

## Andrea Gyger

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**From:** Harvie Branscomb <harvie@electionquality.com>  
**Sent:** Monday, August 01, 2016 4:56 PM  
**To:** SoS Rulemaking  
**Cc:** 'Colorado Voter Group'; harvie@electionquality.com  
**Subject:** Re: new revision of my rulemaking comments July 25 rulemaking

Andrea

Thank you.

One final note- in rule 11.3.3(B) Appointment of the Audit Board.

The statutory reference should be this one: [C.R.S. 1-7-514](#) where the post election audit conduct is described.

All references to conduct of the audit refer to canvass board and the county clerk and recorder and nowhere to an audit board.

In all small counties the canvass board conducts the audit. I think they are being ignored in this new rule, and I reiterate that the staff members ought not be conducting the audit, although election judges might be engaged in doing so where the canvass board isn't large enough to conduct the audit such as in large counties.

Mary Eberle agrees with this statement.

Harvie Branscomb

(c) The canvass board and the county clerk and recorder shall promptly report to the secretary of state a description of the audit process undertaken, including any initial, interim, and final results of any completed audit or investigation conducted pursuant to paragraph (a) or (b) of this subsection (2).

On 8/1/2016 9:36 AM, SoS Rulemaking wrote:

Good morning Harvie,

I hope you are doing well. Thank you for submitting additional comments. I forwarded a copy to the rulemaking team and will add to the official record.

Sincerely,  
Andrea

-----Original Message-----

From: Harvie Branscomb [<mailto:harvie@electionquality.com>]  
Sent: Friday, July 29, 2016 4:53 PM  
To: SoS Rulemaking <[SoS.Rulemaking@SOS.STATE.CO.US](mailto:SoS.Rulemaking@SOS.STATE.CO.US)>  
Cc: [harvie@electionquality.com](mailto:harvie@electionquality.com); 'Colorado Voter Group' <[coloradovoter@googlegroups.com](mailto:coloradovoter@googlegroups.com)>

Subject: new revision of my rulemaking comments July 25 rulemaking

Andrea

I have substantially enhanced my commentary concerning the rulemaking. I note that the ESRC has opined against Rule 1.1.13 (c) and in favor of its deletion. I do hope that the rule will encourage redaction or duplication of ballots that violate the constitution during processing if it does not require that protection to be in place.

I otherwise am in agreement with several other ESRC comments.

Harvie