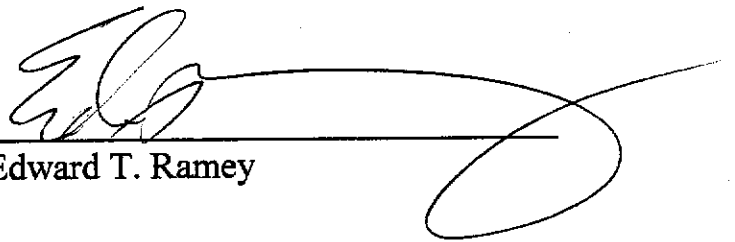


<p>SUPREME COURT OF COLORADO 101 West Colfax Avenue, Suite 800 Denver, Colorado 80203</p>	<p>FILED IN THE SUPREME COURT</p> <p>AUG 29 2011</p> <p>OF THE STATE OF COLORADO Christopher T. Ryan, Clerk</p> <p>▲ COURT USE ONLY ▲</p>
<p>Original Proceeding Pursuant to §1-40-107(2), C.R.S. (2010) Appeal from the Ballot Title Board</p>	
<p>In the Matter of the Title, Ballot Title, and Submission Clause for Proposed Initiatives 2011-2012, #29, #30, #31, #32, #33, #34, #35, and #36,</p> <p>Petitioner:</p> <p>Douglas Bruce, Objector,</p> <p>v.</p> <p>Respondents:</p> <p>Mason Tvert and Brian Vicente, Proponents,</p> <p>and</p> <p>Title Board:</p> <p>William Hobbs, Dan Domenico, and Jason Gelender</p>	
<p>Attorneys for Respondents Mason Tvert and Brian Vicente (Proponents)</p> <p>Edward T. Ramey, #6748 Heizer Paul Grueskin LLP 2401 15th Street, Suite 300 Denver, CO 80202 Telephone: 303-376-3712 Facsimile: 303-595-4750 Email: eramey@hpgfirm.com</p>	<p>Supreme Court Case No. 2011SA194</p>
<p>ANSWER BRIEF OF RESPONDENTS/PROPONENTS</p>	

CERTIFICATE OF COMPLIANCE

I hereby certify that this brief complies with all applicable requirements of C.A.R. 28 and C.A.R. 32, including all formatting requirements set forth in those rules. Specifically, the undersigned certifies that the brief complies with C.A.R. 28(g). The brief contains 352 words.



Edward T. Ramey

TABLE OF CONTENTS

I. ARGUMENT	1
II. CONCLUSION	2

TABLE OF AUTHORITIES

CASES

<u>In re Title, Ballot Title and Submission Clause, and Summary for 1997-1998 #10,</u> 943 P.2d 897 (Colo. 1997).....	2
--	---

STATUTES

§1-40-107(2), C.R.S. (2010).....	2
----------------------------------	---

CONSTITUTIONAL PROVISIONS

Colo. Const. art. X, §20.....	1, 2
-------------------------------	------

Respondents Mason Tvert and Brian Vicente, Proponents, respectfully submit the following Answer Brief:

I. ARGUMENT

In response to Petitioner's Opening Brief, Proponents refer the Court to the discussion of the pertinent issues in their Opening Brief.

Proponents would, however, supplement that discussion here in one respect. In his Opening Brief at pages 8-9, Petitioner appears to interpret Proponents' measures as seeking to "amend TABOR's key point of VOTER APPROVAL of all new taxes and tax rate increases and delegate to legislators increasing taxes in an unstated amount." Thus apparently arises Petitioner's concern that the Proponents' intent is "to eviscerate the heart of TABOR" and that the Ballot Title Board is apparently in league to "conceal the intent of the measure" from the voters.

This is quite an aggressive reading of Proponents' measures. Indeed, the Court may note on pages 15 and 16 of Proponents' Opening Brief that they are presuming that any tax increase enacted by the General Assembly under the authorization or directive of any of these measures will be referred at that time to the voters precisely as required by Colo. Const. art. X, §20. The alternative interpretation apparently feared by the Petitioner -- that the General Assembly is

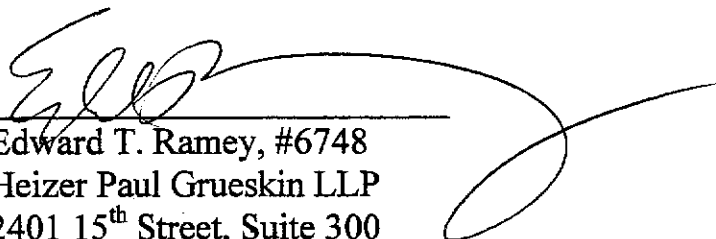
being surreptitiously empowered to enact a tax without voter approval – is an unlikely prospect that seems to have eluded all but the Petitioner.

This Court has been quite clear that a title review under §1-40-107(2), C.R.S. (2010) is neither the time nor context within which to tackle such an interpretive quandary. In re Title, Ballot Title and Submission Clause, and Summary for 1997-1998 #10, 943 P.2d 897, 899-900 (Colo. 1997). Should one of these measures be adopted, and should the General Assembly enact a tax under its authority and seek to dispense with voter approval otherwise mandated by Colo. Const. art. X, §20, and should someone object to the propriety of that action – that would be the appropriate time for the courts to resolve that issue.

II. CONCLUSION

The Respondent Proponents again respectfully request the Court to dismiss the Petition for Review or, alternatively, to affirm the actions of the Title Board.

Respectfully submitted this 29th day of August, 2011.



Edward T. Ramey, #6748
Heizer Paul Grueskin LLP
2401 15th Street, Suite 300
Denver, CO 80202
Telephone: 303-376-3712
Facsimile: 303-595-4750
Email: eramey@hpgfirm.com

Attorneys for Respondent Proponents

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2011, a true and correct copy of the foregoing **ANSWER BRIEF OF RESPONDENTS/PROponents** was served via overnight mail on the following:

Douglas Bruce
Post Office Box 26018
Colorado Springs, CO 80936

John W. Suthers
Maurice G. Knaizer
Office of the Attorney General
1525 Sherman Street, 7th Floor
Denver, CO 80203



Amy Knight