



COLORADO

HOUSE OF REPRESENTATIVES

STATE CAPITOL

DENVER

80203

July 23, 2012

Honorable Scott Gessler
Secretary of State
State of Colorado

Dear Mr. Secretary:

We have asked Representative Crisanta Duran to deliver this letter to you and to testify on our behalf at today's rules hearing at the Colorado Secretary of State's office. We are confident in her ability to eloquently express our views, but we want to underscore two points:

1. We believe your proposed rule to prevent county clerks from mailing ballots in all-mail elections clearly oversteps your rulemaking authority.

There is nothing in the election law that currently prohibits clerks from mailing ballots to Inactive-Failed to Vote electors in a mail ballot election. The Secretary of State can "administer and enforce" election laws. What he or she cannot do is rewrite them. That prerogative is exclusively reserved to the General Assembly, of which we, the undersigned, are members.

We predict that your efforts to reach beyond your office's allocated authority will be met with skepticism by the courts.

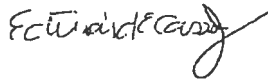
2. We believe your attempt to rewrite the law through these proposed rules is part of a campaign to create obstacles to voting by validly registered electors in the State of Colorado.

The right to vote is a fundamental constitutional right. Your efforts to alienate that right are no more justifiable than abridging the freedom of speech or the free exercise of religion.

Our democratic process works best when the greatest number of people participate in it. Intimidation and suppression of legitimate voters harkens back to some of the darkest days in our nation's history. Attempts to reduce voter participation run contrary not only to the letter of the law, but also to the spirit of America and of the State of Colorado.

Mr. Secretary, you are the state's chief elections official. The people of Colorado look to you to be the guardian and protector of fair and free elections. We strongly urge you to halt all efforts to restrict the legitimate exercise of Coloradans' right to vote.

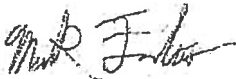
Sincerely,



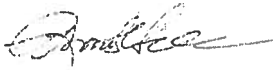
Rep. Edward Casso
House District 32



Rep. Lois Court
House District 6



Rep. Mark Ferrandino
House District 2



Rep. Rhonda Fields
House District 42



Rep. Randy Fischer
House District 53



Rep. Millie Hamner
House District 56



Rep. Dickey Lee
Hullinghorst
House District 10



Rep. Matt Jones
House District 12



Rep. Daniel Kagan
House District 3



Rep. John Kefalas
House District 52



Rep. Andy Kerr
House District 26



Rep. Pete Lee
House District 18



Rep. Claire Levy
House District 13



Rep. Beth McCann
House District 8



Rep. Joe Miklosi
House District 9



Rep. Dan Pabon
House District 4



Rep. Sal Pace
House District 46



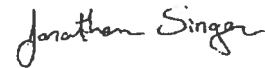
Rep. Cherylin Peniston
House District 35



Rep. Su Ryden
House District 36



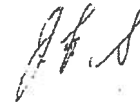
Rep. Sue Schafer
House District 24



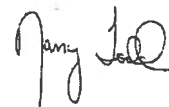
Rep. Jonathan Singer
House District 11



Rep. Judy Solano
House District 31




Rep. John Soper
House District 34



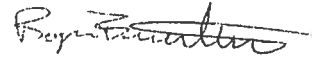
Rep. Nancy Todd
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Rep. Max Tyler
House District 23



Rep. Angela Williams
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Rep. Roger Wilson
House District 61



Rep. Ed Vigil
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Rep. Dave Young
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