

Communication from Marilyn Marks to the Uniform Voting System Public Participation Panel 9-17-13

From: Marilyn Marks

Sent: Tuesday, September 17, 2013 10:20 AM

To: Subject: RE: URGENT and VITAL--is UVS legally permissible?

UVS Panel members,

To follow on Al Kolwicz's comment below, some months ago I submitted the comment with documentation that the Colorado Election Code does not presently permit a "uniform" voting system. The code requires that ALL systems that meet the certification standards hard-wired in the statute be authorized by the Secretary for both purchase and installation. Presumably that requirement followed a public policy debate in the legislature on whether the state wished to have the benefits of competing qualified systems or the benefits of system uniformity. The General Assembly came out on the side of voting system competition in spending taxpayers' dollars. While that debate may be brought before the GA again in the future, until there is some consensus that the public policy has changed as evidence by a statute change, I continue to question the massive resources being put into a speculative venture for a uniform system. .

I submit that the effort is also frustrating to vendors who want to be responsive but know that there is no standard that they can meet that complies with the present law unless they are one of the handful of traditional suppliers. And the traditional suppliers are already certified with their equipment offerings, for the most part.

I would respectfully again ask whether the UVS project should go forward until and unless there is a compelling public policy argument successfully made to legislators that Colorado should move to a single vendor (not competitive) system and what the certification standards should be if they are to be changed from the VVSG2002 standards currently in the law. I have yet to see or hear that analysis that would be presented to the General Assembly to argue for such a major shift in election integrity policy.

I hope that the UVS panel will revisit this question before continuing to spend the resources to go forward promoting a "uniform" system.

Marilyn Marks
Citizen Center