

July 10, 2017

The Honorable Wayne Williams, Secretary of State  
Colorado Department of State  
1700 Broadway  
Denver, CO 80290  
SOS.Rulemaking@sos.state.co.us  
Re: Proposed Election Rule Changes 7.8.17

Dear Secretary Williams:

Your stated intent of Amended Rule 2.5.4 is to align with the new requirements of Propositions 1071 & 1082 and SB317-305 (otherwise known as the Primary Election Cleanup bill) and to ensure that a voter who is affiliated with one party does not cast a ballot in another party's primary election.

There are some potential issues with the proposed amendment: Shouldn't electors be permitted, under C.R.S. 1-2-218.5(2), to change their party affiliation any time up to and including election day (same as registering to vote)?. The new rule would not permit any changes after the 29th day prior to the election, creating confusion for voters (not all counties have the same mailing deadlines) and making it more difficult to vote. Additionally, it is unclear what voters need to do who declare a party affiliation for a primary. Does this automatically revert to unaffiliated, or does the voter need to actively change their status? If so, this seems to be creating a great deal of "work" for the voters, no? Shouldn't the state be trying to make voting EASIER rather than more cumbersome???

You state that Rule 2.13.1 is being amended to establish uniformity in the administration of the current law. However, this "uniformity" is not very efficient. Why omit so many individuals from registering new electors or updating elector information at voter service and polling centers? It seems to create a great deal more work for the counties if only election judges are permitted to register new individuals and update registries.

Similarly, (Rule 2.13.2) why make an amendment that results in election judges not longer needing to maintain a log of new registered voters or any changes made by electors? If they are not going to confirm information verbally, why have them there to monitor election fairness and integrity? The purpose of this rule change is unclear.

Finally, the change asking for designation of voter affiliation on the “privacy envelope” containing the ballot is outrageous. This defeats the purpose of privacy. The point of the registration process, watchers, and judges at the primaries is to make sure people know what they are doing and are voting correctly if they are at a polling location. For those of us with mail-in ballots, we know how we are voting, and we do not need to designate on the PRIVACY envelope how we voted. Figure out another way to “sort your mail” that does not compromise your citizen’s rights.

Sincerely

Michele Bertholf

