

May 14, 2015

To: SOS.Rulemaking@sos.state.co.us

From: Senator Kevin Lundberg

Cc: Secretary of State Wayne Williams

Re: Election Rules 8CCR -1505-1 / draft of May 8, 2015

I am submitting the following two recommendations in response to Secretary Williams' personal request that I do so this morning on KLZ radio program, where we exchanged ideas and opinions on the May 8 draft rules on email voting.

Regarding proposed amendments to 16.2.1(c), concerning electronic transmission and 16.2.3 concerning self-affirmation:

(1) Strike the proposed language on page 8, lines 9-11, beginning with the words "Not feasible" and substitute the following:

"Not feasible" means circumstances where the elector reasonably believes voting in person or by regular mail is not possible because the covered military voter is out of the state, or a covered overseas voter is out of the country, and regular postal mail is unavailable to the covered voter for paper ballot return in time for the ballot to reach the clerk by the close of business on the eighth day after an election."

(2) Also insert this same "Not feasible means" definition at the end of the proposed rule change on 16.2.3 on the self-affirmation, on page 8, line 18 after the word "feasible."