

Andrea Gyger

From: Richard at Log Hill [REDACTED]
Sent: Sunday, May 10, 2015 9:45 AM
To: SoS Rulemaking
Cc: J. Paul Brown; Sen. Ellen Roberts
Subject: Comments - working draft election rules

There is a basic fatal flaw in one of the main goals of your proposed rule making, which is cited as

"The main goals of the proposed rulemaking are to:

- Ensure proper administration of legislation;
- Establish uniformity in the administration of current law;
- Organize existing rules for clarity;
- Eliminate obsolete provisions;
- Simplify the language of existing rules; and
- **Remove language that is duplicative of statute.** [emphasis added]

Your e-mail cites the purpose of "[t]he changes are intended to improve the administration and enforcement of Colorado election law and to increase transparency and security in the election process."

To accomplish the overall goal, to make both compliance and enforcement easy and uniform, the Secretary should provide one single document which clearly sets forth in an organized manner all the requirements related to campaign finance. To this end it is necessary to provide either the language or the interpretation of statutory language. Accordingly the sixth bullet of above quoted statement needs to be eliminated as a "main goal."

It is much better, more efficient, and will lead to much more uniform compliance and readily accomplished administration to have one party, i.e. the office of the Secretary, compile all the relevant requirements (i.e. Constitutional, Legislative, Administrative) and to annually update them after each legislative session, than to have the several political party offices, various elected officials, various candidates and committees and various politically active individuals and groups in each jurisdiction (e.g. county, city, town) throughout the state all attempting to understand the diverse requirements/restrictions and to actually follow changes each year.

The Secretary should not only provide such a comprehensive document as a rule to all concerned, but in making such a compilation will be better able to identify inconsistencies and internal conflicts among the various requirements to present to the legislature for correction or at least simplification.

Presuming the objective is not obfuscation but compliance with rational procedures and restrictions, the government of Colorado should make it simple and clear how to comply and a single well organized document which provides the appropriate guidance to the various entities required to comply, i.e. candidates and various committee types, is the way to accomplish this. The objective should be to avoid complications and confusion which may well lead to litigation and/or to unintended violations that would otherwise be unnecessary.

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