

Andrea Gyger

From: Marilyn Marks [REDACTED]
Sent: Monday, October 07, 2013 7:54 PM
To: SoS Rulemaking; Andrea Gyger
Cc: Al Kolwicz; Lu Ann Busse 4 Colorado; [REDACTED]
[REDACTED] Ralph Shnelvar; Jeff Orrok [REDACTED]
[REDACTED] Bob Rankin; Becky Mizel; Victor Head
[REDACTED]
Subject: Rule making----Rules regarding election judges and staff as "election officials"

Deputy Secretary Staiert,

In my earlier comments I failed to mention the alarming and unauthorized policy shift being attempted in the rules to allow "election officials" (to include temporary or permanent staff) to take the role of party-nominated and approved election judges.

Since the founding of the state, Colorado has operated **citizen-run elections** where the conduct and oversight of the election was under the control of citizen judges appointed from the precinct level up through their parties and as advocates for their parties and judges independent of the government officials. The recently proposed rules turn this long held fundamental American concept on its head. Citizen voters are the masters of their elections and the government workers are merely the scribes and for the citizen decision makers.

To regulate that staff may be election officials taking the place of party-appointed judges/ decision makers is reaching far beyond the authority of the Secretary's office. Such a policy shift needs considerable public debate. No doubt the citizens of Colorado would never allow government officials to substitute for balanced partisan advocacy and decision making in elections.

I urge you to strike all changes in your proposed rules that attempt to eliminate the requirement that judges conduct the election. Staff and the clerk cannot substitute their judgment for the judgment of party-appointed election judges as called for by statute.

Even more importantly, I urge you to promulgate a rule that requires adherence to the statute to appoint only party-approved and nominated judges, and define the limited cases in which an exception can be made, such as when a party cannot recruit enough judges.

Please impress on the clerks the importance of adherence to the intent of the statute to have citizen-run (not state-run) elections.

Thank you for your consideration.
Marilyn Marks
Aspen, CO