

SUPREME COURT, STATE OF COLORADO
2 East 14th Avenue
Denver, CO 80203

Original Proceeding Pursuant to C.R.S. § 1-40-107(2) (2013)
Appeal from the Ballot Title Board

In the Matter of the Title, Ballot Title, and Submission Clause for Proposed Initiative 2013-2014 #145

Petitioners:

Vickie L. Armstrong and Bob Hagedorn,
v.

Respondents:

Richard Evans and Stephen Roark, and

Title Board:

Suzanne Staiert, David Blake, and Jason Gelender

Lino S. Lipinsky de Orlov, No. 13339
Amy M. Siadak, No. 43702
McKenna Long & Aldridge LLP
1400 Wewatta Street, Suite 700
Denver, Colorado 80202
Telephone: (303) 634-4000
Facsimile: (303) 634-4400
E-mails: llipinsky@mckennalong.com
asiadak@mckennalong.com

▲ COURT USE ONLY ▲

Case No. _____

Marcy G. Glenn, No. 12018
Douglas L. Abbott, No. 18683
Holland & Hart, LLP
555 17th Street, Suite 3200
Denver, Colorado 80202
Telephone: (303) 295-8000
Facsimile: (303) 295-8261
E-mails: mglenn@hollandhart.com
dabbott@hollandhart.com

William A. Hobbs, No. 7753
1745 Krameria Street
Denver, Colorado 80220
Telephone: (303) 345-5541
E-mail: bill.hobbs@me.com

CO-COUNSEL FOR PETITIONERS

**PETITION FOR REVIEW OF FINAL ACTION OF
BALLOT TITLE SETTING BOARD CONCERNING
PROPOSED INITIATIVE 2013-2014 #145
("REQUIRED DISTANCES FROM SCHOOLS IN CERTAIN CASINO
GAMBLING JURISDICTIONS")**

Petitioners, Vickie L. Armstrong and Bob Hagedorn (jointly, “Petitioners”), registered electors of the State of Colorado, respectfully petition this Court pursuant to C.R.S. § 1-40-107(2) (2013), to review the action of the Title Board with respect to the title, ballot title, and submission clause (the “Title”) set for Initiative 2013-2014 #145 (“Required Distances from Schools in Certain Casino Gambling Jurisdictions”).

STATEMENT OF THE CASE

A. Procedural History of Proposed Initiative #145

Richard Evans and Stephen Roark (jointly, “Proponents”) filed Initiative 2013-2014 #145 (the “Proposed Initiative”) with the Directors of the Legislative Council and the Office of Legislative Legal Services on March 21, 2014. The legislative staff provided Proponents with its review and comment memorandum for the Proposed Initiative on April 2, 2014, and conducted the associated review and comment meeting on April 4, 2014.

Proponents filed an amended version of the Proposed Initiative with the Secretary of State’s office on April 4, 2014. At a hearing conducted on April 17, 2014, the Title Board found that the Proposed Initiative contained a single subject and set the Title.

On April 23, 2014, Petitioners filed a motion for rehearing (the “Motion”) regarding the Title. In the Motion, Petitioners explained that the Proposed

Initiative (a) improperly addresses multiple subjects, in violation of article V, section 1(5.5) of the Colorado Constitution and C.R.S. § 1-40-106.5 (2013), and (b) is misleading, does not fairly and correctly express the true meaning of the Proposed Initiative, and will lead to voter confusion, in violation of C.R.S. §§ 1-40-106 and 1-40-107 (2013). On April 24, 2014, the Title Board denied the Motion.

B. Jurisdiction

Petitioners are entitled to a review of the Title before the Colorado Supreme Court pursuant to C.R.S. §1-40-107(2) (2013). Petitioners timely filed the Motion with the Title Board. *See* C.R.S. § 1-40-107(1) (2013). Additionally, Petitioners timely filed this Petition for Review within seven days from April 28, 2014, the date on which the Secretary of State furnished Petitioners with certified copies of the Proposed Initiative, the Title, the Motion, and the ruling on the Motion. *See* C.R.S. § 1-40-107(2) (2013).

As required by C.R.S. § 1-40-107(2) (2013), attached to this Petition for Review are certified copies of: (1) the draft, amended, and final versions of the Proposed Initiative; (2) the original Title; (3) the Motion; and (4) the ruling on the Motion as reflected by the title and ballot title and submission clause that the Board set. Petitioners respectfully submit that the Title Board erred in denying the Motion.

ADVISORY STATEMENT OF GROUNDS FOR APPEAL

The Title Board erred in finding that the Proposed Initiative concerns a single subject, pursuant to article V, section 1(5.5) of the Colorado Constitution and C.R.S. § 1-40-106.5 (2013). In addition, in violation of C.R.S. §§ 1-40-106 and 1-40-107 (2013), the Title is misleading, does not fairly and correctly express the true meaning of the Proposed Initiative, and will lead to voter confusion.

The following is an advisory list of issues that Petitioners expect to address in their brief:

1. The Proposed Initiative relates to the following multiple subjects, among others:
 - (a) Prohibiting “casino-style gambling,” including video lottery terminals, within five miles of public school property;
 - (b) Potentially nullifying Initiatives 2013-2014 #80, #81, #134, and #135;
 - (c) Prohibiting “casino-style gambling” at Arapahoe Park, the only horse racetrack that has been conducting pari-mutuel wagering on horse races for a period of no less than five years as of January 1, 2014 (as required for the operation of video lottery terminals under Initiatives 2013-2014 #80 and #134, and for the operation of horse racetrack limited gaming under Initiatives 2013-2014

#81 and #135), because property owned by the Cherry Creek School District for non-school purposes as a school bus depot is adjacent to Arapahoe Park's property;

(d) Allowing the intent and purpose of Initiatives 2013-2014 #80, #81, #134, and #135 to be frustrated with respect to authorized horse racetracks that may be located in Mesa County or Pueblo County because at any time, any person could obtain nearby property, by lease or by purchase, to block the operation of "casino-style gambling";

(e) Potentially forever banning any additional "casino-style gambling" in Colorado; and

(f) Prohibiting administrative issuance of a new or renewal license for "casino-style gambling," thereby usurping the executive powers of the state.

2. In addition, the Title does not fairly express the true meaning and intent of the Proposed Initiative, and, therefore, violates C.R.S. §§ 1-40-106 and 1-40-107 (2013), for the reasons set forth below:

(a) The Title does not disclose the multiple subjects of the Proposed Initiative set forth in Paragraph 1 above;

(b) The Title does not inform voters that the references to public schools in the Initiative are not limited to property used for educational purposes and could include property used for non-educational purposes;

(c) The Title does not inform voters that the Initiative prohibits the use of real property to support “casino-style gambling” within the stated distance from a school’s property line, in addition to prohibiting the use of real property to conduct “casino-style gambling” within the stated distance.

(d) The phrase “casino-style gambling” is an impermissible catch phrase or slogan;

(e) The phrases “casino-style gambling” and “video lottery terminals” are undefined, vague, and misleading to voters; and

(f) The Title misleadingly states that the Proposed Initiative prohibits “casino-style gambling” “within five miles of a public . . . school” and does not inform voters that the Proposed Initiative in fact prohibits “casino-style gambling” within five miles of a public school’s property line that is nearest to the potential licensee’s property, rather than within five miles of the school building itself.

(g) The Title fails to disclose that, although the Proposed Initiative purports to apply to all forms of “casino-style gambling” within five miles of public school property within the state of Colorado, the Proposed Initiative could not prohibit or regulate any form of gambling conducted on “Indian lands,” as defined in 25 U.S.C. § 2703(4).

PRAYER FOR RELIEF

Petitioners respectfully request that this Court determine (a) that no title for the Proposed Initiative may be set because the Proposed Initiative improperly addresses multiple subjects, in violation of article V, section 1(5.5) of the Colorado Constitution and C.R.S. § 1-40-106.5 (2013), or (b) alternatively, that the Title is neither fair nor accurate, and remand the Proposed Initiative to the Title Board with instructions to redraft the Title to represent the text of the Proposed Initiative accurately and fairly.

Respectfully submitted this 1st day of May, 2014.

MCKENNA LONG & ALDRIDGE
LLP

/s/ Lino S. Lipinsky de Orlov

Lino S. Lipinsky de Orlov, No. 13339
Amy M. Siadak, No. 43702
1400 Wewatta Street, Suite 700
Denver, Colorado 80202
Telephone: (303) 634-4000
Facsimile: (303) 634-4400
Emails: llipinsky@mckennalong.com
asiadak@mckennalong.com

HOLLAND & HART LLP

/s/ Marcy G. Glenn

Marcy G. Glenn, No. 12018
Douglas L. Abbott, No. 18683
555 Seventeenth Street, Suite 3200
Denver, Colorado 80202
Telephone: (303) 295-8000
Facsimile: (303) 295-8261
Emails: mglenn@hollandhart.com
dabbott@hollandhart.com

WILLIAM A. HOBBS

/s/ William A. Hobbs

William A. Hobbs, No. 7753
1745 Krameria Street
Denver, Colorado 80220
Telephone: (303) 345-5541
Email: bill.hobbs@me.com

CO-COUNSEL FOR PETITIONERS,
VICKIE L. ARMSTRONG AND
BOB HAGEDORN

CERTIFICATE OF SERVICE

I hereby affirm that a true and accurate copy of the **PETITION FOR REVIEW OF FINAL ACTION OF BALLOT TITLE SETTING BOARD CONCERNING PROPOSED INITIATIVE 2013-2014 #145 (“REQUIRED DISTANCES FROM SCHOOLS IN CERTAIN CASINO GAMBLING JURISDICTIONS”)** was sent this 1st day of May, 2014, via first class U.S. mail, postage prepaid, to the proponents of the Proposed Initiative and their counsel of record at:

Mr. Richard Evans
1724 S. Unita Way
Denver, CO 80231

Mark Grueskin, Esq.
Recht Kornfeld, P.C.
1600 Stout Street, Suite 1000
Denver, CO 80202

Mr. Stephen Roark
2732 S. Fillmore St.
Denver, CO 80210

Maurice Knaizer, Esq.
Office of the Attorney General
1300 Broadway, 6th Floor
Denver, CO 80203

/s/ Lisa F. King

Lisa F. King

SUPREME COURT, STATE OF COLORADO
2 East 14th Avenue
Denver, CO 80203

Original Proceeding Pursuant to C.R.S. § 1-40-
107(2) (2013)
Appeal from the Ballot Title Board

In the Matter of the Title, Ballot Title, and
Submission Clause for Proposed Initiative 2013-
2014 #145

Petitioners:

Vickie L. Armstrong and Bob Hagedorn,
v.

Respondents:

Richard Evans and Stephen Roark, and

Title Board:

Suzanne Staiert, David Blake, and Jason Gelender

▲ COURT USE ONLY ▲

Case No. _____

**EXHIBIT A
TO
PETITION FOR REVIEW OF FINAL ACTION OF
BALLOT TITLE SETTING BOARD CONCERNING
PROPOSED INITIATIVE 2013-2014 #145
("REQUIRED DISTANCES FROM SCHOOLS IN CERTAIN CASINO
GAMBLING JURISDICTIONS")**



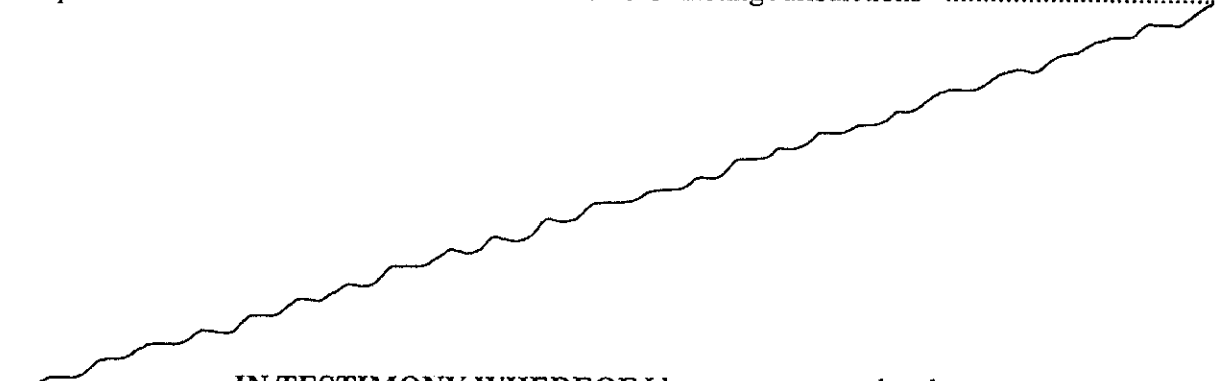
STATE OF COLORADO

DEPARTMENT OF
STATE

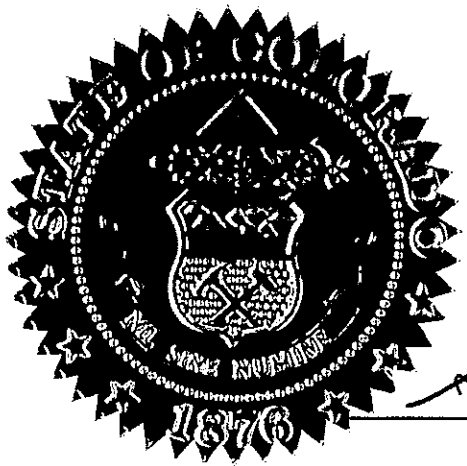
CERTIFICATE

I, **SCOTT GESSLER**, Secretary of State of the State of Colorado, do hereby certify that:

the attached are true and exact copies of the original text, amended text, final text, motion for rehearing, titles, and the rulings thereon of the Title Board on Proposed Initiative "2013-2014 #145 'Required Distances from Schools in Certain Casino Gambling Jurisdictions'".....



..... IN TESTIMONY WHEREOF I have unto set my hand
and affixed the Great Seal of the State of Colorado, at the
City of Denver this 28th day of April, 2014.



Handwritten signature of Scott Gessler in cursive script.

SECRETARY OF STATE

RECEIVED

APR 04 2014

Colorado Secretary of State

S. WARD 2:01 PM.

#145 Original

Be it Enacted by the People of the State of Colorado:

Section 1. In the constitution of the state of Colorado, add section 21 to article XVIII as follows:

Section 21. Required distances from schools in certain casino gambling jurisdictions.

(1) NO STATE AGENCY MAY ISSUE OR RENEW A LICENSE TO CONDUCT CASINO-STYLE GAMBLING IF:

(a) ANY PORTION OF THE REAL PROPERTY TO BE USED AS THE SITE TO CONDUCT OR SUPPORT CASINO-STYLE GAMBLING IS WITHIN FIVE MILES OF AN ELEMENTARY SCHOOL'S, MIDDLE SCHOOL'S, OR HIGH SCHOOL'S PROPERTY LINE, PROVIDED THAT SUCH DISTANCE IS MEASURED IN A DIRECT LINE, BEGINNING AT THE POINT OF THE SCHOOL PROPERTY LINE THAT IS NEAREST TO THE POTENTIAL LICENSEE'S PROPERTY, AND WITHOUT REGARD FOR NATURAL OR MAN-MADE OBSTACLES OR BARRIERS OF ANY KIND; AND

(b) THE SCHOOL IS COMPRISED OF TEN OR MORE STUDENTS AT THE TIME THE LICENSING OR RENEWAL DECISION IS MADE.

(2) "CASINO-STYLE GAMBLING" MEANS THE USE OF SLOT MACHINES, POKER, BLACKJACK, CRAPS, ROULETTE, OR VIDEO LOTTERY TERMINALS, OR ANY COMBINATION THEREOF, AS THOSE TERMS ARE DEFINED IN ARTICLE XVIII OF THE CONSTITUTION.

(3) THIS PROHIBITION IS EFFECTIVE NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SHALL APPLY IN ANY JURISDICTION THAT IS AUTHORIZED BY VOTERS FOR CASINO-STYLE GAMBLING, ON OR AFTER JANUARY 1, 2014, BUT SHALL NOT APPLY IN JURISDICTIONS THAT WERE AUTHORIZED BEFORE JANUARY 1, 2014 FOR LIMITED GAMING BY SECTION 9 OF ARTICLE XVIII.

RECEIVED

APR 04 2014

#145 Amended

Colorado Secretary of State
S. WARD 2:01 P.M.

Be it Enacted by the People of the State of Colorado:

Section 1. In the constitution of the state of Colorado, add section 21 to article XVIII as follows:

Section 21. Required distances from schools in certain casino gambling jurisdictions.

(1) NO STATE AGENCY MAY ISSUE OR RENEW A LICENSE TO CONDUCT CASINO-STYLE GAMBLING IF:

(a) ANY PORTION OF THE REAL PROPERTY TO BE USED AS THE SITE TO CONDUCT OR SUPPORT CASINO-STYLE GAMBLING IS WITHIN FIVE MILES OF ~~ANA~~ A PUBLIC ELEMENTARY SCHOOL'S, MIDDLE SCHOOL'S, JUNIOR HIGH'S, OR HIGH SCHOOL'S PROPERTY LINE, PROVIDED THAT SUCH DISTANCE IS MEASURED IN A DIRECT LINE, BEGINNING AT THE POINT OF THE SCHOOL PROPERTY LINE THAT IS NEAREST TO THE POTENTIAL LICENSEE'S PROPERTY, AND WITHOUT REGARD FOR NATURAL OR MAN-MADE OBSTACLES OR BARRIERS OF ANY KIND; AND

(b) THE SCHOOL IS COMPRISED OF TEN OR MORE STUDENTS AT THE TIME THE LICENSING OR RENEWAL DECISION IS MADE.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "CASINO-STYLE "CASINO-STYLE GAMBLING" MEANS THE USE OF SLOT MACHINES, POKER, BLACKJACK, CRAPS, ROULETTE, OR VIDEO LOTTERY TERMINALS, OR ANY COMBINATION THEREOF, AS THOSE TERMS ARE DEFINED-USED IN ARTICLE XVIII OF THE COLORADO CONSTITUTION AND DEFINED IN STATUTE.

(3) THIS PROHIBITION IS EFFECTIVE NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SHALL APPLY IN ANY JURISDICTION THAT IS AUTHORIZED BY VOTERS FOR CASINO-STYLE GAMBLING, ON OR AFTER JANUARY 1, 2014, BUT SHALL NOT APPLY IN JURISDICTIONS THAT WERE AUTHORIZED BEFORE JANUARY 1, 2014 FOR LIMITED GAMING BY SECTION 9 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION.

RECEIVED

APR 04 2014

Colorado Secretary of State

SWARD 2:01 P.M.

#145 Final

Be it Enacted by the People of the State of Colorado:

Section 1. In the constitution of the state of Colorado, **add** section 21 to article XVIII as follows:

Section 21. Required distances from schools in certain casino gambling jurisdictions.

(1) NO STATE AGENCY MAY ISSUE OR RENEW A LICENSE TO CONDUCT CASINO-STYLE GAMBLING IF:

(a) ANY PORTION OF THE REAL PROPERTY TO BE USED AS THE SITE TO CONDUCT OR SUPPORT CASINO-STYLE GAMBLING IS WITHIN FIVE MILES OF A PUBLIC ELEMENTARY SCHOOL'S, MIDDLE SCHOOL'S, JUNIOR HIGH'S, OR HIGH SCHOOL'S PROPERTY LINE, PROVIDED THAT SUCH DISTANCE IS MEASURED IN A DIRECT LINE, BEGINNING AT THE POINT OF THE SCHOOL PROPERTY LINE THAT IS NEAREST TO THE POTENTIAL LICENSEE'S PROPERTY, AND WITHOUT REGARD FOR NATURAL OR MAN-MADE OBSTACLES OR BARRIERS OF ANY KIND; AND

(b) THE SCHOOL IS COMPRISED OF TEN OR MORE STUDENTS AT THE TIME THE LICENSING OR RENEWAL DECISION IS MADE.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "CASINO-STYLE GAMBLING" MEANS THE USE OF SLOT MACHINES, POKER, BLACKJACK, CRAPS, ROULETTE, OR VIDEO LOTTERY TERMINALS, OR ANY COMBINATION THEREOF, AS THOSE TERMS ARE USED IN THE COLORADO CONSTITUTION AND DEFINED IN STATUTE.

(3) THIS PROHIBITION IS EFFECTIVE NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SHALL APPLY IN ANY JURISDICTION THAT IS AUTHORIZED BY VOTERS FOR CASINO-STYLE GAMBLING, ON OR AFTER JANUARY 1, 2014, BUT SHALL NOT APPLY IN JURISDICTIONS THAT WERE AUTHORIZED BEFORE JANUARY 1, 2014 FOR LIMITED GAMING BY SECTION 9 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION.

Ballot Title Setting Board

Proposed Initiative 2013-2014 #145¹

The title as designated and fixed by the Board is as follows:

An amendment to the Colorado constitution to prohibit casino-style gambling, including video lottery terminals, within five miles of a public elementary, middle, junior high, or high school in jurisdictions other than those in which limited gaming was authorized prior to January 1, 2014.

The ballot title and submission clause as designated and fixed by the Board is as follows:

Shall there be an amendment to the Colorado constitution to prohibit casino-style gambling, including video lottery terminals, within five miles of a public elementary, middle, junior high, or high school in jurisdictions other than those in which limited gaming was authorized prior to January 1, 2014?

Hearing April 17, 2014:

Single subject approved; staff draft amended; titles set.

Hearing adjourned 11:49 a.m.

¹ Unofficially captioned “**Required Distances from Schools in Certain Casino Gambling Jurisdictions**” by legislative staff for tracking purposes. This caption is not part of the titles set by the Board.

RECEIVED

APR 23 2014

BEFORE THE COLORADO BALLOT TITLE SETTING BOARD

Colorado Secretary of State
S-WARD 12:46 P.M.

In re Title and Ballot Title and Submission Clause for Initiative 2013-2014 #143 ("Required Distances from Schools in Certain Casino Gambling Jurisdictions")

In re Title and Ballot Title and Submission Clause for Initiative 2013-2014 #144 ("Required Distances from Schools in Certain Casino Gambling Jurisdictions")

In re Title and Ballot Title and Submission Clause for Initiative 2013-2014 #145 ("Required Distances from Schools in Certain Casino Gambling Jurisdictions")

**MOTION FOR REHEARING
ON INITIATIVES 2013-2014 #143, #144, AND #145**

Objectors, Vickie L. Armstrong and Bob Hagedorn (jointly, "Objectors"), move (a) for a finding that no title can be set for Initiatives 2013-2014 #143, #144, and #145 (each captioned, "Required Distances from Schools in Certain Casino Gambling Jurisdictions") (collectively, the "Proposed Initiatives"), on the grounds that (i) the Proposed Initiatives concern administrative matters not properly the subject of voter initiatives, and (ii) the Proposed Initiatives violate the single-subject requirement set forth in Article V, Section 1(5.5), of the Colorado Constitution and in C.R.S. § 1-40-106.5; or, alternatively, (b) for correction and clarification of the titles set for the Proposed Initiatives, for the reasons set forth below:

1. The Proposed Initiatives are identical, except as to the geographic radius set forth therein. Proposed Initiative #143 contains a one-mile geographic radius. Proposed Initiative #144 contains a three-mile geographic radius. Proposed Initiative #145 contains a five-mile geographic radius. Because of their substantial similarity, this motion for rehearing addresses all three of the Proposed Initiatives.

2. At a hearing conducted on April 17, 2014, the Title Board found it had jurisdiction to set titles for the Proposed Initiatives and that the Proposed Initiatives each addressed a single subject. Accordingly, the Title Board set the following titles (the "April 17 Titles") for the Proposed Initiatives:

Proposed Initiative #143:

An amendment to the Colorado constitution to prohibit casino-style gambling, including video lottery terminals, within one mile of a public elementary, middle, junior high, or high school in jurisdictions other than those in which limited gaming was authorized prior to January 1, 2014.

Proposed Initiative #144

An amendment to the Colorado constitution to prohibit casino-style gambling, including video lottery terminals, within three miles of a public elementary, middle, junior high, or high school in jurisdictions other than those in which limited gaming was authorized prior to January 1, 2014.

Proposed Initiative #145

An amendment to the Colorado constitution to prohibit casino-style gambling, including video lottery terminals, within five miles of a public elementary, middle, junior high, or high school in jurisdictions other than those in which limited gaming was authorized prior to January 1, 2014.

3. No titles can be set for the Proposed Initiatives because the true intent and meaning of the Proposed Initiatives are to supplant by constitutional amendment the administrative discretion to issue or to renew licenses for “casino-style gambling,” which is not a proper subject of an initiated measure. *See Vagneur v. City of Aspen*, 295 P.3d 493, 507-11 (Colo. 2013); *City of Colorado Springs v. Bull*, 143 P.3d 1127, 1132-37 (Colo. App. 2006).

4. For the following reasons, the Proposed Initiatives contain more than a single subject, in violation of Article V, Section 1(5.5) of the Colorado Constitution and C.R.S. § 1-40-106.5, and, in addition, violate the prohibition against “surreptitious measures” to “prevent surprise and fraud from being practiced on the voters.” The Proposed Initiatives relate to the following multiple subjects, among others:

(a) Establishing geographic restrictions on distances between the operation of “casino-style gambling” and public school property;

(b) Potentially nullifying Initiatives 2013-2014 #80, #81, #134, and #135 (“Objectors’ Initiatives”);

(c) Prohibiting “casino-style gambling” at Arapahoe Park, the only horse racetrack that has been conducting pari-mutuel wagering on horse races for a period of no less than five years as of January 1, 2014, as set forth in Objectors’ Initiatives, because property owned by the Cherry Creek School District for non-school purposes as a school bus depot is adjacent to Arapahoe Park’s property, *see* Exhibit A hereto, incorporated herein by reference;

(d) Allowing the intent and purpose of Objectors’ Initiatives to be frustrated with respect to authorized horse racetracks that may be located in the Counties of Mesa or Pueblo because, at any time during the five-year qualification period, any person could obtain nearby property, by lease or by purchase, to block the operation of “casino-style gambling”;

(e) Potentially forever banning any additional “casino-style gambling” in Colorado, which is a separate and hidden purpose not connected with the express purpose of prohibiting additional “casino-style gambling” within a specified distance of school property; and

(f) Prohibiting administrative issuance of a new or renewal license for "casino-style gambling," thereby usurping the executive powers of the state.

5. Alternatively, the April 17 Titles do not fairly express the true meaning and intent of the Proposed Initiatives, and, therefore, violate C.R.S. § 1-40-106(3)(b), for the reasons set forth below:

(a) The April 17 Titles fail to disclose the multiple subjects of the Proposed Initiatives set forth in Paragraph 4 above;

(b) The April 17 Titles fail to inform voters that the references to public schools in the Proposed Initiatives are not limited to property used for education purposes and could include property used for a school bus barn, equipment storage, or other non-educational purposes; and

(c) The April 17 Titles do not disclose to voters that the Proposed Initiatives would prohibit the administrative issuance or renewal of a "casino-style gambling" license if any site at which "casino-style gambling" is proposed is within the stated distance from a school, even though such site does not include the casino itself, and even if the licensed "casino-style gambling" activity was established prior to acquisition of the school site. Such a broad prohibition could apply anywhere in the state for uses separate and apart from a casino.

6. "Casino-style gaming" and "gambling" are impermissible catch phrases or slogans.

7. For these reasons, Objectors request that the Title Board conduct a rehearing for the purpose of:

(a) Striking the April 17 Titles, and declining to set new titles for the Proposed Initiatives, on the grounds that (i) the Proposed Initiatives concern administrative matters not properly the subject of voter initiatives, and (ii) the Proposed Initiatives violate the single-subject requirement set forth in Article V, Section 1(5.5) of the Colorado Constitution and C.R.S. § 1-40-106.5; or, alternatively,

(b) Revising the April 17 Titles to fairly express the true meaning and intent of the Proposed Initiatives.

Respectfully submitted this 23rd day of April, 2014.

MCKENNA LONG & ALDRIDGE LLP

s/ Lino S. Lipinsky de Orlov

Lino S. Lipinsky de Orlov, No. 13339
Amy M. Siadak, No. 43702
1400 Wewatta Street, Suite 700
Denver, Colorado 80202
Voice: (303) 634-4000
Fax: (303) 634-4400
llipinsky@mckennalong.com
asiadak@mckennalong.com

HOLLAND & HART LLP

s/ Marcy G. Glenn

Marcy G. Glenn, No. 12018
Douglas L. Abbott, No. 18683
555 Seventeenth Street, Suite 3200
Denver, Colorado 80202
Voice: (303) 295-8000
Fax: (303) 295-8261
mglenn@hollandhart.com
dabbott@hollandhart.com

JACKSON KELLY PLLC

s/ Shayne M. Madsen

Shayne M. Madsen, No. 8750
John S. Zakhem, No. 30089
1099 18th Street, Suite 2100
Denver, Colorado 80202
Voice: (303) 390-0003
Fax: (303) 390-0177
smadsen@jacksonkelly.com
jszakhem@jacksonkelly.com

WILLIAM A. HOBBS

s/ William A. Hobbs

William A. Hobbs, No. 7753
1745 Krameria Street
Denver, Colorado 80220
Voice: (303) 345-5541
Bill.hobbs@me.com

*Co-Counsel for Objectors, Vickie L.
Armstrong and Bob Hagedorn*

Objectors' Addresses:

Vickie L. Armstrong
678 West 11th Street
Akron, CO 80720

Bob Hagedorn
1278 Sable Blvd.
Aurora, CO 80011

CERTIFICATE OF SERVICE

I hereby affirm that a true and accurate copy of the **MOTION FOR REHEARING ON INITIATIVES 2013-2014 #143, #144, AND #145** was sent this 23rd day of April, 2014, via first class U.S. mail, postage prepaid, to the proponents of the Proposed Initiative and their counsel of record at:

Mr. Richard Evans
1724 S. Unita Way
Denver, CO 80231

Mark Grueskin, Esq.
Recht Kornfeld, P.C.
1600 Stout Street, Suite 1000
Denver, CO 80202

Mr. Stephen Roark
2732 S. Fillmore St.
Denver, CO 80210

/s/ Sally Kline

Sally Kline

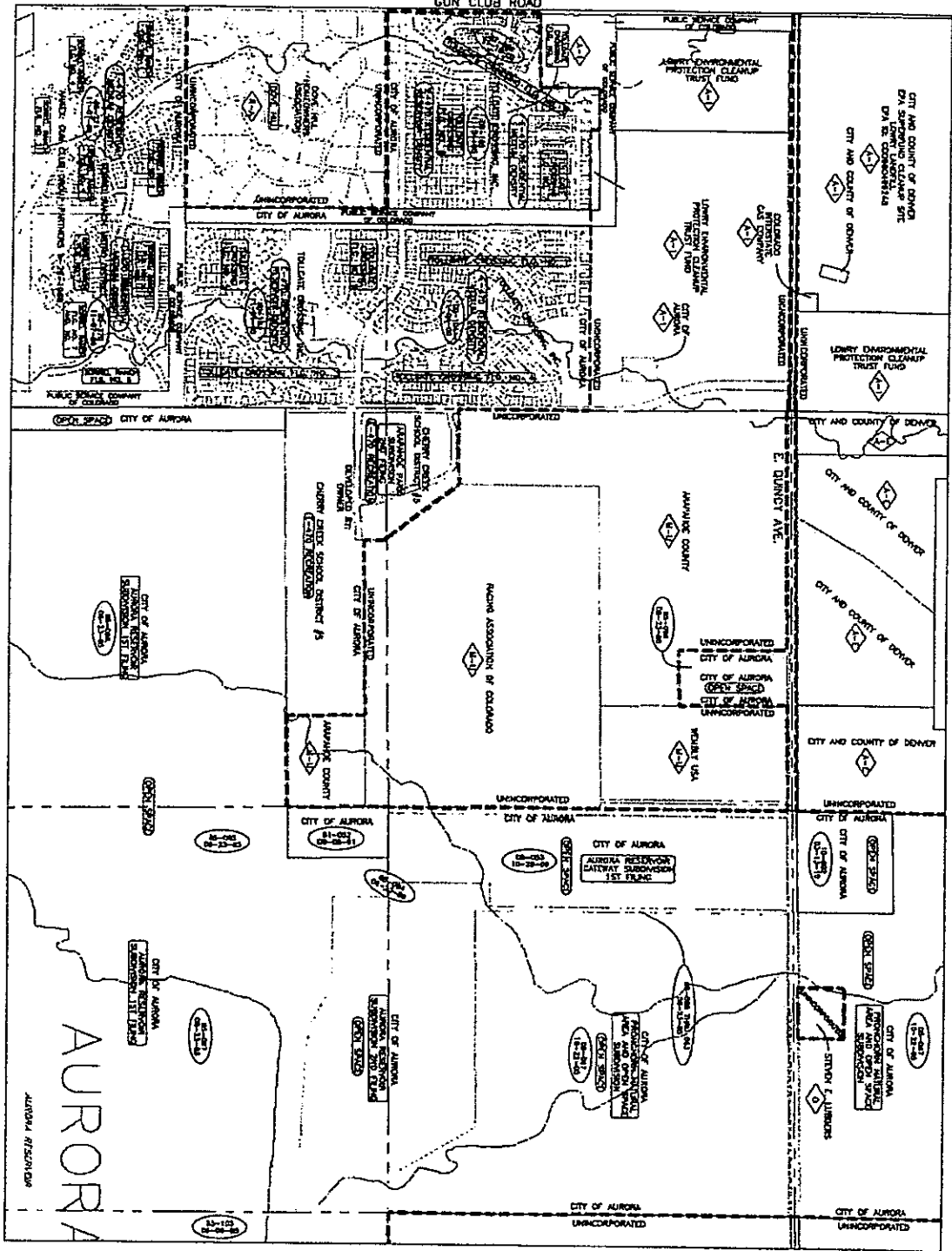
DN 32267558.4

1 - DUNN TOWER
 2 - AURORA ZONE
 3 - SULLIVAN
 4 - MICHIGAN AVENUE

SPECIAL WHICH SUPERSEDES
 DEVELOPED BY JAMES COOPER

PUBLIC RECORDS SUPERSEDED
 DEVELOPED BY JAMES COOPER

GUN CLUB ROAD



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AURORA

Ballot Title Setting Board

Proposed Initiative 2013-2014 #145¹

The title as designated and fixed by the Board is as follows:

An amendment to the Colorado constitution to prohibit casino-style gambling, including video lottery terminals, within five miles of a public elementary, middle, junior high, or high school in jurisdictions other than those in which limited gaming was authorized prior to January 1, 2014.

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*Hearing April 17, 2014:
Single subject approved; staff draft amended; titles set.
Hearing adjourned 11:49 a.m.*

*Hearing April 24, 2014:
Motion for Rehearing denied.
Hearing adjourned 9:54 a.m.*

¹ Unofficially captioned “Required Distances from Schools in Certain Casino Gambling Jurisdictions” by legislative staff for tracking purposes. This caption is not part of the titles set by the Board.