GOVERNMENT OF THE DISTRICT OF COLUMBIA

BOARD OF ELECTIONS

REGULAR BOARD MEETING

Wednesday June 6, 2017

The District of Columbia Board of Elections convened in Suite 775, 1015 Half Street, S.E., Washington, D.C., 20003, pursuant to notice at 10:30 a.m., Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

MICHAEL BENNETT, Chair
DIONNA MARIA LEWIS, Member
MICHAEL D. GILL, Member

BOARD OF ELECTIONS STAFF PRESENT:

ALICE P. MILLER, Executive Director
KENNETH McGHIE, General Counsel
CECILY COLLIER-MONTGOMERY, Director
Office of Campaign Finance
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MR. BENNETT: All right, we're going
to bring to order the meeting of the D.C. Board
of Elections on today, June 6, 2018. We've got
a couple of matters to get through here, but we're
going to get through the first thing is the adoption
of the agenda.

Let me just start off by introducing
the persons that are here on the dais with me from
the Board. To my far left is Ms. Alice Miller,
executive director of the Board of Elections.

To my far right is Ms. Cicily
Montgomery, the director of the Office of Campaign
Finance.

MR. SINDRAM: Mr. Chair?

MR. BENNETT: Yes, sir.

MR. SINDRAM: It's kind of garbled and
really hard to understand, the people here are
saying. Is there a better way to amplify, please?

MR. BENNETT: I'm not sure. We'll
give it a try, Mr. Sindram.
MR. SINDRAM: Thank you.

MR. BENNETT: To my far right, Ms. Cecily Montgomery, director of Office of Campaign Finance. To her immediate left, Mr. Michael Gill, Board Member. To his left and my right, Mr. Ken McGhie, General Counsel. Who is on her way and will be here shortly is Board Member Dionna Lewis.

We're going to get started by the adoption of the agenda.

Mr. Gill, can I get a motion to adopt the agenda?

MR. GILL: Motion to adopt today's agenda.

MR. BENNETT: Second, and so that's the unanimous adoption of the agenda. Adoption of the minutes from Wednesday, May 2nd, Mr. Gill, can I get a motion, please?

MR. GILL: Motion to adopt the minutes of Wednesday, May 2nd.

MR. BENNETT: I will second that and it's unanimous. And any Board matters, Mr. Gill?

MR. GILL: None.
MR. BENNETT: Okay, no matters. And I have none from the Board.

We will start off, we switched the agenda around a little bit and we'll start off by having the report from the Office of Campaign Finance, Ms. Montgomery.

MS. COLLIER-MONTGOMERY: Yes, good morning. The first thing I'd like to report is that on May the 5th, 2018 D.C. Law 22-94, the Fair Elections Amendment Act of 2018, became effective. The act will provide for the public funding of political campaigns in the District of Columbia.

The provisions of the act will apply as of November the 7th, 2018 and it is anticipated that candidates who are in the 2020 election cycle will be able to participate in the program. It is a volunteer program and our other program will continue to remain in force and in effect as well.

With the Fair Elections Amendment Act, the goal of the program is to increase civic participation in the election process. Candidates who participate in the program will be required
to obtain threshold numbers of signatures from small qualified contributors in the District of Columbia.

And basically those limits are set by the act and they will be required to obtain the contribution from the residents of the District of Columbia in order to participate in the program.

Assuming that they do obtain the threshold requirements, then they will be entitled to receive, if it is a contested election, base amount payments and also they will be entitled to receive, whether the election is contested or not, matching payments that they collected at a 5:1 ratio.

The other thing that I would like to announce on the record is that the Office of Campaign Finance is in its new location at 1015 Half Street SE. We are in Suite 775 and we are on the seventh floor in this building.

During the month of May there were no filing deadlines. However, we did have new candidates on committees who registered with the


UNITE HERE Local 23 Political Committee, an independent expenditure Committee, registered on May the 2nd, 2018. DC Choice, an independent expenditure committee, registered on May the 4th, 2018.

Leadership with Integrity PAC, an independent expenditure committee, registered on May the 18th, 2018. Metro DC Democratic Socialists of America Solidarity DC PAC registered on May the 24th. And University Startup Incubator Committee, an initiative committee, registered on May the 4th, 2018.

We held entrance conferences during the month of May as well. As you may know, the entrance
conferences are mandatory for the newly registered candidates as well as the treasurers.

On May the 30th there were six participants, Franco Ciammachilli, candidate, DumpTrump Dems4Action; Eric Atilano, candidate, DumpTrump Dems4Action; Diallo Brooks, candidate, DumpTrump Dems4Action; John Zottoli, candidate, DumpTrump Dems4Action; Todd Bregan, candidate, DumpTrump Dems4Action; Ambrose Lane, Jr., candidate, Ambrose Lane, Jr., At-Large.

On May the 31st, 2018, the participants were Earl Williams, candidate, DumpTrump Dems4Action; Steve Lanning, candidate, DumpTrump Dems4Action; Adam Yalowitz, treasurer, Unite Here Local 23 Political Committee; Molly Ruland, candidate, DumpTrump Dems4Action; Bonnie Cain, candidate, DumpTrump Dems4Action; Janeese Lewis, candidate, DumpTrump Dems4Action; Sharece Crawford, candidate, DumpTrump Dems4Action; Zachary Israel, candidate, DumpTrump Dems4Action; Charles Wilson, candidate, DumpTrump Dems4Action; Andra Wicks, candidate, DumpTrump Dems4Action;
Walter Deleon, candidate, DumpTrump Dems4Action;
Jesse Lovell, candidate, DumpTrump Dems4Action;
Sequenely Gray, candidate, DumpTrump Dems4Action;
Troy Prestwood, candidate, DumpTrump Dems4Action;
Stuart Anderson, candidate, DumpTrump Dems4Action;
Chioma Iwuoha, candidate, DumpTrump Dems4Action;
Joe Weedon, candidate, Re-elect Joe Weedon; Denise
Forte, treasurer, Re-elect Joe Weedon.

In our audit section, during the month of May the audit section conducted ten desk reviews of the reports of receipts and expenditures which were received by the agency. Also there were ongoing audits.

With the audit grants we have periodic random audits of the candidates in the 2018 election, specifically of the January 31st, 2018 filing, re-elect Muriel Bowser Our Mayor. The audit was initiated on March the 5th, 2018. And Kenyan McDuffie 2018, the audit was initiated on March the 22nd, 2018.

Also we have ongoing periodic audits in our constituent service programs. Of the April
the 1st, 2018 filing, Phil's Fund for Citizen Service, and that audit was initiated on May the 7th, 2018. Evans Constituency Service Fund, the audit was initiated on May the 7th, 2018.

We issued three audits during the month of May, the Ward 3 Constituency Service Fund which was issued on May the 1st, 2018; Karl Racine 2018 which was issued on May the 9th, 2018; and the Food Service PAC which was issued on 5/16/18. Our audits are available for review by the public at our website.

I would ask our general counsel, William Sanford, to present the report for the General Counsel's Office of the Office of Campaign Finance.

MR. SANFORD: Good morning, Mr. Chairman and distinguished Board Member Gill. My name is William Sanford. I am the general counsel for the Office of Campaign Finance.

During the month of May 2018, the Office of General Counsel did not receive any referrals from either the public information and management
division or the reports analysis in audit division.

As Director indicated during her report, there were no required filing dates. However, the Office of the General Counsel did complete 19 hearings and issued 19 orders which included the following: three orders were issued for failure to timely file reports and one order was issued for failure to sufficiently respond to the request for additional information in which no fines were imposed. Fifteen orders were issued for failure to timely file reports in which a total of $23,000 in fines were imposed. The Office of the General Counsel imposed fines against the following respondents: A fine of $1,050 was imposed against Justin Green, Candidate for At-Large. The fine of $1,050 was imposed against the Gertrude Stein Democratic PAC.

A fine of $500 was imposed against MMC Foundation. A fine of $1,050 was imposed against the Economic & Protection Party. A fine of $2,150 was imposed against Toliver for Ward 4. A fine of $2,150 was imposed against the Committee to Elect
Natalie Williams.

A fine of $2,150 was imposed against the Committee to Elect Khalid Pitts. A fine of $2,150 was imposed against Patterson for Ward 8. A fine of $2,150 was imposed against Carter At-Large. A fine of $2,150 was imposed against Lanette Woodruff for School Board.

A fine of $1,900 was imposed against Sheila Bunn for Ward 8. A fine of $1,900 was imposed against the Committee to Elect Jacque Patterson 2016. A fine of $500 was imposed against Biddle 2012.

A fine of $1,900 was imposed against Gertrude Stein Democratic PAC. And, finally, a fine of $500 was imposed against the Committee to Elect Sekou Biddle.

During the month of May, the Office of Campaign Finance collected one $50 fine from Thomas Smith who had been an ANC candidate in the 2016 election. During the month of May 2018, the Office of Campaign Finance did not carry any open investigations.
And during the same month, there were no requests for interpretative opinions and no show cause proceedings were conducted. And that should conclude my report.

MR. BENNETT: All right, thank you.

Ms. Montgomery?

MS. COLLIER-MONTGOMERY: Yes, that concludes the report of the Office of Campaign Finance.

MR. BENNETT: Mr. Gill, any questions?

MR. GILL: No questions.

MR. BENNETT: Okay, none from me.

We're going to switch the agenda around just a little bit and we're going to move the Executive Director of the Board of Elections' report up. We've got some reasonably, well, let's move the Executive Director's report up to now.

Ms. Miller? Yes.

MS. MILLER: All right. Thank you, Mr. Chair. As you know, we are obviously in the final stages for preparation for the June 19 primary election. Our early voting began Monday at One
Judiciary Square and we'll open the other eight early voting sites on Friday and continue through Friday the 15th of June.

Hours for early voting are 8:00 a.m., 8:30 a.m. to 7:00 p.m. daily and it includes weekends. Our queue, which is on the website and our splash page is up from now on. That gives you information on the wait times at each early voting site, also will provide you with data with respect to how many voters voted at that site at the end of each day.

So that will be updated daily through the relevant period. That will only be on through early voting. Once early voting ends we won't be able to keep the queue going for all 143 sites but we can do it for the nine.

Through the month of May we did continue to communicate with voters via mail about the upcoming June 19th primary. We provided a voter guide to households with registered voters. A total of 325,000 voter guides were mailed to voters. We also notified voters that were not affiliated
with a political party of their right to vote for
the initiative that took place as well. And we
also mailed out a postcard for eligible but
nonregistered voters that we identify to, I think
it was 72 -- no, 30,000 of those were mailed out
to voters.

We have four primary elections going
on. That would be the Statehood Green Party, the
Libertarian Party, Republican Party and the
Democratic Party's. The initiative that is in on
the ballot, obviously all registered voters are
eligible to vote for that and that information has
been provided to those voters.

MR. BENNETT: Would you describe the
initiative for the record, please?

MS. MILLER: Mr. McGhie might do a
better job of that. But it is initiative measure
number 77, the District of Columbia Minimum Wage
Amendment Act of 2017. I would say that the
information specific to that is on our website and
it's also in the voter guide other than me trying
to tear it up. But it is on the website.
Ken, if you want to talk a little bit about it you can or --

MR. McGHIE: Yeah. I would refer people to the voting guide for the summary that the Board did. In short, I believe the initiative just provides for a tip for, I don't know the exact amount. Well, I don't know the exact amount to tip, but what's the exact language?

MS. MILLER: Let me find it.

Okay, the short title is District of Columbia Minimum Wage Act of 2017. Summary statement, if enacted the initiative will gradually increase the minimum wage in the District of Columbia to $15 hourly by 2020, gradually increase the minimum wage for tipped employees so that they receive the same minimum wage directly from their employer as employees by 2026.

Beginning in 2021, require the minimum wage to increase yearly in proportion to increases in the consumer price index. The minimum wage increases under the initiative will not apply to D.C. government employees or employees of the
District of Columbia contractors. So that's just the short title, summary statement.

MR. BENNETT: Okay, the reason I just want to emphasize that is that in we had a requirement because of the process, by law, to put it on the ballot that -- put it on the ballot during the primary. And most people think that primaries are only for parties.

Let the record reflect Ms. Lewis and Roy are here.

But we want to make sure that the record reflects that we've also made a number of efforts to ensure that all citizens of the District of understand that regardless of whether or not they're a member of a party having a primary election that all registered voters have the opportunity to vote on that particular initiative.

And we will continue to publicize that through the primary. That was the primary report on that. So thank you, Ms. Miller. You may continue.

MS. MILLER: Thank you. Okay, the
postcard that we sent to eligible but nonregistered voters indicated where they could register to vote, the number of different mediums available either online, in person, on a mobile app or by mail. This is a copy of the postcard that went out. And like I said it was about 30,000 of those that were mailed.

We've also done several press releases and posted information via social media regarding the June 19th election and the associated deadlines for registration. The last day to register by mail or any medium that would reach us through other than walking in or registering at the polls was May 29th.

Sunday registration is available at both early voting sites and on election day at your precinct, your home precinct. Also I want to put on the record that the Board formally partnered with Nextdoor, a private social media network that connects with neighborhoods first. It was significant in that it's the first time that this national social media network has agreed to partner
with an elections agency. They are partnered with a county or two in California, but to be with the whole agency as a network in a partnership is the first time that they've done it.

I do want to acknowledge Mr. Bennett, our chairman, who played a significant role in that official announcement. Information is on our website and also on our Vote for DC Instagram site as well.

MR. BENNETT: And I get notices every day.

MS. MILLER: To hear about us?

MR. BENNETT: Yeah.

MS. MILLER: Our poll worker training is still ongoing and will continue through June 14th.

I want to also indicate that Democracy Live is an entity that we have contracted with. Through our relationship with this entity voters are able to go online and access their actual ballot. This is doable at the website by going to the main page, check clicking on access sample
You'll be requested to input your name and your date of birth, and your ballot will be uploaded. I have a sample of this in the report. But you can then click and check whichever contest you want to take, you want to have. Select and take that with you when you go to the polls.

So it's on our website. You just go onto access sample ballot and your specific ballot will be uploaded.

We've also been going to nursing homes, provide absentee voting to the residents in the homes and to assist them where necessary. In total we visited 19 nursing homes to date and have had absentee voting there for individuals who are not able to get to the polls or may not have requested an absentee ballot in time.

We had staff visit the Cumberland Federal Correctional Facility on May 15th. While there, those residents were encouraged to ask questions and to have an open discussion on the topics of voting rights, rights of the incarcerated
and reentering citizens and their rights to vote.

Eligibility requirements and poll worker recruitment, this is a big recruitment effort that we've been trying to garner for a number of years. We do work very closely with individuals who have the right to vote but may be incarcerated for other than a felony which allows them to vote in the District of Columbia.

We will be going to the D.C. jail to do voter, to do balloting to vote, the residents there who are eligible to vote, on May the 13th, I believe. I'm sorry, June the 13th. I'm a month behind.

And on May 22nd, we were hosted by WHUR, our public information division. We're talking Taking it to the Streets with Bobby Gailes where we provided information on early voting, poll worker recruitment and registration deadlines tied to the primary election.

So in a nutshell we're working hard. Everyone's focused on assuring that we get things done. We're about two weeks out from the primary.
Early voting sites, as I said, eight will open on Friday and will be open through the next Friday the 15th.

Things that have to get done are in the final stages. We want to make sure we ensure our readiness and we're prepared for the June 19th election. And that's it.

MR. BENNETT: All right. Any questions, Mr. Gill?

MR. GILL: No questions.

MR. BENNETT: Ms. Lewis?

MS. LEWIS: No, thank you.

MR. BENNETT: All right. We'll put it back up, we've changed the agenda around just a tad. So we're going to flip back up to the General Counsel's Report, Mr. McGhie and you've got quite a few items to get through, so.

MR. McGHIE: Okay. The first thing on my agenda is the Formulation of Initiative Language. We have two initiatives. The first initiative I'd like to address is the D.C. Bike Life Access and Use of Non-Traditional Vehicles
Act of 2018.

Can I have the proposer of the initiative step forward?

Okay, so the Office of the General Counsel has prepared a draft formulation of a short title and summary statement and -- oh, boy.

Sir, could you give me your full name and address for the record?

MR. BUTLER: My name's Aaron S. Butler, Jr. I reside at 4914 8th Street NE, Washington, D.C. 20017.

MR. BENNETT: Thank you and welcome back.

MR. BUTLER: Thank you.

MR. McGHIE: Okay, so before I read the short title and the summary statement into the record, Mr. Butler, have you had an opportunity to look at that language?

MR. BUTLER: I have, yes.

MR. McGHIE: All right. So the short title and summary statement would read, Initiative Number 78, short title, District of Columbia
Non-Traditional Vehicles Act of 2018.

Summary statement is, if enacted this initiative will allow individuals with valid driver's licenses to operate alternative vehicles on public roadways with posted speed limits of 45 miles per hour or lower and on shoulder lanes of highways in the District of Columbia; allow persons to register alternative vehicles with the Department of Motor Vehicles; and prohibit individuals from parking alternative vehicles on District roadways.

Under the initiative, individuals operating alternative vehicles on public roadways and highways in the District shall not be required to obtain a motorcycle endorsement on their driver's license.

Now the short title and summary statement is what will appear on your nominating petition and that's what you would be circulating in the District of Columbia and you'd be showing the people and asking their signatures for. If you get enough signatures, this is also the same
language that will appear on the ballot.

MR. BENNETT: Any suggestions from any Board Members?

MS. LEWIS: Yes, Mr. Chairman. I move that the Board adopt the short title, summary statement and legislative form of the proposed initiative as read by the General Counsel.

MR. BENNETT: Before that is there any other, any questions you have?

MS. LEWIS: No questions.

MR. BENNETT: Okay. Any questions from --

MR. BUTLER: Okay. One question I do have, the legislative text remains the same, correct?

MR. McGHIE: Yes, we don't touch your text.

MR. BUTLER: Okay. The only real comment I have is that it does not mention the decriminalization of riding without a permit. That turns that from a fine, from a criminal offense as well. But I am satisfied with what's here.
The question I do have as it relates to that comment is what would the process be if I wanted to add an additional bullet point mentioning that?

MR. McGHIE: Well, if you wanted to do that you can do that. It just has to be within a hundred words.

MR. BUTLER: Okay. And how would I submit that to the Board?

MR. McGHIE: Well, you have to do it and you have to do it now. So if you want to recess and put your bullet point in.

MR. BUTLER: Do you have a work out at the moment?

MR. McGHIE: I don't know what it is.

MR. BUTLER: All right.

MR. BENNETT: Mr. McGann, if you have, or whoever, have a work out?

MR. McGHIE: Ms. Christianson.

MR. BENNETT: Ms. Christianson, sorry.

MR. McGHIE: Okay.

MR. BENNETT: Do you want a short recess and then come back to that and let him do
that?

MR. McGHIE: It's up to you.

(Simultaneous speaking.)

MR. BENNETT: It's pretty important.

If I were you I'd -- I can have him come back to it.

MR. BUTLER: We'll have all the time in the world so, at recess.

MR. BENNETT: Well, and you brought up, it's an important point. So why don't we recess on that and then we'll come back to it.

MR. BUTLER: Okay.

MR. McGHIE: Ms. Christianson, so you can work with Ms. Christianson to put your bullet point -- yes, she just stepped out.

MR. BENNETT: She just stepped out.

MR. McGHIE: So she'll come back to you. Put your language in and we'll see if it's within a hundred words.

MR. BUTLER: Sure, thank you. But otherwise I'm satisfied.

MR. BENNETT: Okay.
MR. BUTLER: Yeah.

MR. BENNETT: Well, let's recess on that point and let you go back to, so she'll come back up and get you and then we'll bring you back in a little bit. Thank you so much.

MR. BUTLER: Thank you.

MR. BENNETT: Thanks for bringing that up by the way.

MR. BUTLER: No problem.

MR. BENNETT: Okay, next item.

MR. McGHIE: Okay, the next initiative that's up for formulation is the Money Supply Increase(+3000) Initiative. And can I ask the proposer, Mr. Flippin, to come up and please state your name and address for the record.

MR. FLIPPIN: Yes. My name is Ameer Flippin and I'm at 1100 Alabama Avenue, Washington, D.C., SE, 20032.

MR. BENNETT: One second, could you repeat your name?

MR. FLIPPIN: Ameer Flippin.

MR. BENNETT: One second, sir. We'll
come back to you as well, sir.

MR. FLIPPIN: Thank you.

MR. BENNETT: Ms. Christianson.

MS. CHRISTIANSON: Yes.

MR. BENNETT: Can you work with Mr. Butler to --

MR. McGHIE: Okay, Mr. Flippin, have you had an opportunity to look at the proposed short title and summary statement?

MR. FLIPPIN: Yes, sure. I did take a look at it. I just got it on yesterday. Had some trouble getting with the BOE on a formulation of the short title and the summary statement.

There does seem to be -- there are a couple of factors that I'd like to mention to the Board on wording. So from an investor standpoint, one of the big key factors that you have to take into consideration is the definition of assets from the investor perspective versus income.

And also in the legislative text it focuses on earned income. And in the investor world, income is usually --
MR. BENNETT: Could you speak up a little bit, sir?

MR. FLIPPIN: Yes, sure. So in the investor world there's a distinct difference between earned income and passive income. Usually passive income is something you don't do work to receive.

It could be a coupon or a yield on a bond, a debt offering that you may own in your portfolio. It could be dividends. I'm not sure if they technically define that with the IRS as income, but definitely bonds are considered income in terms of the coupon.

Assets would probably be considered more along the lines of stocks that have the ability to increase in value as opposed to spinning off income on a monthly or quarterly basis.

So part of the problem, or part of the problem here is with the most recent revision that the Board went through is that our focus was on the asset side. So we know that and we think it's very difficult for the Board of Elections and for
voters to go to the polls and pass something that increases earned income $3,000. That wasn't our intention on the, that's not the intention of the initiative or referendum. Secondly, so there needs to be a distinct change to say that -- I know that the summary statement focuses on assets, but when you get to the legislative text that seems to be reworked. It starts to say down in paragraph, I'm sorry, section 2, subsection A, it says the Mayor shall establish the ruling in the amount and/or percentage of earned income to be disregarded including up to $3,000 of investment income.

So that's a very distinct change from, that's a divergence from our intent on what the initiative is for. The initiative is for not to address the income, really, the issues, but to address the assets.

So the idea is that, I don't think the Board understands how powerful the startup community or the ecosystem is, but someone who's receiving social services not just TANF benefits
could reduce, they could reduce their expenditures just slightly and save 5, 10, 15, 20 bucks and say okay, I'm going to buy $20 of this startup. And five years down the road they could have the equivalent of someone making, you know, having a 401(k) of 50 to 100 to $200,000.

So that's the biggest key factor is that assets, the ability for someone who has no income to be able to reduce their expenditures and say okay, I'm going to skim just a little bit of my normal expenses and allocate it towards a startup company. That slight divergence in spending could catapult this person into wealth. So that's the big thing that's happening in society globally right now that Washington, D.C. has to take the lead on in terms of passing laws associated with, you know, neutralizing the situation around job creation.

MR. BENNETT: So you'd like to make some modifications to the short title or make some modifications to the --

MR. FLIPPIN: Well, I actually sent
through an email and I can get copies for you all if you want. But I actually sent through an email about two weeks ago with a latest revision that I was going back and forth with the staff attorney's office on and I think a better strategy as opposed to the way it reads right now. It says if enacted the initiative will initiate a review.

So it sounds like you just want to, you know, we were trying to get the approval of the community to just review what's happening, when in actuality we're actually trying to pass a law to allow citizens and recipients of social services in D.C. to invest up to $3,000 in startup companies.

So we just don't want to initiate a review, we'd actually like to pass a law, we want this to become law so that all citizens and recipients of social services not just TANF benefits, because they are receiving some other type of subsidy so we could run into a civil rights issue, you know, within the subsidy community.

But I can give you copies of this if you'd take a look at it.
MR. BENNETT: Sure. If you'd hold on one second, let me just -- so some of us, we're not ready and so we need to go back to the staff attorneys and to your office and kind of rework the language.

I understand your point and I appreciate the documents, but I think it's better to work with the General Counsel Office to redraft the language to make sure that we're all comfortable with that. And we could hear it at the next meeting in July.

MR. GILL: Well, no, because the law says you have to formulate the language within 20 days of a rule.

MR. BENNETT: Okay. Well, that means we've got to work it today.

MR. FLIPPIN: Yes, that's, I mean I'm glad to stay late. Can I make --

MR. BENNETT: Sure.

MR. FLIPPIN: I understand that we have to rework the language. Can I make a couple other comments? So one of the things that we're running
against with the biking issue event that the money supply initiative is the time factor. We're running against the clock on your deadlines for petition signatures.

And one of the ways that we thought we'd make those rules is to figure out if the Board could pass some type of emergency legislation to implement our strategy and to your app that you're working with on Nextdoor and Democracy Live.

If there's some kind of way, because you guys just recently passed legislation that allows, and you hadn't quite defined it specifically, but that allows candidates and it allows initiatives to gather signatures via electronically. And we actually motioned the Board for some allocation to make that happen during the 2018 general elections.

So I don't know if right now is the time to make a decision, but I just wanted to mention that. And then also because we're running against the clock we wanted to motion the Board of Elections to possibly suggest to the D.C. City Council to
grasp the initiative and possibly help us move this on the ballot. We're right against the clock on petition signatures.

We motioned the Board of Elections to suggest that to the D.C. City Council. If you could make some kind of comment maybe not now, but maybe we would work --

MR. BENNETT: Let me go backwards in your point. We can't take a position on the initiative one way or the other. I mean our job is basically to make sure that the citizens have an opportunity to take a position on the initiatives.

So to make a recommendation to the Council relative to adopting that and legislate is something that we just can't do. So, but --

MR. FLIPPIN: No, we're just at this point we're just trying to make it onto the ballot with some time constraints.

MR. BENNETT: No, I understand. With regard to the electronic signatures there are, basically our understanding an electronic pass that
we provide to candidates or persons that have initiatives to receive those signatures. But they still have to go door to door instead of getting them, it's just getting them electronically versus getting them on a piece of paper.

MR. FLIPPIN: Right. So part of the lead that likes either suggestions, these are some ideas to help Washington, D.C. stay out of the forefront of what's happening and hopefully creating a transparent election process.

But we would like to encourage the Board of Elections to take the lead. It's going to be another two years before I can probably make it to the ballot, so I've got about less than six months to encourage the Board of Elections, the commissioners, to act or to make some very futuristic decisions on how to implement electronic voting or moving towards electronic voting.

And I think that the initiatives are a great way to a beta test. You've already passed a law that we need to have some electronic petitioning. That's already, you've already
codified that. If you could take this initiative and the other initiatives on the ballot and have those as your beta test integrated with Democracy Live or Nextdoor social network, we'd have a lot, you'd have a lot more information to make your decisions going forward with the candidates on gathering signatures with tight time constraints.

MR. BENNETT: Okay. I appreciate your views. Some of those things we have authority, but some things we don't. Some things are strictly the authority of the Council. Some things the Council doesn't have authority on. But that said, appreciate the views.

But let's at this point let's focus on the initiative that we have in front of us. And we're going to recess and let you work with Mr. McGann to construct your language consistent -- thank you, Mr. McGann.

MR. FLIPPIN: Again, given we had a slight miscommunication with Mr. McGann, the problem is, is that we were having trouble moving from reworking the existing legislative text to
I would like the latest version to simply amend the existing law. That's my suggestion and I can work to make it happen.

But have the existing short title, official text, basically just amend the law while you guys, well, while the D.C. government starts to review the TANF and social services process, just amend the law with the short title and the official text and have that supersede the existing law.

MR. BENNETT: I hear you and I appreciate that. I'm going to let you work with Mr. McGann for the language on this initiative and then we'll reconvene on this matter once you have a chance to do that.

Does that make sense?

MR. GILL: Yes, sir.

MR. BENNETT: Mr. Gill, do you have an issue? You okay, Ms. Lewis?

MS. LEWIS: Yes.

MR. BENNETT: Okay, you're all right.

Okay.
All right, Mr. McGann?

I'm sorry.

MR. McGHIE: Yes. I was going to say Mr. McGann can work with you after. He's got some matters that we have to attend to first, but then he'll work with you.

Okay, Mr. Butler, that first initiative is ready to go forward again.

MR. BENNETT: Welcome back, Mr. Butler. Long time no see.

MR. BUTLER: Missed you.

MR. BENNETT: I love your sense of humor. We really appreciate you. Bring another initiative back next month so we can see you again, please.

MR. BUTLER: Once I did.

MR. McGHIE: Okay, Mr. Butler, so you've had an opportunity to include the language that you wanted on the civil fine.

MR. BUTLER: Yes. Have you had a chance to review it yet?

MR. McGHIE: Well, I'm going to read
it to everybody. So the short title and summary statement would read as follows: Initiative number 78, short title, District of Columbia Non-Traditional Vehicles Act of 2018.

Summary statement, if enacted this initiative will allow individuals with valid driver's license to operate alternative vehicles on public roadways on posted speed limits of 45 miles per hour or lower and on shoulder lanes of highways in the District of Columbia; allow persons to register alternative vehicles with the Department of Motor Vehicles; -- this is the new language -- establish a civil fine of $100 for unauthorized use; and prohibit individuals from parking alternative vehicles on District roadways.

Under the initiative, individuals operating alternative vehicles on public roadways and highways in the District shall not be required to obtain a motorcycle endorsement on their driver's license. That is the summary statement in exactly 100 words.

Are you satisfied with the --
MR. BUTLER:  I am.

MR. BENNETT:  Okay. Ms. Lewis, do you have any questions?

MS. LEWIS:  No.

MR. BUTLER:  I do have questions though.

MR. BENNETT:  I'm going to get to you.

Mr. Gill, do you have any questions?

Mr. Butler, do you have anything?

MR. BUTLER:  Yes. So last week, as I'm aware the language that we have here will take place if we are to collect the signatures required, get the vote needed to pass the law. My question is, since I submitted this in January, last week several amendments to the current law, which is the law I'm amending, have been made from the Mayor. I think two were emergency acts. The other actually as I've been sitting here does not relate. It's just related to parking and are not allowed in parking.

But I do want to know if that will have any effect on how I'll be proceeding as far as
getting the actual petitions in hand and the
collection process. These emergency acts that
were just put in place, I think they were going
to last for 200 days, 220 days. I just had a
question about that. That was it, really.

MR. McGHIE: All right. Let me see if
can give you the whole process on how it works.
So after the Board adopts this language we have
to publish it in the DC Register so this is not
the final say. So anybody, after we publish it
in the DC Register, anybody can challenge the
language.

MR. BUTLER: Right.

MR. McGHIE: You might have some people
that are opposed to this or whatever and they can
challenge it, challenge the language and they would
go to, they have to do that within ten days to the
D.C. Superior Court.

MR. BUTLER: All right.

MR. McGHIE: If nobody challenges your
language it's deemed approved on the tenth day and
that's when the Board will issue you your petitions,
like a day or two days following. And then you have 180 days to circulate it.

And so if you get the signatures, which is five percent of the registered voters, you get the signatures, then we put it on the ballot.

MR. BUTLER: Right.

MR. McGHIE: Then it's a question of whether or not it passes or not. If it passes then it becomes an act of the Council like any other law. And so whatever the law is at that time in the District of Columbia your initiative would amend the law.

So if it says amends section 5 or whatever --

MR. BUTLER: Right, right.

MR. McGHIE: -- then that's what it is. That's the act of the Council and that's what they're going to be looking at. Whatever the law is after it passes and we send it over that's what it's going to amend.

MR. BENNETT: Same page, got you.

Thank you.
MR. BENNETT: Okay. Any questions from anyone else or any other interested parties that may be present?

Okay, can I get a motion.

MS. LEWIS: I'll again move, Mr. Chairman, the Board to adopt this short title, summary statement and legislative form as the proposed initiative as read by the General Counsel.

MR. McGHIE: Second.

MR. BENNETT: All right. All in favor?

Ayes, it's unanimous.

Thank you, Mr. Butler.

MR. BUTLER: Thank you both.

MR. McGHIE: Okay, I am waiting on some witnesses up for the next matter, so I'll just move to the Office of Campaign Finance Petitions for Enforcement. And, Mr. McGann has those matters.

CHAIRMAN BENNETT: Okay.

MR. McGANN: Can you cut it down to -- just do that to the back, a little bit.

(Off the record comments.)
CHAIRMAN BENNETT: Thank you. Oh, I think that's it. Maybe up a little bit, I don't know. Do you hear --

MR. McGANN: Good morning. As I already said, I'm Terry with the Board of Elections. I have 12 orders, or petitions for enforcement of Champion Finance Orders and I will list all of them and then, ask for a motion, at the end.

The first one is 15C-031 Bell from Ward 8, the OCF ward presented on May 29th and the amount of fine is $2,500. The next one is Gaston in 2015, 15C-033.

The other was entered on May 29th and the amount of the fine was $2,500. The next is Whittaker 4 for Ward 4, 15C-036. The order was entered on July 23rd of last year and the amount of the fine is $2,500.

The next order is 15C-039 Bell for Ward 8, the amount of the fine is $2,000 and June 16th, last year. The next one is Robert J. Whittaker, Sr., 15C-045A, the amount of the fine is $2,000.

The next is Bell for Ward 8, again,
15C-045B, the amount of the fine is $2,500. The next one is 15C-046, Whittaker for Ward 4, and that amount of fine is $2,500.

The next for this Committee to elect, Natalie Williams 15C-071. The amount of the fine is $1,650. The next this Committee to elect, Khalid Pitts 2014 15C-072, and the amount of the fine is $1,650.

The next is Bell for Ward 8, 15C-088, the amount of the fine is $2,100. The next one is Whittaker 4 Ward 4, 15C-089, and that fine is in the amount of $2,100.

The next is Trayon White, for Ward 8 2015, the amount of the fine is $550, and the Docket Number is 15C-093. The next one is 15P-026, Gertrude Stein, Democratic Political Account, the amount of the fine is $600.

The next one is 15P-033, again, Gertrude Stein, the amount of the fine is $1,400. And the last one is, Morgan for D.C., 15R-003, and the amount of the fine is $350. And those are the matters for enforcement.
CHAIRMAN BENNETT: Okay.

MR. McGHIE: So we're asking for the
Board to entertain our motion to adopt the, the
Office of Campaign Finance for this, as Orders of
the Board, for purposes of enforcement in D.C.
Superior Court.

CHAIRMAN BENNETT: Okay.

MEMBER LEWIS: I move to adopt the
OCFO's Orders for enforcement, for the rest of
everything you just said.

(Laughter.)

MEMBER LEWIS: Okay.

CHAIRMAN BENNETT: Okay.

MEMBER GILL: And I'll second that.

CHAIRMAN BENNETT: All right. I was
wondering, if you were going to set up a quorum --

(Simultaneous speaking.)

MEMBER LEWIS: I wasn't. I wasn't.

CHAIRMAN BENNETT: We have a motion and
a second and, all in favor?

(Chorus of Ayes.)

CHAIRMAN BENNETT: So it's unanimous.
MR. McGHIE: Thank you, Mr. Bennett.

Okay, and we'll bring up now the following making

to amend Chapters 1, 2, 4, 5, 7, 8, 17, and 33. The

Board adopted these, as proposed rulemaking in

April and it was published in the D.C. Register.

There were no comments.

The purpose of the amendments is to

Chapters 1 and 4, is to make minor conforming

amendments, as a result of the passage of the Board

of Ethics and Government Accountability

Establishment and Comprehensive Ethics Reform

Amendment Act of 2011, which repealed the Campaign

Finance Reform and Conflict of Interest Act and

the additional amendments to the Chapter that are

just organizational and stylistic.

So I'm asking the Board, at this time,
to adopt this, as final rulemaking, or to entertain

a motion that adopts this final rulemaking.

(Off the record comments.)

MEMBER LEWIS: I will move to adopt it

for final rulemaking.

MEMBER GILL: Second.
CHAIRMAN BENNETT: And properly moved and seconded. Do we have a, all in favor?
(Chorus of Ayes.)
CHAIRMAN BENNETT: That was unanimous.
Thank you, Mr. McGhie.
MR. McGHIE: Okay. The next matter on my agenda is, oh boy, Proper Subject Matter Hearing on the Delegate Voting Rights Act of 2018 Initiative.
Can I ask the proposer of the initiative, to step forward and take a seat at the table? And if you have any counsel with you, tell them to take a seat, as well. And would you, would you, gentlemen, please state your name and address, for the record?
MR. SMITH: Yes, my name's Walter Smith. My address is 700 7th Street, Southwest, Washington, D.C. 20024.
MR. McGHIE: Okay.
MR. FLYNN: My name's Aaron Michael Flynn. My address is 1621 T Street, Apartment 206, Washington, D.C. 20009.
MR. MCGHIE: Okay. Briefly, for -- either of you gentlemen know the, the procedure, but just for the audience's sake, what we're here is for a determination of whether this initiative is a proper subject matter for the District of Columbia.

Now, the people in the District of Columbia can put forth the initiative on, on, really, any matter, or any issue that they want to, with certain exceptions.

And it's, it's, those exceptions that the Board is looking at, right now, to see, whether or not this is a proper subject. Like, you cannot have an initiative that appropriates funds.

You cannot have an initiative that the gates are limits of Budget Act, there's unconstitutional that violates the Home Rule Act that violates the Human Rights Act.

So there are eight, eight limitations, and so the Board, like I said, is looking to see, whether or not your initiative violates any of those eight limitations. With that said.
CHAIRMAN BENNETT: All right, if I could ask, the two gentlemen, which one is Proponent and which one is Counsel?


CHAIRMAN BENNETT: Okay. And, Counsel, you're from, you're, you're --

MR. FLYNN: Counsel. My identification --

(Simultaneous speaking.)

CHAIRMAN BENNETT: Okay, great. Thank you. Then, the next question is, Mr. General Counsel, did the Proponent meet all the requirements, statutory requirements, for this initiative?

MR. McGHIE: Yes, they met all of the following requirements with the Office of Campaign Finance and expect they're filing a Statement of Organization.

CHAIRMAN BENNETT: And do we have legal opinions associated with this initiative?

MR. McGHIE: No, we do not have any legal opinions associated with this.
CHAIRMAN BENNETT: Okay. While first, let me ask, if there are any opponents that would like to -- that are here that would like address this particular initiative?

(No response.)

CHAIRMAN BENNETT: Seeing none, hearing none, is my opportunity, our opportunity, to now hear from the Proponent for this initiative.

MR. SMITH: I'll try. Well --

MR. McGHIE: Oh, I'm sorry, not the Proponents of the initiative, anybody that would like to speak out in favor of the initiative, first, and then we'll hear from proposer.

CHAIRMAN BENNETT: Okay. Any witnesses like to speak out in favor? Sorry.

(No response.)

MR. SMITH: Do you, you want Counsel to talk?

(Laughter.)

CHAIRMAN BENNETT: You gave -- that's, that's too much of an open question.

(Simultaneous speaking.)
MR. SMITH: Do you want the real answer?

(Laughter.)

CHAIRMAN BENNETT: No we'll let the Counsel speak, once, once you've had an opportunity to --

MR. McGHIE: Okay.

CHAIRMAN BENNETT: -- to come forward.

MR. McGHIE: Well, well, for the, for the record, we do have one witness that submitted her name to speak out in favor of the initiative, it's Council Member Mary Cheh, so is it possible to --

CHAIRMAN BENNETT: What we'll do is we'll, is we'll hear from the --

MR. SMITH: Offer her a chair.

(Simultaneous speaking.)

CHAIRMAN BENNETT: We'll hear from the Proponent and, and Proponent's Counsel, and then, if, like, what witnesses we have, we'll certainly be willing to alter the process, to allow that witness to speak.
MR. McGHIE: Okay.

MR. SMITH: So do you want me to offer what it is about the proposal?

CHAIRMAN BENNETT: Yes. However long you want. Well, not however long you want, but, I meant --

MR. SMITH: We knew that.

(Laughter.)

CHAIRMAN BENNETT: -- for a couple of minutes, sure.

MR. SMITH: So as you probably know --

(Off the record comments.)

MR. SMITH: -- we have submitted a memorandum from our, from our lawyers, laying out what we have proposed and why we think it meets the requirements of the Home Rule Act.

The proposal, itself, is really quite simple. We are proposing that the Delegate Act, which was passed by the Congress, in the early '70s, which gave the District of Columbia a non-voting delegate, be amended to change the delegate to a voting delegate, but limited to issues that apply,
exclusively, to the District of Columbia.

And, Mr. McGhie mentioned that this proposal would need to meet requirements of the Home Rule Act, because there are certain exceptions and limitations to what can be proposed, as an initiative, as you know.

And, as we read the Home Rule Act, the only provision that is even arguably a limitation here, is 602(a)(3), which is, as you know, requires that, any time an initiative would amend a Congressional enactment, it has to do so in a way that applies, exclusively, to the District of Columbia.

That's the limitation, both, on the Council, as well as, on voters, through an initiative, which is why have proposed the initiative the way that we have. We propose to give voting representation to District residents, but only on issues that apply, exclusively, to the District.

The other limitation in 602(a)(3), limits the ability of the passage of an amendment,
to a, a matter that concerns a federal function.

As I'm sure you know, there's lots of cases on this issue.

In our view, our proposal does not concern a federal function, because it will apply only in the situation, where the delegate is voting, with regard to issues that apply, exclusively, to the District of Columbia.

And, under the governing precedent, which we think, begins with Greater Washington Labor Council, which I know is a case you know, even if our initiative would involve other federal officials that is to say Members of Congress, still what we're proposing would not concern a federal function, because those Members of Congress would be effected only where they too are voting on matters that apply exclusively to the District of Columbia.

Now, all of this is laid out in, in the legal memo that we have submitted and, I know, I and my Counsel, would be happy to talk about it.

So, so from our viewpoint, any issue
that might have, at first light, looked like is presented here, with regard to the Home Rule Act, is answered by the significant case law that is construed, 602(a)(3), which is as mentioned.

The second point that I, that I want to mention to you, has to, to do with, whether or not, the Delegate Act, itself, was, or was not, a locally passed issue.

Because, as you know, there is case law, which is, involve this lore, but still comment on other cases, where initiatives were proposed to amend what the Court said was national legislation.

So the other issue that you will want to look at is, whether or not, the Delegate Act, itself, was a local issue, or was a matter of national scope.

We think, and the memo addresses this, it's quite clear that, as between being a local law and a national law, the Delegate Act, itself, was a local law.

It was enacted by the Congress, pursuant to its District of Columbia authority and
by its very terms, was limited, exclusively, to affording a non-voting delegate to residents of the District of Columbia.

So to the extent there is an issue about, whether or not, the Delegate Act, itself, was a matter of national scope, we think that it was not.

The final point that I want to make, given how long the memo is, and how long Mary Cheh's article is, why again, at first blush, all of this looks complicated. In our view, in the end, once the precedents are considered, it's not complicated, at all.

In our view, we have put forth reasonable persuasive arguments, why the people of the District of Columbia do, indeed, have the authority to amend the Congressional enactment that was directed, exclusively, to the District, so long as they amend it, in such a way that the change, itself, still applies, exclusively, to the District of Columbia, and that's what, I think, we have proposed.
That, the final point that, I think, is important, again, I know this is the stuff that you know, but I'm speaking, for the record, here, that in our view, even if the issue were close, and we don't think it is, but even if it were close, the Court of Appeal's precedents quite clearly provide that, the right of initiative is to be liberally construed.

And, if one is to look at any limitation to that, to that right, the Board is instructed to find no limitation, unless that limitation is expressed, or whether it is clearly and compellingly written into the law.

And we think that that stand, under that standard, this initiative that we propose, is not only well-within the authority of D.C. voters, but to me it's important that, it's clearly in the interest of D.C. voters, to find a way, at long last, to take some step towards the voting representation that, in our view, they have been way too long denied.

So I'm very hopeful that the Board will
find this a proper subject matter for an initiative
and I've very hopeful, also, it was discussed, by
an earlier individual that since our view and plan
and hope is that you approve this and we get the
signatures to put it on the November ballet.

That, if you can see your way clear,
to approving this quickly and helping us move this
along, we would love to do that. I should mention
one other thing, and I think Mary would agree with
what I'm about to say.

We think this is such an important
proposal, we and others, who are working with us
on it, are moving on what we have come to call a
two-track strategy.

As I'm sure you know, the substance of
what we have proposed, by initiative, is also the
substance of a bill that is pending before the
Council that Mary Cheh has introduced and for which
she has nine, or ten, sponsors, or co-sponsors.

My preference would be that the voters,
themselves, pass this law. But that's an arduous
undertaking. There may not be time to get the
signatures, for the November ballet, and if there is not, I'm hoping and I know Mary Cheh hopes this, as well, we'll race with her, to see who can first pass this law.

But it's such an important law. Our strategy is to find more than one way to get there. We think this is the right year to be doing this.

We think this particular election year is the moment to raise the visibility, about the lack of democracy for D.C. residents, which is why we have brought this to the Board.

And, I'm happy and my Counsel is happy, to answer any questions you may have. And I hope Mary walks in real soon, to second everything I have said.

CHAIRMAN BENNETT: That's okay. Counsel, would you like to make a statement?

MR. FLYNN: Sure. Mr. Smith spoke so eloquently, I, I won't go through all of these written remarks that I have, I'll just make a couple high-level points, maybe, three points.

First of all, by way of introduction,
again, I'm Aaron Flynn and my partner is Laurie Masters, who, unfortunately, couldn't be here today.

And I have been working on various voting rights issues, for about ten years now, together, and I'm sure Laurie's history goes back even further than mine does.

And we, along with the other law firms that we've been working with on these issues, have been studying this and we, we do agree with everything Walter just said.

That, that Congress has clearly delegated to the District Counsel, under Home Rule Act, the authority to amend, even federal legislation, like, like the Delegate Act, to allow the Delegate to vote on measures that I apply, exclusively, to the District, and that's, really, for three reasons, when we talk of legal reasoning, just to summarize the memo that we submitted to you.

First, is that the U.S. Constitution best gunnery authority, in the Council and in, the
citizens of the District, when they are voting on referenda, to -- or, excuse me, the Constitution best gunnery authority in the Congress, over the District of Columbia, including the authority to grant voting rights to the delegate, and Congress has, in fact, twice, acted to do that.

In fact, in 2007 and 2009, voted to get the District full voting rights on all issues, or measures, much more limited that it applies under your matter of scope, applied exclusively to the District.

Second, the Home Rule Act broadly delegates Congress' authority over the District, under the District clause, to the D.C. Council and the citizens of the District, when they're voting on referenda.

And, as a Home Rule Act exclusively states and its numerous court decisions have held, this authority allows the District to amend, or repeal, Congressional legislation that applies, exclusively, to the District.

Third, the proposed amendment of the
Delegate Act, is aimed solely at the delegates' involvement in local matters, when the Congress is, is acting, as the District's local legislature. Thus, it is consistent with the Home Rule Act's limitation of acts implying, exclusively, to the District and does not concern any property, or function, of the United States.

(Off the record comments.)

MR. FLYNN: And for those reasons -- the baby agrees with me. Our partner office, including (unintelligible) and Goldblatt, Martin, and Pozen, have all concluded that this action is legally sound and deserving of the District's support, the Board's support, and the people of the District of Columbia's support. So I thank you, for giving us the time to offer testimony on these initiatives.

CHAIRMAN BENNETT: Thank you, so much for that. Any questions, although -- Mr. Gill.

(Simultaneous speaking.)

MEMBER GILL: A couple. So our world is proper subject matter, so the issue is, is not for, you know, whether it's good, or bad. That's
not for us to worry about. But a quick question, for General Counsel, did the Office of Attorney General provide an opinion on this?

MR. McGHIE: No they did not.

MEMBER GILL: So that's disappointing.

We had six, or seven, different referendums that have been brought to the Board, while I've been here.

(Off the record comments.)

MEMBER LEWIS: Initiatives.

MEMBER GILL: Initiatives. And in each one of those, the Office of Attorney General has provided an opinion that, usually, on the major matters, was an agreement with the Board of Elections, but always had a nuance to it that, I thought was helpful.

I'm, I, sort of, think of the parable of the Footsteps in the Sand, on those other initiatives that were a little bit more clear cut, they were with us.

PARTICIPANT: Yes.

MEMBER GILL: And, yet, here we are
and, and I respect your comment that it's, it's obvious, but, but these are pretty predominant law firms and it's 23 pages and it's taken ten years, at least, before the gentleman at the table came up with it.

I feel like the Attorney General's is missing and we are left to carry the Attorney General through this portion of the legal hurdles that we, that we face here.

So that's no reflection on the Proponents, but I just wanted to make folks aware that, at least, from my personal perspective, I'm disappointed that the Attorney General didn't weigh in.

When it comes to the, the memo, itself, which is, which is -- I just got a chance to read, last night. Very, very well done. And I, I, you know, you've, you've raised a lot of, obviously, good points.

Some of the court cases that, you know, if you, if you read the memo, what you're describing, in terms of the precedents and the
actions that have previously been done, it starts from the Congress, it flows to the Council, and then, to the extent that it's a District-related matter, the Council's been able to prevail in court on decisions, the City's been able to perform, so we can close the streets, traffic tickets, things like that.

But it seems, the initiative and, and as, and I don't get into the merits of the initiative, itself, I get into whether it, it, conflicts with the Home Rule Act, seems to reverse the process.

So in this case, the Council would make a decision on a congressional law that would affect the voting of the Congress. Now, it would affect the voting specific to the District, but when we get to that question of the operations of Congress, this is the Council telling the Congress what it can do, in terms of how it votes on things, and so I, I, I, I observe that, and, and I'd be curious of your reflections on it.

MR. FLYNN: Well, I think, and I'll let
Walter speak, as well, I think that the, the first thing to think about is that the Congress, of course, would always have the authority to change this, to disapprove it, if they don't agree with what the Council says, so we are in no way binding the Congress, so that's important to think about.

Second, in our view, the Congress has specifically delegated this particular authority to the Council, through the Home Rule Act, so we are not doing something that Congress has told us we're not allowed to do, or, we're talking about carrying out a function that is specifically contemplated, or, not specifically contemplated, but in the ambit of the things that are contemplated in the Home Rule Act.

And, it's, this is, sort of, it almost feels like I'm at the physical question, at some point, because yes, we're talking about voting rights in the conference.

And the Congress is, clearly, a federal institute. That is the way the country thinks about the Congress. But we are talking about a
very state-type of activity that the Congress is undertaking, when it's acting, as a local legislature, which is, it's a very interesting and potentially unique function of our federal Congress that it takes on this characteristic of being a local legislature.

So we are in effect talking to, in that respect, a body that, that is, that has authority to carry out the same types of activities that the D.C. Council has authority to, to, to legislate on.

That's unique to the District of Columbia. The Congress does not have an ability to undertake the local police powers of any other locality, or jurisdiction that this, the Council and the Congress, when it's acting as its local legislative capacity, or, in some sense, co-equals.

So we believe we are talking about doing something that, while it may seem, on its face, somewhat surprising, it's actually something that is contemplated by the Acts that Congress has passed, contemplated by the Home Rule Act. And,
Walter, if you'll --

CHAIRMAN BENNETT: In what way, in what way does it -- that, that's interesting, a correct point. So what way, I'm probably going to recommend, but, but --

MR. FLYNN: That's all.

CHAIRMAN BENNETT: So, so what way, what aspect of the Home Rule Act do you think that the Home Rule Act contemplates this?

(No response.)

CHAIRMAN BENNETT: Is that what you said, or am I --

MR. FLYNN: Yes, and, and, what I --

(Simultaneous speaking.)

MR. FLYNN: -- what I mean by that is that, the Home Rule Act contemplates that the -- the entire overriding purpose of it was to, to take the local legislative responsibilities off of the Congress, off, so that they would, perhaps, to undertake all of those activities, where, and this particular initiative, the legislation that we're talking about here, is a local, a pure local act.
In that respect, the Home Rule Act contemplates that the, that the Council were the citizens, through a referendum, would enact such a measure.

MR. SMITH: I'll just add one thought. And I take your question seriously. But, every time that, neither the Council, or the voters, purport to amend the congressional enactment, which the Home Rule Act contemplates we can do.

You will almost, by definition, telling the Congress what to do, and we can do that, here, locally, so long as we, otherwise, meet the requirements of the Home Rule Act.

The Home Rule Act has authorized the Council and the people, to amend what Congress has done, so long as it, otherwise, meets the requirements, including, it has to be an amendment, with regard to something that applies exclusively to the District of Columbia.

And Counsel is right, if we pass this, and they don't like it, they can overturn it. But they've done something good to the, for the District
of Columbia here, because they've made it hard for them to overturn it.

Because if they don't overturn it within 30 days, and the President signs it, this opportunity they have given to us, it will become law.

And so even though it does sound odd and counterintuitive that this can be done, it is the nature of the system that we have been given, because of the District clause and because of the terms of the Home Rule Act, as had been construed by the court.

CHAIRMAN BENNETT: So, so what I'm hearing you say is that, because -- I mean, in essence, this, this initiative would be telling Congress what to do, but because of the way the process is set up that, Congress ultimately, because it's a, a law in the District that they have to approve anyway, in essence, Congress would be telling themselves that they, or, yes, telling themselves that they're giving the District the right to vote on -- is that, is it, is that, your
point?

MR. SMITH: Well, they will effectively ratify it. That is the word that some of the court cases have used, when they, when they review this, they will have ratified it. And to pick up on another point --

CHAIRMAN BENNETT: So it's not the District telling Congress what to do, it's Congress telling themselves what to do, through the ratification process?

MR. SMITH: That's exactly right.

CHAIRMAN BENNETT: All right.

MR. SMITH: Congress had already told themselves, how they must behave, any time that we try to amend one of their enactments.

CHAIRMAN BENNETT: Right.

MR. SMITH: They have set out the blueprint for that in the Home Rule Act.

CHAIRMAN BENNETT: Right.

MR. SMITH: But, when you say, telling Congress what to do, this, by the way, was the argument that was made against the Budget Autonomy
Referendum that we could not do that, because the effect of the Budget Autonomy Referendum, or so it was argued, was we were telling Congress how the whole process will work for the Budget of the District of Columbia.

And the answer that was given, and of course, ratify what I'm about to say, the answer that was given was that's the way Congress has set it up. Congress has said we can do that very thing, unless and until they exercise their prerogative to have the last word and will return it.

But the only way we can make these improvements that the voters, otherwise, want, is to the start the process. We have got to first amend what they have done and do it in a way that's consistent with the Home Rule Act. And we believe this proposed initiative done.

MEMBER GILL: Okay. So I, I'm, I'm, you -- we're listening. I'm not, I don't want to put forth --

MR. SMITH: I'm watching you listen.

You're doing a --
(Simultaneous speaking.)

(Laughter.)

MEMBER GILL: All -- no, no, because, because, as I said --

CHAIRMAN BENNETT: This is a good meeting today.

MEMBER GILL: Ultimately, where initiatives usually fail here, is on the incorporation of District funds. And, and, usually, that's, that's the hang-up and, and we, sort of, have to hang our hat on that, no matter how good the idea is, we, we, we have to reject it.

Here, there's, it's not an issue, at all, but it comes down to, sort of, operations. You know, is this contrary to the congressional intent, operations of the Congress?

And, and I'm just, I'm not, I want to hear from you that, that, that this idea that, that Congress, if they don't overturn this in 30 days, would have another voting member, granted on only certain very, very specific matters, but that
voting member now is a part of the operations of the Congress and could conceivably effect how a particular vote goes.

Now, granted, if they don't do anything, then they've made that choice. All, all we have to figure out is, whether or not that, that there's a problem with what you're proposing, in terms of the operations of Congress and of the Home Rule Act.

MR. SMITH: Right.

MEMBER GILL: So, so I just, I raise it. Now, I think you've given a very -- you've hit all the points. Now --

MR. SMITH: Yes, can I just make one quick point, though?

MEMBER GILL: Sure.

MR. SMITH: Well --

MEMBER GILL: This is, this is usually, when you've made the sale, you walk --

(Simultaneous speaking.)

(Laughter.)

CHAIRMAN BENNETT: That's not ---
that's not fair.

MR. SMITH: So what is the key point we're trying to make today? This initiative will affect the operations of Congress, only, with regard to issues that apply exclusively to the District of Columbia.

The only change the this initiative will make, with regard to how Congress operates, is that, our delegate will get to vote on issues that apply exclusively to the District and that does not violate the Home Rule Act, because that is not a federal function, within the meaning of the case law that the memo cites.

CHAIRMAN BENNETT: But it still changes the way Congress operates.

MR. SMITH: It does.

CHAIRMAN BENNETT: Yes.

MR. SMITH: Deliberately so. And, Congress has given us the authority to do that, so long as --

(Simultaneous speaking.)

MR. SMITH: -- we go along --
(Simultaneous speaking.)

MR. SMITH: But the other thing is really important, remember, Congress, in '07 and '09, by very large majorities, passed a bill that goes even further than our initiative does.

So I don't think you should start with the proposition that Congress will object to this, or will think we're overreaching. They already passed bills, in both houses that gave us full voting representation, full voting representation, not just with regard to issues that apply exclusively to the District.

CHAIRMAN BENNETT: Yes, but we're not, we're not, we're not, we're not starting that, we're just trying to make sure it's a process.

MR. SMITH: Oh I know that.

CHAIRMAN BENNETT: So.

MR. SMITH: I know.

MEMBER LEWIS: I actually have a question, based on this discussion, for our General Counsel. So I think what Board Member Gill is getting to, is whether or not this, as it's written,
is in violation of the Constitution, right, particularly, Article 1, whether or not it grants improperly legislative power, whether or not we're pushing forth something that does. So my question for General Counsel McGhie, is, in terms of our assessment, is it based on the intent, or the effect?

MR. McGHIE: I don't think we made an assessment.

CHAIRMAN BENNETT: No. We haven't made an assessment, yet.

MEMBER LEWIS: Well, no, what I'm saying is, based on what we're trying to move forward, the language, as its written, are we assessing it, based on the intent, or the effect of whether or not it violates the U.S. Constitution, when we're doing our assessment?

CHAIRMAN BENNETT: It has to be the effect.

MEMBER LEWIS: Okay.

CHAIRMAN BENNETT: It has to be the effect.
MEMBER LEWIS: Okay. And so then, to their point, they're basically saying that, because this is Congress' bailiwick, then they can decide to overturn it, or not, then the effect is in, essentially, what they want it to be. So if they want to pass this, they'll pass it, if they think that it's overreaching, then they won't. Does that, if I'm following correctly?

CHAIRMAN BENNETT: That's what I heard. But I --

MR. SMITH: That will be the effect.

MEMBER LEWIS: Okay.

MR. SMITH: I mean, they will have an opportunity to overturn this, pursuant to the Home Rule Act, so. And, if they don't overturn it, it will be ratified. If they do overturn it, then that will be the last word. That's how the District clause is supposed to work.

MR. FLYNN: And as a starting point, I think it's important to also remember that, in our view, we think it's the right view, the Home Rule Act has -- Congress has already acted to
delegate this particular type of authority to the District, to the Council and to the people, by enacting the Home Rule Act.

So there's that initial congressional action that gives us the authority to take this action, in the first place, followed up by a chance for Congress to, to double-check what we've done, in order to make a second decision about this, this very action.

CHAIRMAN BENNETT: Great. Mr. Gill, anything else?

MEMBER GILL: No more questions.

CHAIRMAN BENNETT: Ms. Lewis?

MEMBER LEWIS: No. But, the memo was done very well.

MR. SMITH: Thank you.

CHAIRMAN BENNETT: I don't have any others. Mr. McGhie, how would you --

MR. McGHIE: I would just --

CHAIRMAN BENNETT: --- like to proceed?

(Simultaneous speaking.)
MR. McGHIE: I would just like to leave the record open for any written statement from Ms. Cheh.

CHAIRMAN BENNETT: Okay.

MR. SMITH: Or, or anybody.

MR. McGHIE: Or anybody.

CHAIRMAN BENNETT: Okay.

MR. McGHIE: How long do you want to keep the record open?

CHAIRMAN BENNETT: I don't want to keep the record open, only for a couple of days.

MR. McGHIE: All right, so --

CHAIRMAN BENNETT: All right, so just --

MR. McGHIE: -- another week?

(Simultaneous speaking.)

CHAIRMAN BENNETT: Yes, another week. Yes. At most. All right, and so --

MR. McGHIE: Well --

CHAIRMAN BENNETT: I'm sorry, go ahead.

MR. McGHIE: I know they want to move
this, eventually, to vote, so can we just keep the record open, until the end of the week?

CHAIRMAN BENNETT: That's fine with me.

MR. SMITH: You have Mary Cheh's article, right? That was submitted to the record?

MR. McGHIE: Yes.

MR. SMITH: Okay.

CHAIRMAN BENNETT: Okay. If, if -- I, you know, I -- quite honestly, I'm completely open to, to ending the record, or closing the record today, if that's what you'd like to do?

MR. SMITH: If that would expedite matters, I think that would --

CHAIRMAN BENNETT: Why don't we just close it then?

MR. SMITH: -- be okay with us.

(Simultaneous speaking.)

CHAIRMAN BENNETT: Thank you.

MR. McGHIE: All right, All right, it's closed.

CHAIRMAN BENNETT: Done. All right.
MR. McGHIE: And we can -- and that'll expedite. That'll, that'll, certainly, shorten the time, in which we're able to get a decision out to you.

MR. SMITH: Perfect. And if you have any further questions about this, because I know it's complex, I know that we and our Counsel would be happy to hear from you.

CHAIRMAN BENNETT: And you guys have, have done a really good job and I think you earned, you earned your point to that, and while it appeared to be relatively complex, it really narrows down to about three or four different matters and, and you've done, done a great job of making sure that we heard those and we're all there. So it shouldn't be hard for us to make a decision, like, with regard to, to the initiative.

MR. SMITH: All right.

CHAIRMAN BENNETT: Okay?

MR. SMITH: Thank you, much.

CHAIRMAN BENNETT: Thank you, so much for your time and thanks for taking the time to,
for coming in. We are circling back. Mr. McGhie, you have really gotten us going today. So we're circling back to --

MR. McGHIE: The culmination of the initiative money supply increase. Mr. Flippin.

MR. MCCULLY: Mr. Flippin, we, we have gotten the reformulation and Mr. McGhie is going to move, move forward on that and we'll, we'll continue with the process, are you good with that?

MR. FLIPPIN: Yes, we're really happy with the, with the --

CHAIRMAN BENNETT: Okay.

MR. FLIPPIN: -- revisions.

CHAIRMAN BENNETT: That's okay, we'll go --

MR. McGHIE: I, I, --

CHAIRMAN BENNETT: But -- we'll go ahead and move right past.

MR. McGHIE: All right.

CHAIRMAN BENNETT: I just don't want to waste anybody's time, so go ahead.

MR. McGHIE: All right. So the, the
new language reads, Initiative Measure Number 79
Short-term Money Supply Increase, plus $3,000
Initiative Summary Statement, if enacted, this
Initiative will allow all citizen and recipients
of Social Services in the District to invest up
to $3,000 in startup companies and to retain the
assets, without losing state, federal subsidies
and benefits. Are you satisfied with that
language, Mr. Flippin?

MR. FLIPPIN: Yes, I suppose. Good
language.

CHAIRMAN BENNETT: Okay. There any,
see, any suggestions from any interested parties,
relative to any changes in the language, from the
Board, first?

MEMBER GILL: No suggestions here.

MEMBER LEWIS: No.

CHAIRMAN BENNETT: Okay. Any other
interested party? And, Mr. Flippin, said you're
satisfied.

MR. FLIPPIN: Yes.

CHAIRMAN BENNETT: So we're at with
that. Okay. Now it's time for a motion on the, on the language of this Initiative.

(Off the record comments.)

CHAIRMAN BENNETT: Yes.

MEMBER GILL: Yes.

MEMBER LEWIS: I move to that the Board adopt the short titled Summary Statement and then in place form of the proposed initiative, as duly read by our General Counsel.

CHAIRMAN BENNETT: Okay.

MEMBER GILL: Second.

CHAIRMAN BENNETT: It's been properly moved and seconded, and I'll call for a vote, all in favor?

(Chorus of Ayes.)

CHAIRMAN BENNETT: And it's unanimous. I vote, as well, yes. So, Mr. Flippin.

MR. FLIPPIN: Yes, sounds great.

CHAIRMAN BENNETT: Okay. Move forward. All right thank you so much. Mr. McGhie, anything else before the Board?

MR. McGHIE: No.
CHAIRMAN BENNETT: You are working us today.

MR. McGHIE: Just like I, I indicated earlier, the new, the formulated language will be published in the D.C. Register and anybody can challenge the formulation within ten days.

CHAIRMAN BENNETT: I need to say, for the record, great job to you, Mr. McGhie and your staff, that was very interesting, began for a lot of relatively significant items for the District of Columbia that required a fair amount of work today, and so thank you, so much, for that. It is now on the agenda, time for any -- I think, let me find my agenda.

(Off the record comments.)

CHAIRMAN BENNETT: There we go. Okay. Any public matters?

MR. SINDRAM: Yes.

CHAIRMAN BENNETT: Okay. We're going to, we're going to hear Mr. Sindram, we had one person, who's telling people they're here, I want to hear from them, first, and then I'll go to you,
is that okay?

    MR. SINDRAM: Yes, sir.

    CHAIRMAN BENNETT: Okay. Yes, sir, please.

    MR. SPECK: Good morning, Mr. Chairman.

    CHAIRMAN BENNETT: Good morning.

    MR. SPECK: I'm Randy Speck. My address is 2940 North Hampton Street, Northwest, 20015. I'm the Chair of ANC 34G.

    CHAIRMAN BENNETT: Yes, sir.

    MR. SPECK: But I'm here on behalf of myself and a number of other ANC Commissioners, who've got a total, I think, of about 45 ANC Commissioners, who signed a letter to the Board, asking you to move up the date for circulating petitions.

    So that, rather than starting on July 9th and leaving only one month for gathering 25 signatures, for ANC candidates, it would begin on June 15th, like all other District candidates.

    And I realize this is very late in the
process, we've only learned there was going to be
this problem, recently, but it really does create
a problem for a lot of the ANC Commissioners. And,
as you know, the ANC Commissioners that are
voluntary and we frequently get a lot of flak for
the job that we do, but --

CHAIRMAN BENNETT: Can I --

MR. SPECK: -- I --

CHAIRMAN BENNETT: Can I stop you?

MR. SPECK: Yes, absolutely.

CHAIRMAN BENNETT: And let me let the
other person --

MR. SPECK: Sure.

CHAIRMAN BENNETT: -- introduce
themselves for the record.

MR. FROMBOLUTI: Yes, I'm Chris
Fromboluti, I'm the Vice Chair of the ANC 3/4G,
I live at 503012 38th Street, Northwest.

CHAIRMAN BENNETT: Great. Thank you, sir. And, and for the record, let me say, I, I,
I've been locked out of my pass, due to technical
problems, I've been locked out of my email for about
I just saw your email, just maybe two hours ago, and so my apologies for not having responded. I'm generally a lot better at --

MR. SPECK: Well --

CHAIRMAN BENNETT: -- getting back to people, so --

MR. SPECK: Thank you. I realized we would have an opportunity today, to speak with you, as well. But this is an important issue for a lot of Commissioners, many of the Commissioners are away over part of the summer, particularly, the time of July and August.

Many of our constituents are away, as well, and as you know, we only represent about 2,000 residents, which is a lot fewer voters and we've got to get 25 signatures from those and it does present a problem, for a lot of the ANC Commissioners.

And it's our view that, we ought to be encouraging people to run for the ANC.

CHAIRMAN BENNETT: Absolutely.

MR. SPECK: Rather than providing
barriers for that. I think we should just have an additional period of time, just like all the other candidates in the general election, from June 15th to August 8th that would be a significant improvement for a lot of ANC Commissioners.

I will mention one other specialized problem that was raised to me, as I circulated this among ANC Commissioners, there are few Commissioners, who represent university students and one, in particular, I know, at American University, represents exclusively students.

And that presents a particular problem. I don't think you need to address that, at this point, but I do want to raise that, that it's very difficult, impossible, actually, for a student commissioner to gather 25 signatures from residents, on the campus, once school is out.

CHAIRMAN BENNETT: Right.

MR. SPECK: And so from the period from about mid-May, until the end of August, those Commissioners have a very, very difficult time and it's resulted in some instances of not having an
ANC representative for that area.

So this is really a significant issue for a lot of Commissioners. We did have, again, a total of 45 Commissioners, who have now signed the letter, and that's gathered in only about a week, and so it was a significant number of Commissioners, who realizes that this is a big problem for them.

CHAIRMAN BENNETT: Okay. I, I -- let me just stop. I haven't had a chance to, to confer with anyone, relative to, to your letter, actually I just saw it recently, and what I'd like to do is, to see if any other Board Members have any questions, or anyone, but if Ms. Miller has any questions, or, or Ms. Montgomery, and Mr. McGhie, and, and then we'll take this under advisement, so we have the opportunity to flush it out.

MR. SPECK: Okay.

CHAIRMAN BENNETT: But your point's well-taken and, and, certainly, I, I understand the, the argument. All right, Mr. Gill, do you have any questions?
MEMBER GILL: No.

CHAIRMAN BENNETT: Ms. Lewis?

MEMBER LEWIS: I have a question, Department Counsel, would this require a legislative change?

MR. McGHIE: No this is totally a, a regulatory -- well, I mean, the Board, this would be a Board decision.

MEMBER LEWIS: Oh.

MR. McGHIE: Because the law only gives a date on that it has to be, petitions have to be submitted by, it doesn't state when you can start. So it's only, only --

MEMBER LEWIS: Oh great.

CHAIRMAN BENNETT: So this is an issue that's within the discretion of the Board?

MR. McGHIE: Yes.

CHAIRMAN BENNETT: Okay.

MS. MILLER: I'm sorry, and --

CHAIRMAN BENNETT: Ms. Miller, do you have any questions?

MS. MILLER: I believe the, and I could
be wrong, the last date's no earlier than a certain date. I'm sure what the date is.

MR. SPECK: No later.

MS. MILLER: No later --

MR. SPECK: No later than, yes.

CHAIRMAN BENNETT: Okay.

MR. SPECK: And it doesn't specify when it can be begin.

CHAIRMAN BENNETT: Ms. Montgomery, anything from the Office of Campaign Finance's perspective?

MS. COLLIER-MONTGOMERY: No.

CHAIRMAN BENNETT: Okay. Well, we'll take this under advisement and I will assign Ms. Miller to get back to you, as soon as possible.

MS. MILLER: I think we've been discussing this with Mr. McGhie.

CHAIRMAN BENNETT: Have you?

MS. MILLER: Yes.

CHAIRMAN BENNETT: Okay, well, the son is still, it didn't get back with you.

(Laughter.)
MR. FROMBOLUTI:  Mr. Chairman, if I could say something about this?

CHAIRMAN BENNETT:  Yes, sir.  I'm sorry.

MR. FROMBOLUTI:  At the end of this year, I will have been an ANC Commissioner for ten years.  I recently retired a year-and-a-half ago, which means that I don't have to stay here all summer long.

And I also prefer a small house up in Cape Cod and I'd like to spend the summer up there.  I should intend to spend the summer up there, which is, you know, end of June through, you know, beginning of September.

Under this provision, I'm going to have to take off some time, either, fly or drive back to D.C., you know, go through this whole process, which is a real hardship for me.

I mean, the other option is to find somebody, who will do it for me, but I, I find that, in the position I'm also, it gives somebody a reason
to have some say over what I, what I say, or, you know, you know, I help you keep you in office, so you need to pass this thing for me, so I, I don't want to; I'm not going to do that, I'm going to stay, you know, totally clean, so to speak.

So I find this, and, you know, I find this an unfair imposition, considering all other offices in the District of Columbia can pick up their ballots on June 15th, which will work fine for me, so I appreciate your consideration, as to --

CHAIRMAN BENNETT: Yes. But thank you, I appreciate that. Any, anything else, on that, on that matter?

(No response.)

CHAIRMAN BENNETT: All right, thank you, both, and we'll, we'll get a, between Mr. McGhie and Ms. Miller, we'll get a response to you, as soon as possible. And, and again, my apologies for not getting back to your --

MR. SPECK: No problem.

CHAIRMAN BENNETT: -- email faster.
Technical difficulties.

MR. SPECK: Thank you though.

CHAIRMAN BENNETT: Thank you. One more person, I think, we had, did you waive your hand, sir?

(Off the record comments.)

CHAIRMAN BENNETT: I haven't forgotten about you, Mr. Sindram.

MR. SINDRAM: Thank you, Mr. Chair.

CHAIRMAN BENNETT: All right, sir.

MR. THORNTON: Good afternoon. And, for the record, my name is Charles Thornton and I reside at 1400 Carrollsburg Place, Washington, D.C. 20004.

And I'm here today, I don't want it to be done enough and that is to commend the Board, as well as, the Director, Ms. Miller, on its outreach efforts to educate previously incarcerated individuals, on their right to vote, in the District of Columbia.

She mentioned earlier that there was an outreach event took place at the Federal
Institution of Cumberland, Maryland. And, again, I can't say it enough, how, you know, within the District.

Not only educating, but, you know, the opportunity for, you know, pretrial individuals, whoever's been sentenced of anything, cast their ballot, is, you know, is just something that needs to be commended, as well as, you know, detained misdemeanors.

You know, I don't know if it's understood, but that's a right that does not exist with three other cases in this country and that's mainly Vermont and the District of Columbia.

And for us to go into, you know, our jail and make sure that anyone, anyone, who is eligible to vote, who wants to vote, get the opportunity to do that, I think it is commendable.

And I, again, I just wanted to come up and do that, you know, calling your name on the record. And I realize one other thing, you know, you know, there is, really, a push to try to get our supervision agency to follow suit and
educating, you know, there are 15,000 clients owning their right to vote, as well, in the District of Columbia.

And, you know, so with that, any, any kind of assistance from the Board, or, as well as from the, the Agency, to help do that, you know, would really, really be, again, you know, helpful, so thank you.

CHAIRMAN BENNETT: Thank you. What's your last name, again, sir?

MR. THORNTON: Thornton.

CHAIRMAN BENNETT: Mr. Thornton, I just want to thank you, for, for, for putting it on the record and, and, and thanking that the, this incredible Agency that we have that actually does all that.

One of the things that's really import to, to me, and I know the other Board Members, too, is to make sure that every citizen, who's eligible to vote in the District of Columbia, one, is encouraged to vote, is registered to vote, but also has an opportunity to vote.
And so -- and that includes incarcerated persons. On a personal level that's a, a matter that I feel pretty strong about, relative to persons who, often times, are forgotten in our society, in general.

Voting is the tip of the spear of the American Democracy and it's important, if you have the right to vote that you have every opportunity to vote.

So we thank you for letting us know that we are doing a decent job. We want to do even better, to that population, as, as well as other populations that, often times, are forgotten. So thank you, for that, really appreciate it, sincerely.

MR. THORNTON: Okay.

MS. MILLER: Two seconds?

CHAIRMAN BENNETT: Yes.

MS. MILLER: Before you go, Mr. Thornton, we want to thank you for working with us and giving us the information that you have, with respect to all the outreach efforts that you've
Because we worked closely with Mr. Thornton and the agencies that he's associated with, to try and get the effort out and to educate the attorneys, citizens and those who are incarcerated for other than a felony that are eligible to vote, and he's been very forthcoming to working closely with us and we couldn't do it without his help, it's a, it's a partnership.

MR. THORNTON: Thank you.

CHAIRMAN BENNETT: Thank you, Mr. Thornton. Any, any other public matters?

MR. SINDRAM: Yes.

CHAIRMAN BENNETT: Hold on one second, Mr. Sindram. Is this a public matter, or is it still on the Initiative, sir?

MR. FLIPPIN: Oh, I'm sorry. Can you just address the timetable image in 108 days versus, do we have to have petition signatures in within a 90-day period, assuming we succeed through the rest of the process?

MR. McGHIE: No you have 100 and -- once
you're given the petition sheet, you're have 180
days to circulate. If you want to turn it in
earlier, it's up to you.

MR. FLIPPIN: All right, so if we're,
we're close to the no number election date in
completing that, that's how -- is, is your time
frame before the November elections that we have
to have all ballots in?

MR. McGHIE: It's what -- Alice, is
that longest --

MS. MILLER: I'll have to check the
calendar, but we can do that at lunch.

MR. McGHIE: Oh, thank you.

CHAIRMAN BENNETT: Okay. All right, any
other public matter? Mr. Sindram, I think I'm to
you, sir. My apologies for making you last, but
you're certainly not least.

MR. SINDRAM: Thank you, Mr. Chair.
The first will be last, the last will be first.
My question is directed to Mr. McGhie, regarding
formulated language, short titled Introduction to
a Given Initiative, Referendum, Measure, if you
will, the hundred-word rule. And my question is this, the District of Columbia, is that construed, considered as one word?

MR. McGHIE: Yes.

MR. SINDRAM: How about the United States of America?

MR. McGHIE: Yes.

MR. SINDRAM: I didn't hear you.

MR. McGHIE: Yes.

MR. SINDRAM: Yes. How about the Republic United States of America?

MR. McGHIE: No.

MR. SINDRAM: Say again.

MR. McGHIE: No that would not be one word.

MR. SINDRAM: That would not be. And, what about articles, like, soft, or a, or an --

MR. McGHIE: Yes that's --

MR. SINDRAM: -- are they construed as a word, as well?

MR. McGHIE: Yes. The is a word. All would be a word, too.
MR. SINDRAM: Okay. And, if I understand you correct, there, there is ten days in which the challenge to formulate a language, where was that done, at the Board, or --

MR. McGHIE: That's in -- that's --

MR. SINDRAM: -- or where?

MR. McGHIE: Yes. That would be Superior Court. You have ten days to challenge the formulation of initiative language at Superior Court.

MR. SINDRAM: Why would it not be done at the Board level?

MR. McGHIE: Because that's what the law states. It says appeal should be to the Superior Court.

MR. SINDRAM: Okay. All right, thank you, Mr. Chair.

CHAIRMAN BENNETT: Thank you. Any other matters, any other public matters?

(No response.)

CHAIRMAN BENNETT: I think we have gotten through that. We will get back to those
persons that we indicated we would, as soon as possible.

MR. McGHIE: I think, yes.

CHAIRMAN BENNETT: And we, kind of, go with that. We, we will actually talk about it, once we conclude here, in a minute, and make some assessment. And we'll ask them to get back to you, as soon as possible. Thank you. Thank you, so much. We've got a lot of business to take --

MS. COLLIER-MONTGOMERY: I'm just waiting, Mr. Chair.

CHAIRMAN BENNETT: I'm sorry.

MS. COLLIER-MONTGOMERY: Yes. I would just like to say that, one benefit of the Office of Campaign Finance being in the same building with the Board of Elections is that, my staff can attend the Board meetings. So I would like to acknowledge my staff that are present.

CHAIRMAN BENNETT: Wonderful.

MS. COLLIER-MONTGOMERY: Wesley Williams, who is our Public Affairs Manager, Leonard Mohammad, as well as, Austin Franklin, who
are attorneys in our Office of the General Counsel.

CHAIRMAN BENNETT: Wonderful. Thank you so much for attending and welcome to the building. And at some point, we'll get all the audio and everything else down, nailed down.

PARTICIPANT: We've just got a very good crowd today.

CHAIRMAN BENNETT: Anyway, thank you so much. The meeting is adjourned.

(Whereupon, the above-entitled matter was concluded at 12:27 p.m.)