Steven Ward

This is for the packet for the Monday COVAMEC meeting. I have added the new survey questions that I proposed in the preparation documents for the most recent COVAMEC meeting. Those questions came up during the visit to Denver Elections.

I did not see a public notice for either a Technology Subcommittee meeting nor for a Business Practices meeting other than one last week that was shown as cancelled a few minutes before it was to have begun.

Therefore I have no comments about any markups that might have been made by those two sub-committees. In view of that I will not be driving to Denver (or from Utah in this case) for the 1PM Monday meeting. If I knew that I could add some value to the conversation I would be there.

The making of the survey is of utmost importance to an understanding of what the 1303 bill is doing- in a positive direction and perhaps, unintentionally otherwise.

It has only become more obvious that the state needs to know the details of the post 1303 election, as circumstances concerning the two recall elections have come out. I have also received information concerning the November election now underway that suggests a need to learn more.

It appears that of 28 counties responding that I am aware of 13 are conducting in-person voting without providing access to a flat paper ballot and in person eligibility confirmation. In these counties, DRE is the only in-person option and a mail-in ballot is the paper alternative- one that does not guarantee verified anonymity or countedness.

This looks to me like backtracking in the opposite direction of the legislative message sent by HB 09 1335. That bill showed us that the state would go to paper ballot in preference to DRE.

I also now know that there are radical differences in the way eligibility checks are done for mail in ballot packets- some counties using staff, some using election judges. Some counties may have no regular election judges in this election.

We need to learn details of the county processes in response to 1303, and this proposed survey is a good starting place. Please continue to consider improvements by addition to it, thank you.

Again I offer to speak with any commissioner about details of this proposal. I have written to Clerk Fran Long in particular with such an offer two weeks ago.

I note also in passing that Summit County will need to distinguish between correct and incorrect ballot styles returned by electors. The county intends to selectively count contests on ballots when the incorrect ballot style is the only ballot returned. I have asked but have received no answers as to how this process will be done (e.g. by duplication ballots?) and how voter privacy and ballot anonymity will be maintained. This risk existed before 1303 but 1303 could have created a remedy, and your commission may yet do so.
It also appears that the Vail municipal election is being conducted as a non-coordinated precinct polling place election on Nov. 5. There is disagreement as to whether this is in violation of the language of HB 13-1303. Also it appears that the town would like to conform to the state’s 22 day residency requirement, but they would need to do this with more than just the letter to that effect offered to the clerk of Eagle County, who must provide the registration lists. Vail thus presents two examples of side effects of 1303 that deserve consideration. There are many more, apparently that deserve your attention.

Harvie Branscomb

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