elector has provided sufficient identification defined in ARM 44.3.2302(6) or eligibility information to allow a ballot to be counted:

(a) If the identification or eligibility information is insufficient, an election official or election worker shall follow procedures described in 13-13-241, MCA, and these rules to allow a provisionally registered absentee or mail ballot elector who failed to provide proper identifying information in the ~~outer return~~ signature envelope to verify eligibility to vote:

(i) a ballot cast by an elector whose eligibility or voter identification information is insufficient or whose name does not appear on the precinct register must be handled as a provisional ballot under 13-15-107, MCA;

~~(ii) an absentee or mail ballot elector whose ballot is determined to be provisional has until 5:00 p.m. on the day after the election to provide sufficient identification or eligibility information either in person, by facsimile, by electronic mail, or by mail postmarked on the day of the election or the day after the election;~~

(iii) remains the same but is renumbered (ii).

~~(iv) (iii) if the elector is notified by mail, an election official or election worker shall provide a self-addressed return signature envelope along with a description in the form prescribed by the secretary of state of the information necessary for the absentee or mail ballot elector to reclassify the provisional ballot as a regular ballot; and~~

(v) remains the same but is renumbered (iv).

(b) Upon receipt of eligibility information or of one of the forms of required identification defined in ARM 44.3.2302~~(6)~~, if the identification form is verified through a voter verification process or another form of identification provided in ARM 44.3.2302~~(6)~~ is sufficient:

(i) an election official or election worker shall mark on the absentee or mail ballot ~~outer return~~ signature envelope that sufficient eligibility information or identification was provided by the elector; and

(ii) and (c) remain the same.

AUTH: 13-13-603, MCA

IMP: 13-13-114, 13-13-201, 13-13-241, MCA

REASON: The amendments eliminating the citation earmarks in (1) and (1)(b) are necessary to conform to Secretary of State guidelines advising agencies to avoid using citation earmarks in rule text. Subsections (1)(a), (1)(a)(i), new (1)(a)(iii), and (1)(b)(i) are amended to conform the terminology used to statutory language. Subsection (1)(a)(ii) is deleted because it repeats statutory language in 13-15-107, MCA.

5. The Secretary of State proposes the amendment and transfer of the following rules, new matter underlined, deleted matter interlined:

44.3.1403 (44.3.2205) FACSIMILE REQUESTS FOR ABSENTEE BALLOTS

(1) remains the same.

(2) A facsimile copy may be accepted under (1) if it:

~~(a) is produced by a method of transmission of images in which the image is scanned at the transmitter, reconstructed at the receiving station, and duplicated on paper at the receiving station; and~~

~~(b) is legible.~~

AUTH: 13-1-202, MCA

IMP: 13-13-212, MCA

REASON: Subsection (2)(a) is deleted because it is outdated technical information that is no longer necessary. The rule is being transferred to Subchapter 22 because that subchapter contains other current rules pertaining to absentee procedures.

44.3.1716 (44.3.2206) REJECTED BALLOTS--HANDLING PROVIDED BY RULE (1) All rejected absentee ballots, the absentee ballot applications, and all absentee ballot return signature envelopes must be enclosed in an envelope or container marked "REJECTED BALLOT(S) OF ABSENTEE ELECTORS".

~~(2) After being handled and marked as provided in this rule, all rejected ballots must be placed in a package or container in which the voted ballots are to be placed and the package or container must be sealed, dated, and marked. After a package or container is sealed pursuant to this section, a package or container may not be opened without a court order.~~

AUTH: 13-15-108, MCA
IMP: 13-15-108, MCA

REASON: This amendment to (1) is necessary to conform the terminology to statutory language. Section (2) is deleted because it repeats statutory language of 13-15-108, MCA. The rule is being transferred to Subchapter 22 because that subchapter contains other current rules pertaining to absentee procedures.

44.3.2016 (44.3.1102) STATEWIDE VOTER REGISTRATION DATABASE SYSTEM (1) In addition to the procedures specified under (2); and (3); and (4) and ARM 44.3.2001, election officials authorized to use the statewide voter registration database system must, as applicable, comply with the following procedures specified in the instruction manuals, user guides, and technical manuals as provided by the manufacturer and distributor of the database system vendor and the secretary of state; (except in cases in which those materials conflict with state laws or rules, in which case the laws or rules shall apply):

(a) through (c) remain the same.

(d) technical security of the statewide voter registration database system;

(e) information security with respect to keeping from general public distribution driver's license numbers, whole or partial social security numbers, and address information protected from general disclosure pursuant to 13-2-115, MCA, and Section 22, Chapter 139, Laws of 2013, effective January 1, 2014; and

(f) remains the same.

(2) Consistent with (1)(d), as soon as a county election administrator enters voter registration information into the statewide voter registration database system, the database system will automatically make that information available to the secretary of state.

(3) Consistent with (1)(f)(e):

(a) the driver's license numbers, whole or partial social security numbers, and address information protected from general disclosure pursuant to 13-2-115, MCA, and Section 22, Chapter 139, Laws of 2013, effective January 1, 2014, may not be provided unless required by a court order; and

(b) remains the same.

AUTH: 13-2-108, MCA

IMP: 13-2-108, MCA, Sec. 22, Ch. 139, L. 2013

REASON: The amendments changing the word "database" to "system" are necessary to conform rule terminology to statutory terminology. The reference to (4) in (1) is deleted because it refers to a nonexistent subsection. The third amendment in (1) is to clarify that both the vendor and the Secretary of State provide manuals and guides. The amendment to (3) is to correct an error in the subsection reference. The amendments to (1)(e) and (3)(a) are to comply with statutory changes made in 2013 specifying that the e-mail addresses of absent military and overseas electors be kept confidential. The rule is being transferred to Subchapter 11 in order to place it with the other voter registration system rule.

6. The Secretary of State proposes the transfer of the following rule:

44.3.1715 (44.3.2407) METHOD OF CORRECTION OF BALLOT

AUTH: 13-12-204, MCA

IMP: 13-12-204, MCA

REASON: The rule is being transferred to Subchapter 24 because it belongs with other rules regarding ballot forms.

7. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Jorge Quintana, Secretary of State's Office, P.O. Box 202801, Helena, Montana 59620-2801; telephone (406) 461-5173; fax (406) 444-4249; or e-mail jquintana@mt.gov, and must be received no later than 5:00 p.m., July 19, 2013.

8. Jorge Quintana, Secretary of State's Office, has been designated to preside over and conduct this hearing.

9. The Secretary of State maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 7 above or may be made by completing a request form at any rules hearing held by the department.

10. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed

text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

11. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

/s/ JORGE QUINTANA
Jorge Quintana
Rule Reviewer

/s/ LINDA MCCULLOCH
Linda McCulloch
Secretary of State

Dated this 10th day of June, 2013.