

Andrea Gyger

From: Bennett Rutledge <treasurer@LPArpahoe.org>
Sent: Tuesday, March 14, 2017 7:07 PM
To: SoS Rulemaking
Cc: legislativedirector@lpcolorado.org
Subject: [FWD: Notice of Mandatory Rule Review Written Comment Period]

Mr. Williams,

Thank you for the generous warning of your Rule Review Written Comment Period. Please continue to provide all notices of any changes to both <treasurer@LPArpahoe.org> and <legislativedirector@lpcolorado.org> as among the "interested persons" specified in the CRS.

First, I do not think that the delegation by the Legislature of its lawmaking responsibilities to any agency of the Executive Branch conforms to the spirit of the Separation of Powers principle of American government. All of the CCR that you have promulgated, which does not directly implement duly passed Colorado Laws should be discarded.

Setting that aside for later argument, I wish to single out Rule 24. With the possible exception of 24.3 this entire provision is brazen defiance of the Constitution of Colorado, Title II, Section 5. In consideration of the rights of these Colorado citizens there-under, the most restrictive wording of the Oath permissible is "I will vote for the presidential candidate and vice-presidential candidate who best meet the characteristics which I set forth as I campaigned for the office of Presidential Elector." The presidential election is specifically intended to be a process of selecting representatives to the Electoral College, and not an exercise in direct democracy.

Finally, I consider further regulations, including such requirements which restrict the nature of the address of a particular candidate or organization must provide for the record, which I have discussed in other communications, would be unnecessary and unduly burdensome. They would only pass a cost-benefit analysis pursuant to section 24-4-103(2.5) of the C.R.S. by downplaying or ignoring "the direct and indirect costs to business and other entities required to comply with the rule or amendment." Even further burdens or requirements on government officials not firmly rooted in duly passed laws, or the Colorado Constitution itself, would cause an added drain on the public treasury.

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