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MAY 24 2006

ELECTIONS/LICENSING
SECRETARY OF STATE

COLORADO TITLE SETTING BOARD

In re Title and Ballot Title and Submission Clause for Initiative 2005-2006 #110

MOTION FOR REHEARING

On behalf of Christopher P. Elliott, a registered elector of the State of Colorado, the undersigned hereby moves for a rehearing of the title, ballot title, and submission clause for Proposed Initiative 2005-2006 #110, set by the Title Board on May 17, 2006, and states as follows:

1. The initiative violates the single-subject requirement because it requires builders and sellers of residential real property both (1) to inform a purchaser of the source of a water supply, and (2) to also guarantee that the water supply is adequate and fit for human consumption.
2. The initiative violates the single-subject requirement by creating a new water right that runs with residential property.
3. The title and submission clause fail are inaccurate because they do not inform voters that the initiative is requires all builders and sellers of residential real property to guarantee an adequate supply of water fit for human consumption.
4. The title and submission clause misleadingly state that an original seller need only warrant that water quality meets state standards for human consumption, when in fact the initiative requires an original seller to warrant water supply, and include in that warranty the source, quality, and quantity of the water.

Respectfully submitted this 24th day of May, 2006.

By: 

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of May, 2006, a true and correct copy of the foregoing **MOTION FOR REHEARING** was placed in the United States mail, postage prepaid, to the following:

Kenneth A. Wonstolen
601 West 11th Ave. 1109
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