

## Andrea Gyger

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**From:** Micki Wadhams <mwadhams@CCCFIRM.COM>  
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**To:** SoS Rulemaking  
**Subject:** Comments to Election Rules Recodification

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Good Morning,

Following are our comments and requests to the proposed recodified Election Rules:

1. Rule 1.1.5 only defines a "Canvass Board" for a partisan election pursuant to Section 1-10-101. There should also be a definition for a Canvass Board for a non-partisan election under Section 1-10-201.
2. Rule 4.9.2 provides that the TABOR Notice must be mailed to all registered voters in the "county", which is not accurate for a municipal or special district election. Thus, this should be revised to provide that the notice must be mailed to all registered voters in the "county or local government. . .".
3. Rule 4.9.3 is not applicable since TABOR elections are required to be conducted as a mail ballot election for municipalities and special districts, and there are no polling place elections conducted by the county.
4. The words "OR POLLING LOCATIONS" can be deleted from Rule 4.9.3(a).
5. In Rule 5.2.3(d), the reference to the "mail-in ballot packet" should more accurately state "mail ballot packet".
6. In Rule 5.2.4(c) should be clarified to provide that the return envelope containing a ballot must be date-stamped, not the ballot itself.
7. Since Rule 5.4 is only for non-partisan elections not coordinated by the county, it should still provide that political subdivisions can designate polling place locations outside of the political subdivision. We would request that this Rule not be revised from the old Rule 5.2.
8. The ballot issue and ballot question numbering system set forth in Rule 5.5 will be extremely confusing for non-partisan elections that do not have citizen initiatives or amendments to the Constitution or state statutes. In an effort to continue to make elections not so complicated, we would again request that this Rule not be revised from the old Rule 5.3, which is much less complicated.
9. Rule 7.6.2 provides that the elector must come to the office of the county clerk and recorder to sign the ballot envelope, which is not accurate for elections not coordinated by the county clerk. This should be revised to provide that the elector must come to the office of the "county clerk and recorder or designated election official for elections not conducted by the county clerk. . .".
10. In Rule 7.6.5, we would request that this rule begin with "For elections conducted by the county clerk, an election judge must. . .", since political subdivisions conducting their own elections are not capable to conduct signature verification.

11. Rule 7.10.1 should also provide that the notice regarding voting assistance should be posted in polling place locations for elections not conducted by the county clerk.
12. In Rules 8.1, 8.1.1, 8.1.2, 8.3, 8.4, 8.5.2(a) and 8.5.5, wherever the reference to “voter service and polling center” is provided, it should also reflect “or polling location”, so these rules also apply to watchers for elections not conducted by the county clerk.
13. In Rule 8.7.3, it should still include “mail-in ballot envelopes” as election material that cannot be handled by watchers.
14. In Rules 8.14.1, 8.14.2 and 8.14.3, wherever the reference to “county clerk” is provided, it should also reflect “or designated election official”, so these rules also apply for elections not conducted by the county clerk.
15. Rule 10.4.4 isn’t completely accurate for elections not conducted by the county clerk. An election judge will write the elector’s name in the pollbook, it is not signed by the elector. So, this Rule should be revised to reflect the “number of people who signed or are listed in the pollbook. . .”.

Thank you for your consideration of these comments and requests.

Best wishes,

*Micki L. Wadhams*

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