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EL PASO COUNTY

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Date: October 1, 2013
To: Secretary Gessler
From: El Paso County Elections
Re: Comments on Revised Draft of Proposed Rules

After reviewing the revised draft of proposed rules, El Paso County respectfully submits the following written comments.

- Rule 2.2.2 (pg 11, line 15 - 21) - If the elector submits an application and does not include the date he or she moved, the county clerk must enter the date the application is received or postmarked, whichever is earlier, as the date moved. The elector submits the application during the 22 days before an election and does not provide the date he or she moved, the county clerk must enter the date moved as the 22nd day before the election based upon the affidavit.

  Will SCORE be adding a place to put the date moved? Will it look odd in SCORE when the date moved is before the registration date? The portion that starts after the 22 days will be confusing for temps so will the SCORE help desk be checking to make sure that we are doing this regularly?

- Rule 2.6.1.a (pg 14, line 3) - A signed written request, by mail, fax, or PDF attachment to an email.

  Throughout the rest of the rules, "a PDF" attachment has been removed and replaced with "an email" attachment except for this location.

- Rule 2.13.3.A (pg 18, line 36) - Whose records have been marked "Inactive - returned mail", "INACTIVE - undeliverable", "Inactive - undeliverable ballot", or "Inactive - NCOA";.

  Currently, there is no "INACTIVE - undeliverable" status.

- Rule 10.4.1.b (pg 67, line 8) - The number of ballots provided to the polling location;

  If we use BODs at the polling locations, would this still apply?

- Rule 15.8.3 (pg 112, line 25 & 26) - signor's.

  Shouldn't this be signers instead of signor's?

- Rule 17.2.7 (pg 124) - If an elector casts a provisional ballot without providing valid identification, the county clerk must verify and count the provisional ballot as follows:

  In previous rules, it states that if an elector whose voter registration record is tagged ID required casts a provisional ballot without providing valid identification, the ballot shall be verified and counted as follows:

  Does this mean that we have to send letters to everyone including the voters who are ID compliant in SCORE?

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- Rule 17.2.7.a (pg 124 & 125, line 1 & 2) - If the county clerk calls any elector, he or she must call all electors whose affidavits are unsigned.

  This section talks about not providing valid identification so this portion discussing unsigned affidavits seems out of place.

- Rule 20.16.3.A (pg 159, line 32 & 33) - The County must reconcile ballots printed on demand in accordance with rules 20.4 and 20.5.
  How do you reconcile ballots printed on demand? Also, it is confusing on what rules 20.4 and 20.5 have to do with reconciling ballots printed on the BOD.

- 11.5.3.8.4 (4) (page 83, Line 19-29) - This section requires the Testing Board to count the Boards AND the County's test ballot batches separately to ensure the machine count is counting correctly.

  In El Paso County, this process would take many days as we have several thousand ballots in our test deck in each election (3,643 in the 2013 Election). In Rule 11.5.3.8.4 (4) (pg 81, lines 18-22) Counties were required to count the Boards test ballot batches and only precinct specific county test ballots, not the entire county's test deck.

  Our proposed change is to 11.5.3.8.4 (4) (B) (4) (page 83, lines 19-22)
  THE TESTING BOARD MUST COUNT THE BOARD'S AND A RANDOM SAMPLE OF 25 OF THE COUNTY'S test BALLOT BATCHES SEPERATELY AND GENERATE REPORTS TO VERIFY that the machine count IS IDENTICAL to the predetermined tally.