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From: George Leing [REDACTED]
Sent: Tuesday, October 08, 2013 11:45 AM
To: SoS Rulemaking
Cc: Joe Breher; Brad Beck; Scott Schaefer; Sarah Welch; Jim Brown
Subject: Comments on Proposed Election Rules under 8 CCR 1505-1

Dear Secretary Gessler and Deputy Secretary Staiert,

Thank you for soliciting public comment on your proposed Election Rules under 8 CCR 1505-1 (references herein are to the draft dated September 26, 2013). The Boulder County Republican Party would like to draw your attention to the following deficiencies we see in the proposed rules:

1. We do not believe the deletion of the definition of Canvass Board in 1.1.5 is appropriate. Presumably, this is due to the deletion of the Canvass Board as part of the definition of Election Official in 1.1.13; however, it is not appropriate to delete Canvass Boards from the list of Election Officials as it is inconsistent with the statutory definition of Election Official in Title 1, Section 1-1-104(10). Any difference between the statutory definition and that contained in the rules would be at best confusing and potentially cause the administration of an election to be in violation of applicable law.

2. There appears to have been a consistent edit which has changed references to Election Judges in the Proposed Rules to Election Officials (a quick review shows these changes in Rules 5.2.4, 7.7, 9, 10.4, 10.5, 20.3, 20.4, 20.9, 20.11, 20.12, 20.13 and likely several other places). We submit that this is a dangerous shift away from public participation in the administration of elections over to the clerks and should not be implemented. The use of Election Judges, people who are nominated by the political parties, ensures that there is public input and oversight on the election process. Removing Election Judges from their existing primary role in the process and allowing the responsibility to reside in Election Officials, who are often people engaged by and reporting to the local clerk, obfuscates the transparency to the public and allows the election to be run by the government in the dark.

As you are aware, Boulder County was a fairly contentious place during the 2012 election and the local Canvass Board ultimately voted not to certify the election results. We believe that the Canvass Board members served an important role in providing public oversight through their examination of the election process last year and their role should not be diminished by the implementation of the Proposed Rules. Similarly, the role of Election Judges should not be destroyed in favor of shifting oversight away from the public. Often quoted is the statement of Abraham Lincoln that "Elections belong to the people" -- let's keep it that way.

Respectfully submitted,

Boulder County Republican Party

George Leing, Chairman
Bradley Beck, Vice Chairman
Joe Breher, Vice Chairman
Scott Schaefer, Vice Chairman
Sarah Welch, Secretary
Jim Brown, Treasurer