

Andrea Gyger

From: Ralph Shnelvar [REDACTED]
Sent: Tuesday, October 08, 2013 11:42 AM
To: SoS Rulemaking
Cc: Mary Eberle; George Leing; Becky Mizel; Jeff Orrok; Doug Campbell; Marks; Jim Remmert; Russ; Dan Martin; Susan P Hall; Bill Bartlett; Jefferson Dodge
Subject: 1-1-104(10). "Election official"

Dear Secretary of State Gessler:

As you know, I am chair of the American Constitution Party in Boulder as well as the chair of the Libertarian Party in Boulder.

I am greatly distressed to read of your **1.1.13** rule change that redefines what an election official is. Your proposed rule change will seriously hurt the two political parties I represent.

I completely agree with Becky Mizel, Chair, Pueblo County Republicans who said it so well.

Ralph Shnelvar
Chair, American Constitution Party of Boulder County
Chair of the Libertarian Party of Boulder County

Dear County Republican Party Chairs,

A big change in the rules for elections is about to hit the Republican Party right between the eyes. The proposed rules undercut party oversight and eliminate party-chosen election judges. The hard-thrown punch that maximizes the clerk's control of the election must be blocked.

The Secretary of State's rules for running elections have undergone a massive rewrite that is scheduled to be finalized on Tuesday at 5:00 p.m.

Unfortunately, the new rules are casting in concrete changes that move our elections away from having citizen oversight, as has been the standard in Colorado for more than 100 years.

Please write to SOS.Rulemaking@sos.state.co.us and weigh in against the reduction of party authority represented by the proposed rules. **Ask that changes that affect the work of canvass boards and election judges not be made.** This is a time that calls for more citizen oversight of elections, not less.

In particular, under the practical application of the proposed rules, **the definition of "election official" will no longer include the canvass board** (which, except for the clerk, is appointed by the major parties) or certain other persons. Here's what our state's election law (Title 1) says:

"1-1-104(10). "Election official" means any county clerk and recorder, election judge, member of a canvassing board, member of a board of county commissioners, member or secretary of a board of directors authorized to conduct public elections, representative of a governing body, or other person contracting for or engaged in the performance of election duties as required by this code."

But here is what the Secretary's proposed Rule 1.1.13 says:

1.1.13 "ELECTION OFFICIAL" MEANS THE DESIGNATED ELECTION OFFICIAL, HIS OR HER DEPUTY OR DESIGNEE, ELECTION STAFF, SECRETARY OF STATE STAFF, AND ELECTION JUDGES.

Many of the proposed rules also **restrict the role of the canvass board**, which could prevent the checks and balances on the clerk's work that the canvass board is charged with accomplishing.

In addition, throughout the 200 pages of rule changes, **the term "election judge" is replaced by "election official."** Although an election judge is an election official as defined above, not all election officials are election judges. The difference is crucial for political parties. They have the right and the responsibility to

appoint election judges. The partisan clerks can hire temporary or permanent employees and make them election officials. There is no requirement for these employees to be of balanced political persuasion, and employees may be asked to register in a given party as a condition of employment.

Please ask Secretary Gessler to halt these proposed rule changes. Comments should go to SOS.Rulemaking@sos.state.co.us before Tuesday at 5:00 p.m.

Thank you,
Becky

Becky Mizel, Chair, Pueblo County Republicans