

BEFORE THE COLORADO BALLOT TITLE SETTING BOARD

William Ray, Objector

vs.

Lisa Brumfiel and Peter Coulter, Proponents.

MOTION FOR REHEARING ON INITIATIVE 2013-2014 #125

William Ray, through legal counsel, Recht Kornfeld P.C., objects to the Title Board's title and ballot title and submission clause set for Initiative 2013-14 #125 ("Prohibition on Fluoride in Public Water System").

On April 17, 2014, the Board set the following ballot title and submission clause:

Shall there be an amendment to the Colorado constitution concerning a prohibition against artificially introducing fluoride into public water systems, and, in connection therewith, requiring the imposition of civil and criminal penalties for violations; and exempting from the prohibition use of dental products, naturally occurring fluoride, and fluoride contained in water in public water systems that was treated before the enactment of the amendment?

ADVISORY GROUNDS FOR RECONSIDERATION

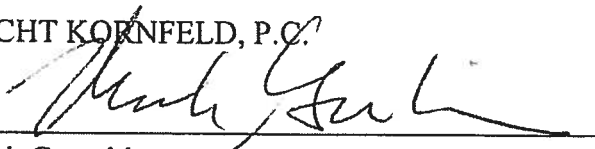
A. Contrary to the statutory requirements for a ballot title that is not confusing, not misleading, and reflective of the intent of the proponents, C.R.S. §§ 1-40-106, -107, the Board has erred by setting titles that do not reveal that the measure:

1. The title fails to state that the General Assembly is required to adopt all penalties for violations of these prohibitions.
2. The title fails to state that the Colorado Department of Health and Environment has jurisdiction over all civil penalties associated with these prohibitions.
3. The title fails to state that these prohibitions supersede all conflicting local provisions, including those found in home rule charters.

4. The title incorrectly states that its exemptions apply to the "use" of naturally occurring fluoride, and fluoride contained in water in public water systems that was treated before the enactment of the amendment.
5. The title incorrectly states that the measure requires "imposition" of penalties.

RESPECTFULLY SUBMITTED this 23rd day of April, 2014.

RECHT KORNFELD, P.C.



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Objector's Address:


William Ray
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CERTIFICATE OF SERVICE

I hereby affirm that a true and accurate copy of the **MOTION FOR REHEARING ON INITIATIVE 2013-2014 #125** was sent this day, April 23, 2014, via first class U.S. mail, postage pre-paid to the proponents at:

Lisa Brumfiel
1499 South Jasper Street
Aurora, CO 80017

Peter Coulter
151 Summer Street #654
Morrison, CO 80465



Erin Holweger