

Andrea Gyger

From: Corinne Lengel <clengel@lincolncountyco.us>
Sent: Friday, January 22, 2016 4:40 PM
To: SoS Rulemaking
Subject: Comments - election rules - 1/14/2016 hearing

I would like to comment on the following proposed rules and amendments:

New Rule 2.14.5 (good), **New Rule 4.1.3** (good), **New Rule 4.8.6** (good), **New Rule 6.1.5** (excellent), **New Rule 6.1.4** (not sure why this is necessary...), **New Rule 6.3** (my opinion is neutral but many smaller counties have issues with this as they have *no one* to help them), **New Rule 6.8** (good), **New Rule 7.1.2** (not sure of the purpose behind this), **Amended Rule 7.2.6** (good), **New Rule 7.8.1** (very good), **New Rule 7.8.2** (excellent), **Amended Rule 7.8.6** (excellent), **Amended Rule 20.6** (good), **New Rules 21.4.14 and 21.4.15** (I don't understand the majority of this...)

Rule 6.1.2:

In rural areas and smaller counties, many people do not even attend their precinct caucuses so caucus attendees have been known to try and think of someone who they feel would be a good judge, simply to fill something in on the list. Sometimes these people are not even contacted before their names are placed on the lists. Judges that have served for many years are good at what they do; they are familiar with process and methods and are hired each election because the clerk knows that he/she can rely on them. Most times those judges are older men and women who do not even attend their precinct caucuses but have been handpicked by the clerk because of their performance.

Requiring that “**the county clerk must exhaust the list of judges the parties provide under Rule 6.1.1 before supplementing with additional major party judges or minor party or unaffiliated judges**” may mean that a seasoned, veteran judge who is hired because the clerk knows how they perform could be bumped for someone who was selected at random.

I would suggest adding the language, “, **unless the party chairs agree to use the suggested list of judges provided to them by the county clerk.**”

If the parties do not like the judges the clerk has picked, they can refuse to agree to the list and still require the clerk to use the judges provided from the caucuses.

New Rule 6.1.3

Who determines what is “adequate” and why must the Secretary of State be informed if the clerk is allowed to use a supplemental list?

Proposed New Rule 7.2.8:

While it does state “where practicable” and “if not practicable for some or all ballot return envelopes the county must explain why in its mail ballot plan,” I am most concerned with how a voter's name would be printed on ballot envelopes being mailed after the initial mailing.

Some counties continue to print labels for the envelopes and handle the mailing themselves. It may be easier for counties who outsource their ballot mailing to have their print vendor add the voter's printed name somewhere near the signature line but I don't know that. However, some counties use the signature flaps to protect the voter's signature, which would cause issues for certain print vendors as there is a minimal amount of space on that portion of the envelope already.

How would the county get the voter's name printed on the envelope when subsequent mailings are sent out after the initial mailing?

New Rule 7.8.8

This needs clarification...Does it mean the clerk must pull them out, take time to retrain them, and then put them back on detail? Or is the word retrain a typo and should be refrain?

7.8.8 THE COUNTY CLERK MUST PERIODICALLY AUDIT SIGNATURE VERIFICATION JUDGES. IF A JUDGE OR TEAM OF JUDGES HAS AN UNEXPLAINED, IRREGULAR ACCEPTANCE OR REJECTION RATE, THE COUNTY CLERK MUST **RETRAIN** OR REMOVE THAT JUDGE OR TEAM OF JUDGES FROM CONDUCTING SIGNATURE VERIFICATION.

New Rule 8.1.5

Although this is great that a watcher must complete training provided or approved by the SOS, how does the clerk know that training was completed? Will there be a training completion certificate that the watcher has to produce?

New Rule 8.9

I believe this should also address that the watcher be cognizant of and not disrupt the rules and/or practices of the group residential facility.

New Rule 8.13

The amount of signatures a watcher can challenge in an hour seems excessive. If there are numerous watchers (party, candidate, issue, etc.) at a single location, judges may spend their entire day being challenged on every signature they review. The language should be, "...a watcher may **challenge** (escalate means increase or accelerate so I'm not sure how this word applies) no more than ten ballot envelope signatures **in a day...**" (or **four-hour period**, or something like that). Allowing ten challenges per hour is simply unthinkable.

8.13 UNLESS THE COUNTY CLERK AUTHORIZES A GREATER NUMBER, DURING INITIAL SIGNATURE REVIEW BY AN ELECTION JUDGE, A WATCHER MAY **ESCALATE** NO MORE THAN TEN BALLOT ENVELOPE SIGNATURES **IN AN HOUR** FOR A SECOND REVIEW BY A BIPARTISAN TEAM OF ELECTION JUDGES

Amendment to Rule 11.3.2

(c) (1), 4 (A) and (B)

Excellent changes!

Thank you for allowing me to make my comments!

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