

## Andrea Gyger

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**From:** Corinne Lengel <clengel@lincolncountyco.us>  
**Sent:** Thursday, June 05, 2014 9:31 AM  
**To:** SoS Rulemaking  
**Subject:** Comments - working draft election rules

Secretary Gessler:

Please consider these my comments regarding the working draft election rules concerning Voting System Conditions for Use.

As one of the 33 Colorado counties that use Hart InterCivic as our election vendor, I would like to take this opportunity to express that several of these conditions will impose an enormous, unaffordable fiscal impact, most particularly on smaller, possibly already destitute, counties.

First, **Page 1 (E): THE COUNTY MUST PROVIDE EACH DRE VOTER A HEADSET WITH AN ADJUSTABLE VOLUME CONTROL.** This would involve the purchase of additional eSlates to meet this condition. Although Lincoln County, which requires only one VSPC, could meet this condition by using other DAU equipment, counties with more than one VSPC requirement may need to purchase more eSlates. At last purchase, these units were \$2,500 each—I'm sure the cost has increased since 2006.

Secondly, and probably the most significant fiscal impact in the proposed rule, is the following requirement: **Page 3 (E): The voting system provider may not have an administrative or application user/operator account, or administrative account access to the accounts. OR USER ACCESS TO THE ELECTION MANAGEMENT SYSTEM OR ELECTION DATABASE. IF A VENDOR PROGRAMS THE ELECTION, THE COUNTY MUST CHANGE THE ADMINISTRATOR, USER, AND DEVICE-LEVEL PASSWORDS BEFORE CONDUCTING THE LOGIC AND ACCURACY TEST.** This change to rule would require counties to purchase Hart's BOSS software to change device passwords—a cost of approximately \$25,000. This is a HUGE, preventable fiscal impact that many of the smaller Colorado counties absolutely would not be able to afford. The words “**or election database**” and “**device-level**” should be struck from this requirement. There are already security measures in place and other sections of the use procedures that protect counties when the vendor is on site—this is an excessive and completely unaffordable condition to put in place. It appears that this new language basically punishes smaller counties that have vendors program their elections, which often is our only feasible option.

Lastly, the requirement to pause audio should be removed. **Page 6 (A): THE COUNTY'S ELECTION JUDGES MUST: (1) INSTRUCT VOTERS WHO USE THE DRE AUDIO BALLOT FEATURE ON HOW TO PAUSE, REPEAT, AND ADVANCE AUDIO PLAYBACK OF BALLOT INSTRUCTIONS OR TEXT;** This requirement is not achievable without a new voting system—another enormous fiscal impact. Forcing already impoverished counties to spend even more exorbitant amounts to purchase new systems or new components of systems is an irresponsible and careless requirement for stewards of taxpayer funds for a minor detail such as this. Voters can repeat audio by simply turning the wheel back—requiring a “pause” feature is completely unnecessary.

We are all aware that election equipment is here to stay. Working with counties for an affordable, cost-effective solution to provide voters the easiest, most transparent voting experience is the only answer.

Thank you for providing me this opportunity to comment. Unfortunately, due to the fact that statute requires ballots be mailed out this week, I'm not sure I had adequate time to thoroughly read through this 60-page document. It is extremely disappointing that the timeliness occurred when it did.

*Corinne M. Lengel*

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