



GRAND COUNTY CLERK AND RECORDER

To: Honorable Wayne Williams, Secretary of State
From: Sara L. Rosene, Grand County Clerk and Recorder
Date: January 13, 2016
Re: Proposed Rulemaking dated December 15, 2015

Please accept these comments regarding Proposed Rulemaking dated December 15, 2015.

Rules 11.9.1 through 11.9.4

If adopted, the proposed rules will cause a significant financial burden to Grand County and upon the county taxpayers. These rules create a structure for the certification of electronic voting machines that runs contrary to the spirit of the Colorado Revised Statutes in Title 1.

The selection of one mandatory uniform voting system for Colorado causes a significant fiscal burden upon Grand County. According to the "20151217 Comparative Cost Proposal Workbook," Dominion Voting Systems will cost Grand County (Tier 3-Full) \$181,717 which includes the annual license of \$11,700 (for 10 years). Hart Intercivic reports Tier 3-Full to be \$141,625. That costs includes the annual license of \$7,500 (for 10 years).

Mandating one vendor will force Grand County to expend additional monies beyond what would be necessary. Grand County citizens cannot afford this.

The Secretary of State has standards set forth in §1-5-615 through 1-5-616 upon which the Secretary may base his/her certification decisions and such standards do not contemplate the selection of a single vendor to the exclusion of other vendors which meet the qualifications set forth in statute.

Nowhere do the statutes contemplate the concept that the Secretary of State can, by rulemaking, dictate which voting system must be used by all the State's election officials.

Rule 6.1.3 – Election Judges

If adopted, this rule could create an adversarial relationship between local election officials and the local parties. It will also limit the local election official from using qualified judges who either are not affiliated with a party or are affiliated but do not participate with the party at a local level. If the parties cannot find people to serve as judges, this will severely limit our ability to contact and train our pool of qualified citizens.

Rule 7.2.8 – Ballots and Ballot Packets

The rule does not define how “near” the elector’s full name is to appear under the self-affirmation signature line. If it is not practicable for the ballot envelopes and it is to be explained in the mail ballot plan, what value is this rule providing? This rule is unnecessary.

Rule 8.9 - Watchers

I am concerned with “While at a group residential facility, a watcher must maintain an adequate distance from the elector so the elector may mark or receive assistance marking his or her ballot in private.” A person who is hearing impaired will have a difficult time receiving assistance in marking his or her ballot in private. The rule gives greater rights to the watcher than to the voter.