



# MESA COUNTY ELECTIONS



*Sheila Reiner, Clerk*

January 14, 2016

Honorable Wayne Williams  
Colorado Secretary of State  
1700 Broadway  
Denver, CO 80290

RE: Proposed Changes to Election Rules

Dear Secretary Williams:

Below you will find a list of comments we have regarding the proposed changes to the Colorado Rules Concerning Elections. We hope you will take them into consideration in making your final determination of processes that will greatly affect our ability to conduct elections at the local level.

6.1.1 – This rule exceeds the requirement in C.R.S 1.6.102(1) that states the list shall be provided “after the precinct caucus in even-numbered year...” We are required to use the caucus list, which by design, can only be gathered at caucus.

RECOMMEND: We recommend this rule be struck.


6.1.2 - Again, there is no requirement in statute that we request an additional list or a requirement to use it. At the very least, our parties have had no list to provide us in the past, other than sending over recommendations to us as people contact them.

RECOMMEND: Strike “updated”.

6.1.3, 6.1.4 - We have a number of concerns about these two new rules. We are lucky to have maintained an excellent working relationship with our local parties through the years. Rule 6.1.3 specifically has the potential of damaging that relationship. Our job as an election office, and our Clerk’s job, is certainly not to police the operations of the political parties. We endeavor to have election judges hired and scheduled long before 60 days before an election. For this November’s election, for example, we will likely start hiring judges and searching for judges to fill the holes in July and August. It would be a great burden on our judge recruiter to have to halt all new recruiting until September! 6.1.4 creates the additional burden of creating a moving list 45 days from an election. More than likely, the actual list of workers and jobs wouldn’t be final until the day VSPCs open. Providing a list that we know will be inaccurate the day we start work seems like work for work’s sake.

RECOMMEND: Strike rules 6.1.3 and 6.1.4


6.2.1 – This proposed rule creates a number of different problems on a couple of fronts. The first thing I would like to report is that we asked our parties if they would like to assign signature verification judges for the 2015 Coordinated Election and they strongly agreed that they had no interest in assigning these roles and expressed that they would trust our judgement. We believe that it is expressly the clerk’s duty to appoint and assign judges to an election, not political parties.

 970-244-1662

 [Voter.info@mesacounty.us](mailto:Voter.info@mesacounty.us)

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 200 S Spruce St, Grand Junction, CO 81501

 [clerk.mesacounty.us/elections](http://clerk.mesacounty.us/elections)

RECOMMEND: Strike any rules which assign the duty of appointing signature verification judges to political parties.

Rule 6.2.2 – Although we appreciate the leeway to remove or reassign signature verification judges that are not working, this could potentially create a hole in our staffing during the most crucial time of an election. If we are forced to appoint judges who may not be a good fit for the job, we will then be forced to pay and train additional judges as back-up. Without expending the extra time and money to train a back-up, we would end up having no trained judges to complete signature verification. Unfortunately, using this new model of party appointed judges, our hands are tied in staffing appropriate people until the election is actually up and running.

RECOMMEND: Strike any rules which assign the duty of appointing signature verification judges to political parties.

Rule 7.2.6, 7.2.9 – We take great issue with the Secretary of State attempting to change the statutorily required language on a ballot envelope. This rule certainly exceeds the statutory language in CRS 1-7.5-107(3)(b) and CRS 1-7.5-107(3)(b.5). Beyond the concern in statutory language, there is nothing that can currently be done with any name that is put on that line. Certainly, if someone was truly attempting to commit fraud, they wouldn't put their real name or any name at all on this line.

RECOMMEND: Strike rules requiring any ballot language envelope that is not required by statute.

Rule 7.2.8 – We have two specific concerns about this rule. The first is that it will not be possible for every vendor to put the name in this specific location on the envelope. We work with Runbeck who explained a number of difficulties this would cause, as well as the cost increase to make it happen. Although we appreciate the addition of “Where practicable” to the beginning of the rule, it seems like a waste of resources to create a rule that we know cannot be followed by all counties, and thereby requiring those counties to explain why that is the case for every election. Second, if were we to incur the extra cost of putting names on the ‘first run’ of ballots, any ballot that goes out after that initial run would not have the name printed in the same place.

RECOMMEND: Strike this rule.

7.8.3 – We cannot, in good conscious, agree with a rule that references a document that has not yet been distributed or seen.

RECOMMEND: Distribute the guide for review before passing the rule.

7.8.7(A) – Although we do not take issue with the changes to the log, we wonder if a log is necessary as all the information it is logging is available in SCORE.

RECOMMEND: Review necessity for this log.

8.9 – We are not opposed to this rule, but are concerned a watcher may try to enter a voter's private room.

RECOMMEND: “A watcher may observe election activities in public areas at a group residential facility.”

8.13 – This rule exceeds any statutory function a watcher serves in the election. Certainly they are allowed to challenge a voter as a citizen, but even 10 ballots an hour would be disruptive to the process. Additionally, they have not participated in the 4 hour (or longer) training we provide signature verification judges and they are unaware of the characteristics judges have been trained to observe.

RECOMMEND: Strike this rule.

11.3.2(d)(4)(B)(III), 11.3.2(d)(4)(C)(II) – We believe 4 audio ballots is excessive. We have historically tested 2 (one per testing board member) and this has been sufficient for the test. Particularly in Gubernatorial years, 4 audio ballots could consume a huge amount of time.

RECOMMEND: “Each testing board member must cast at least *one* of his or her test ballots...”

Thank you for consideration of the included comments.

Sincerely,

A handwritten signature in black ink that reads "Amanda Polson". The signature is written in a cursive, slightly slanted style.

Amanda Polson  
Elections Director