

RECEIVED Original Text

APR 24 2009

ELECTIONS  
SECRETARY OF STATE

9:54 AM  
CK  
KM

#15

Be it enacted by the People of the State of Colorado:

Section 8 of article VII of the constitution of the state of Colorado is amended to read:

**§ 8. Elections by ballot or voting machine**

(1) THE RIGHT OF INDIVIDUALS TO VOTE BY SECRET BALLOT IS FUNDAMENTAL. WHERE STATE OR FEDERAL LAW REQUIRES ELECTIONS FOR PUBLIC OFFICE OR PUBLIC VOTES ON INITIATIVES, OR REFERENDA, OR DESIGNATIONS OR AUTHORIZATIONS OF EMPLOYEE REPRESENTATION, THE RIGHT OF INDIVIDUALS TO VOTE BY SECRET BALLOT SHALL BE GUARANTEED.

(2) All elections by the people shall be by ballot, and in case paper ballots are required to be used, no ballots shall be marked in any way whereby the ballot can be identified as the ballot of the person casting it. The election officers shall be sworn or affirmed not to inquire or disclose how any elector shall have voted. In all cases of contested election in which paper ballots are required to be used, the ballots cast may be counted and compared with the list of voters, and examined under such safeguards and regulations as may be provided by law. Nothing in this section, however, shall be construed to prevent the use of any machine or mechanical contrivance for the purpose of receiving and registering the votes cast at any election, provided that secrecy in voting is preserved.

When the governing body of any county, city, city and county or town, including the city and county of Denver, and any city, city and county or town which may be governed by the provisions of special charter, shall adopt and purchase a voting machine, or voting machines, such governing body may provide for the payment therefor by the issuance of interest-bearing bonds, certificates of indebtedness or other obligations, which shall be a charge upon such city, city and county, or town; such bonds, certificates or other obligations may be made payable at such time or times, not exceeding ten years from date of issue, as may be determined, but shall not be issued or sold at less than par.

## Cesiah Gomez

---

**From:** Scott Gessler [sgessler@hackstaffgessler.com]  
**Sent:** Friday, April 24, 2009 9:54 AM  
**To:** Cesiah Gomez; Kathryn Mikeworth  
**Cc:** Chintana Holbrook  
**Subject:** Proposed initiative #15  
**Attachments:** Ballot Language -- REVISED.pdf; Ballot Language -- ORIGINAL.pdf; Ballot Language -- REDLINE.pdf

Hi Cesi and Kathryn,

Attached is language for proposed initiative #15. Could you please place this on the agenda for the next title board?

I have included the PDF versions of the original, revised, and redlined language. Also, we will be faxing you copies (with hand annotations of original, revised and redline). Please send me and Chintana Holbrook (copied on this email) confirmation that you received this.

Thanks!

Scott

Scott E. Gessler  
Hackstaff Gessler, LLC  
1601 Blake St.  
Suite 310  
Denver, Colorado 80202  
w: (303) 534-4317  
f: (303) 534-4309  
c: (720) 839-6637  
[sgessler@hackstaffgessler.com](mailto:sgessler@hackstaffgessler.com)

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the owner of the email address listed as the recipient of this message. If you are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any disclosure, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone at 303.623.3202 and permanently delete this transmission, including any attachments.

IRS Circular 230 Disclaimer: To ensure compliance with requirements imposed by the IRS, we inform you that any advice contained in this communication (including attachments) is not intended or written to be used, and cannot be used, for purposes of (i) avoiding penalties under the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or tax-related matter addressed herein.