

Andrea Gyger

From: Debbie Rudy <drudy@montrosecounty.net>
Sent: Tuesday, July 17, 2012 12:05 PM
To: Andrea Gyger
Subject: proposed rules

Hello Andrea,

Fran and I have reviewed the proposed rules and we have a few comments as well as a few questions. I will go through a section at a time, and enumerate page, line and Rule number.

Page 7, line 26, Rule 21.12: On the second line it refers to tabulating provisional ballots. It seems to me that the pollbook/signature card processing must also precede the final processing of the provisional ballots, since it is possible that it could flip the result on a provisional ballot (example-someone voted in their regular polling place, then went to a different polling place and voted a provisional ballot. It's possible that in the initial processing of the provisional, which necessarily has to take place at the same time pollbook/signature card processing is happening, that it was initially passed, but during final processing, the signature card for the polling place has been processed and the provisional therefore should not be accepted.)

Page 7, line 31-33, Rule 26.13.2: This rule is confusing, because I thought that the provisional affidavit and receipt for the voter should have the numbering convention, but that the ballot stub should have a number that has nothing to do with the number on the affidavit. This rule, however, refers to numbering ballot stock, which to my mind is the ballot and ballot stub.

Page 8, line 23-28: This is just a picky thing, but it seems to me that the numbering for this section might be better served if it is numbered in the same manner as the previous section, since it refers to a related aspect of the process. Currently, this section is numbered 29.2 through 29.11, but it seems as though it should be numbered 29.2.1 through 29.2.10, which would be more relevant and easier to locate similar pieces of the two rules.

Page 11, line 20-22, Rule 41.3.2: The section of this referring to reviewing the particular ballots at issue. We would take that to mean that we have the canvass board follow the same steps the polling place judges took to complete their statement of ballot, including counting unvoted ballots, spoiled ballots, how many were issued as provisional, and as a last resort voted ballots. We hope that is what the rule means, but is it possible that the canvass board or others would take that to mean just voted ballots?

Page 13, line 4, Rule 41.46.2: it appears that on line 4 there are some words missing. The current version reads an explanation or correction discrepancy. We think it should perhaps say correction of the discrepancy.

Page 14, line 6, Rule 41.8.3 (h): This refers to damaged and spoiled ballots. We assume that this includes ballots that have been voided, but those are not specifically mentioned, and if they are not counted, it could give a very skewed count of what was used and what wasn't.

Page 14, line 10, Rule 41.9.2: the line states Once the canvass board certifies the abstract may not withdraw the |certification. It looks like there could be a couple of words missing. Certifies the abstract the board may not withdraw the, seems to make more sense.

This is all we found at this time, we will be sure to review the revision for changes when it comes out on Wednesday night.

Thank you for your consideration,

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