

From: [Douglas Bruce](#)
To: [Steven Ward](#)
Subject: REVISED MOTION FOR REHEARING
Date: Thursday, July 18, 2019 2:21:27 PM

> I am a registered Colorado elector. I move for a rehearing on the
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> ballot title on initiative #3 that was set yesterday. I believe the
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> rehearing date will be August 7. I request that the rehearing be
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> scheduled no earlier than 10 a.m. I live in Colorado Springs and
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> wish to avoid rush hour traffic.
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> Please reply and indicate whether this email motion is sufficient.
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> I can postal mail it if the title board requires a paper copy.

IN REPLY TO YOUR HELPFUL SUGGESTION, I SUPPLEMENT MY
MOTION WITH THE FOLLOWING AMPLIFICATION, WHICH I ASK
TO BE SUBMITTED TO THE TITLE BOARD, AND THAT A REHEARING
DATE BE SET ON THIS REVISED MOTION:

1. The ballot title set on July 17, 2019 is legally deficient. Ballot titles are required to state the major features of the proposal. #3 does not do so. It does not explain in common language WHAT legal protections are being repealed. Simply listing the legal citation and official name is beyond cryptic. Signers and voters are not expected to perform legal research based on that minimal information.
2. The purpose of the single subject rule is to DISCLOSE the meaning of the measure to the public. The main features must be in the ballot title.
3. The role of the title board is to perform its legal duty to

protect the public from voting incorrectly on ballot issues with features that are not openly disclosed ("hidden in the coils of a multi-subject proposal"). TABOR is indisputably a multi-subject proposal as a matter of law and supreme court holdings. Thus, its repeal changes multiple aspect of state constitutional law. This board cannot assume the average citizen knows all the features of TABOR. More than one million people have moved to Colorado since TABOR passed. It is an unknown part of a very lengthy constitution.

4. I support the alternative draft presented by Natalie Menten yesterday. In fact, I wrote it. I could not attend the board meeting because I had a governmental hearing in Colorado Springs at the same time. I offer that draft as a ballot title that would comply with ballot title law and this board's legal duty.

5. The ballot title accepted yesterday by a divided board is legally inadequate. It is "unfair and does not fairly express the true meaning and intent of the proposed" constitutional amendment. I challenge the ABSENCE of necessary wording to describe properly this most controversial section of the constitution, exceeding 1700 words. See 1-40-106.5 and 107 (III) (b) C.R.S. and annotated cases on those laws.

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