GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

APRIL 4, 2018

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The District of Columbia Board of Elections convened in Room 280 North, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice at 11:00 a.m., Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

MICHAEL BENNETT, Chair
MIKE GILL, Member
DIONNA MARIA LEWIS, Member

BOARD OF ELECTIONS STAFF PRESENT:

ALICE P. MILLER, Executive Director
CECILY COLLIER-MONTGOMERY, Director,
Office of Campaign Finance
RUDOLPH McGANN, General Counsel
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P-R-O-C-E-E-D-I-N-G-S

(11:15 a.m.)

CHAIRMAN BENNETT: Good morning.
We've got a relatively packed agenda. I'll call
the meeting to order. It is 11:17. The meeting
time was changed to 11:00.

We are going to have join us Board
Member Dionna Lewis at some point very soon.
We've got a pretty packed agenda so I want to go
ahead and get started. Let's call the meeting to
order.

My name is Michael Bennett. To my far
left is Ms. Alice Miller, Executive Director of
the Board of Elections. To my right is Mr.
Rudolph McGann sitting in for General Counsel Ken
McGee from the Law Department.

To his immediate right is Mr. Michael
Gill, board member. To his immediate right is
Cecily Montgomery, Director of the Office of
Campaign Finance. When she arrives to my
immediate left will be Ms. Dionna Lewis.

We'll start the meeting off by the
adoption of the agenda. Mr. Gill, can I get a
motion?

MR. GILL: Motion to adopt the agenda
as provided.

CHAIRMAN BENNETT: Second. There's
two of us so that is the adoption of the agenda.

Adoption of the minutes from the last
board meeting on March 7.

MR. GILL: I move to adopt the minutes
as provided from Wednesday, March 7, 2018.

CHAIRMAN BENNETT: All right. I
second that and vote yes.

We have Ms. Lewis and Ms. Royal with
us for the board meeting. I think our youngest
board member.

MS. LEWIS: Good morning.

CHAIRMAN BENNETT: Okay. Good
morning. We just adopted minutes from March 7th.

Any Board matters, Mr. Gill?

MR. GILL: Just that I want to
recognize not only Royal but my daughter Anika is
on spring break and is taking her time to join us
today also so you can pity her.

CHAIRMAN BENNETT: Welcome to you as well as Royal.

Ms. Lewis, do you have any matters for the Board?

MS. LEWIS: No matters. Thank you.

CHAIRMAN BENNETT: Okay. Royal?

Okay. Next on the agenda is the General Counsel Report. Mr. McGann.

MR. McGANN: Thank you, Mr. Chair.

The first matter on the General Counsel's Report is the Travon Hawkins Recall. For the parties involved with that matter, please step forward.

I know for the record that one of the proponents of the recall, Ms. Agyei, is present. Mr. Hawkins is not present. However, he was notified of this meeting by email and letter of correspondence.

CHAIRMAN BENNETT: Thank you. Would you state your name for the record?

MS. AGYEI: Dorcas Agyei.

CHAIRMAN BENNETT: And your address
is?

MS. AGYEI: 1926 15th Street, S.E.,
Washington, D.C. 20020.

CHAIRMAN BENNETT: Thank you very
much.

MS. AGYEI: Historic Anacostia.

CHAIRMAN BENNETT: All right.

MR. McGANN: At this point in time Ms. Agyei has had access to the proposed recall
petition and I would ask at this point if the
proposed petition is one that reflects accurately
her statement for reason of recall and would she
care to adopt this as her official petition for
circulation.

MS. AGYEI: It does and I would.

MR. McGANN: At this point I'm going
to defer to the Registrar's office to give the
 particulars and the procedure for circulating the
recall petition.

MS. SMITH: Thank you. My name is
DeAnna Smith. I'm the Assistant Registrar of
 Voters. I want to read a report for the Notice
of Intention to Recall Travon Hawkins, ANC Single Member District 8A-05.


Pursuant to D.C. Official Code, Section 1-100.17G, the proposer of the recall of an ANC shall have 60 days to circulate the recall petition and file the same with the Board beginning on the date when the proposer of the recall formally adopts the original petition form as his or her own. Accordingly, Ms. Agyei must file the recall petition with the Board no later than 5:00 p.m. on Monday June 4, 2018.

Pursuant to D.C. official code, Section 1-100 17H3, a petition for recall of an ANC shall include the valid signatures of two percent of the registered qualified electorals of the affected SMD.
The 10 percent must be accumulated from the total number of registered voters in the SMD according to the latest official count of registered voters made by the Board 30 days prior to the date of initial submission of the Notice of Intention to Recall.

As reflected the total number of registered voters in SMD 8A-05 as of February 28, 2018 was 1,898. Accordingly, the petition for the recall of Commission Hawkins must include the valid signatures of the 190 registered electorals in SMD 8A-05. Thank you.

MR. McGANN: Ms. Agyei, at this point in time the Board is going to offer a motion to accept your acceptance of the recall petition so that you can begin circulating it.

I do want to inform you that you've gotten a petition with two front sides. When you make copies of that petition, copy both sides back to front on the copy machine. If you need any help, I can assist you after the meeting.

CHAIRMAN BENNETT: Okay. Can I get a
motion from a Board member?

MS. LEWIS: I move to accept the petition for recall.

MR. GILL: Second.

CHAIRMAN BENNETT: All in favor.

MEMBERS: Aye.

CHAIRMAN BENNETT: Unanimous. Thank you very much.

MS AGYEI: Thank you.

CHAIRMAN BENNETT: Thank you.

Mr. McGann, please continue.

MR. McGANN: Sure. The next motion is a subject matter hearing from the D.C. Bike Life Access and use of Non-Traditional Vehicles Act of 2018. The sponsor or the proponent of the measure is Mr. Eric Butler.

CHAIRMAN BENNETT: Good morning, Mr. Butler.

MR. BUTLER: Good morning.

CHAIRMAN BENNETT: Can you state your name and address for the record, please, sir.

MR. BUTLER: Address?
CHAIRMAN BENNETT: Name and address for the record, please.

MR. BUTLER: My name is Eric S. Butler, Jr. I reside at 4914 8th Street, N.E. Washington, D.C.

CHAIRMAN BENNETT: Okay. Great. Mr. McGann will give the opinions that were provided this office and also the Attorney General.

MR. McGANN: I would like to give a quick overview of the process first. Pursuant to D.C. Code 1-101.16 the Board upon receipt of a proposed initiative or referendum measure must refuse to accept the measure if the Board finds that it's not a proper subject for the matter or initiative of referendum, whichever is applicable under the terms of Title 4, District of Columbia's Self Government Act and Governmental Reorganization Act, also known as the Home Rule Act, or upon any of the following grounds: Verified statement of contributions; statement of organization; the report and receipt of expenditures not filed with the Office of
Campaign Finance; proposed measures not in proper form; a proposed measure authorizing, or would have the effect of authorizing, discrimination prohibited under the Human Rights Act of 1977; or the proposed measure would negate or limit a budgetary act of the council or would impermissibly interfere with the appropriations process under applicable Court of Appeals rulings.

At this point in time I'm going to defer to the Office of Campaign Finance to ensure that you file the proper necessary paperwork with their office so that you can be in compliance with the first step.

MS. COLLIER-MONTGOMERY: Yes. The statement of the organization as well as the Report of Receipts and Expenditures was filed at the time.

MR. McGANN: At this time I will give a synopsis of the Attorney General's opinion with respect to D.C. General Attorney's opinion.

The Attorney General replied that the language
used in the measure is vague and ambiguous to the
point that no reasonable person would be able to
determine if their conduct was legal or illegal.

A person who unlawfully operates an
off-street vehicle would be subject to the
maximum criminal fine of $100 rather than a
maximum fine of $250 and/or imprisonment of 30
days and would have his or her license suspended
for six months.

The measure appears to reduce the
criminal penalties for conduct prohibited by
Section 9B of the District of Columbia Traffic
Act, but it's not clear what specifically is
being penalized. I think I should go back to the
legislative drafting. Some numbers were
referring to -- I'll give you some examples.

MR. BUTLER: Do you have a copy of
what was submitted?

MR. McGANN: Sure. If you approach,
I can show you. This is my copy. The measure
has numerous penalty provisions with ambiguous
internal references that would confuse the
For example, it states that a person operating an off-street vehicle in violation of Section A of this section shall be fined no more than $100.

This reference to Section A could refer to Subsection A which permits the operation of off-street vehicles in certain areas. Or, alternatively, the amended Subparagraph A(2)(a). That measure refers to paragraph A(2) as Section 2 which concerns the registration of off-street vehicles.

MR. BUTLER: Could you one more time go to -- what's the party that you were reading? You're reading Section -- he's referring to Section C. Correct?

MR. McGANN: Right.

MR. BUTLER: Section C in the lower --

MR. McGANN: Yes. And it says, "In violation of Section A of this section shall upon conviction be fined no more than $100." That's
the measure at page 2. Do you see that?

MR. BUTLER: Um-hum.

MR. McGANN: And so the counsel --

MR. BUTLER: Indicating the registration?

MR. McGANN: Correct.

MR. BUTLER: Okay.

MR. McGANN: And so the Attorney General was -- you could explain it but the Attorney General was somewhat confused about what you were referring to with respect to that section.

MR. BUTLER: So for that section, just to be clear -- I can bring it back up to you.

MR. McGANN: There might be some more.

CHAIRMAN BENNETT: Just remember, I'm happy to hear your points, but we're going to give you an opportunity to kind of state the whole thing so you may want to just kind of wait and kind of give us your broader perspective in context if that's okay with you.

MR. BUTLER: Just so we're clear.
MR. McGANN: So I'll move on after that. That was the ambiguity and they are claiming that it's a due process violation because people wouldn't necessarily know exactly what could be a punishable offense based on the wording. There could be clarification with respect to that.

MR. BUTLER: Okay.

MR. McGANN: Second measure is permissible law appropriating funds because it would impose new responsibilities on the district government that could not be carried out without additional funding measure.

It would create a mandatory duty that DMV would be able to comply with in the absence of funding and does not condition DMV's compliance upon funding by the counsel. This is where they are referring to the mandatory requirement of registration. It's the last aspect of the Attorney General's letter.

To the extent the measure would reduce penalties, the measure removed the source of
revenue which would intrude upon the counsel's appropriation authority and could negate or limit a budget request act as was the case in a case named Dorsey.

Dorsey involved a measure, an initiative measure, that attempted to rescind booting in the District. The court reasoned that because the government relies on the income from the fines of booting, it couldn't take away that revenue resource. In the same vein the Attorney General's opinion thinks that you'd be taking away by criminalizing the public use of street bikes.

MR. BUTLER: I understand.

MR. McGANN: That was the last aspect of the Attorney General's reasoning. With respect to the General Counsel's Office, are reasoning concurs in only one aspect and it was that last aspect with respect to the decriminalization you take away revenue source from the counsel.

With respect to the first issue in
terms of confusion, if it were found to be a proper subject, the Board's responsibility is to put it in the proper legislative form. Reading as I did, I saw that what you are attempting to do is just the numbering was a little bit confusing. That's just an adherence to legislative drafting. The General Counsel's Office didn't take issue with the confusion.

MR. BUTLER: That was the AG?

MR. McGANN: Right. The AG took issue with that.

MR. BUTLER: The ambiguity.

MR. McGANN: Correct. Now, with respect to utilizing resources to get the office to put a regulatory scheme in place to register these new types of vehicles, General Counsel's Office felt that it a function that already occurs with respect to the District Department of Motor Vehicles.

MR. BUTLER: Sure.

MR. McGANN: As well as you did not in your measure dictate how the counsel would have
to fund that so we didn't see that was the same as the prohibition on regulations.

The only thing that the General Counsel's Office, which is the Board's General Counsel's Office, did concur with the Attorney General that the decriminalization would take away a revenue source in the way of $250 per infraction which is part of the budgetary process.

The Attorney General's Office showed that the District of Columbia does rely on those types of fines and infractions in making their budgets. That is the whole spiel per se.

MR. BUTLER: One more time.

MR. McGANN: Yes, sir.

MR. BUTLER: This is like the last thing I would need you to clear me up on. Could you identify the section that the AG identified as vague. I know the first one that we went through was on the first page of the draft legislation under Section 2 where it says 2B.

MR. McGANN: Right.
MR. BUTLER: So that's one line. I got that one. What's the other sections that we're being vague? For that reason on that condition cannot be accepted.

MR. McGANN: At this point in time I can tell you the Board is the one who makes the determination whether or not it's a proper subject. The Board is will to listen to whatever you may want and I can address the ambiguities that were raised by the Attorney General's Office.

MR. BUTLER: So the one main thing is the revenue. With the Board the issue was the revenue that would be taken away through decriminalizing.

MR. McGANN: Actually, that's the General Counsel's position.

MR. BUTLER: Right, right, right.

MR. McGANN: The General Counsel's position is that by decriminalizing the use of the bikes would be taking away revenue from the Counsel.
MR. BUTLER: Okay.

MR. McGANN: You are more than welcome to address all the points that were raised.

CHAIRMAN BENNETT: Is that all you had?

MR. McGANN: That is all.

CHAIRMAN BENNETT: Okay. What I'm going to do now if there are any opponents of the measure that are here I need to give them an opportunity to speak as well. Are there any opponents? I think the answer is no.

Now it's time for your comments, sir.

MR. BUTLER: Once again, from my understanding, as we've just discussed here, the slashing of the revenue would be the reason it would not be considered a valid subject matter. I see this says appropriation of funds, that we cannot appropriate funds.

My question is why wasn't Initiative 71 determined to be not valid for this reason as it took away revenue that goes to prison in the amount of whatever, 5,000 prisoners per year,
that goes for jail offenses.

    That's revenue taken away. That's FTEs that are off of the street. That's a lot of work that doesn't need to be done to go into the Department of Corrections. That's revenue if I'm not mistaken.

    Also, by putting in here, like you said, registration of a process that has already taken place for mopeds, for scooters, I mean, you have like a playpen outside with these shed vehicles out but these will be actually registered so we're snatching away revenue, yes, and that's not appropriating funds.

    CHAIRMAN BENNETT: So you're agreeing that --

    MR. BUTLER: I'm not agreeing that it's --

    CHAIRMAN BENNETT: Let me ask a question. So are you agreeing that there is some level of revenue reduction but there was revenue added also? Is that where you're going?

    MR. BUTLER: First, I don't agree that
taking away revenue for penalties is not the appropriation of funds.

CHAIRMAN BENNETT: Okay.

MR. BUTLER: Taking away revenue is not appropriation of funds so those funds were first held by the citizens. They are being appropriated through penalties to the government.

By stopping that penalty I'm not appropriating government funds so I don't see how that's -- based on that terminology how that holds up to what I see right here on Section 3 which says "would appropriate funds." I just don't see it because I worked on initiative 71 so we should never have been able to move forward.

CHAIRMAN BENNETT: I understand.

MR. BUTLER: That's the first thing that I do not understand. We were talking about -- just to respond to the comment from the AG at this point, we said it was vague and kind of misleading.

I also find it kind of misleading that I would be able to say that we can register the
vehicles, like I said, into a process that's already going on, in the registration of two-wheeled motor powered vehicles be they electric, moped, etc., just a different type, that's not adding another office.

You'd be collecting revenue for what is now considered an offense. The revenue would be coming to you voluntarily versus being taken away in an act that's considered a public safety risk. For that reason, I still am unclear as to how taking away a penalty is appropriating funds.

MS. LEWIS: Sir, would you be able to offer your thoughts about how you believe, or what your position is, in support to help us understand?

It seems like you posed questions to us about how you don't understand how these are mechanisms of taking away funds out of the appropriation of funds. Can you offer your thoughts about what supports your position?

MR. BUTLER: My position that it's not an appropriation of funds?
MS. LEWIS: Correct.

MR. BUTLER: I go back to the work that I did on Initiative 71. For that same reason, when DCMJ sat down here when penalties were being taken away from marijuana possession at the time when I believe the petitions were given up, marijuana was decriminalized already by Counsel and there was a penalty associated with it.

The penalty was I believe $100 at the time. That's a $100 penalty. Initiative 71 wiped that penalty off of the books. For that same reason that I'm sitting here today facing this objection or petition to decline of subject matter, based on subject matter, then why do we have legalization in the city today?

That's my objection to that point. I worked on the initiative. I was a consultant so why would we be able to do it if taking away penalties is appropriation of funds?

MS. LEWIS: Well, so with these hearings we have to look at what's called de novo
so we're listening to all the information from
the beginning as a clean slate. Without
referencing Initiative 71, could you offer your
thoughts for our consideration as we assess this?

MR. BUTLER: On the appropriation?

MS. LEWIS: Right. And whatever other
counterpoint you have to either the AG's
position, the General Counsel, or the Board of
Elections position.

MR. BUTLER: Well, so as we move
forward with the process I'll start with the AG.
He said it was vague and ambiguous, I guess.
I'll read you a section. "Section 2 shall be
amended and renumbered."

This act in general -- I mean, the act
I presented is really an amendment. It was
already written in D.C. I just flipped over the
law that was already written to make the terms
match.

We amended every number as follows:

Section 2. Parking anytime an all-
terrain vehicle or dirt bike on private property
including public garage parking. That's like for revenue.

Register all-terrain vehicles, dirt bike, or UTV with the Department of Motor Vehicles in the District. Section B. A person operating an ATV, dirt bike, UTV in violation of Section A (which says it's registered) shall be fined no more than $100.

So if you're riding your dirt bike around and you get pulled over and you don't have a registration here is your $100 fine. Do not sit in jail and go home and get it registered or pay another $100 fine. That's revenue.

A person who is convicted of violating Section A(1), which is to operate or B(1), which is basically saying how you operate on the road, if you are violating -- if you're operating it outside of the law on the road, then there's another scaled penalty which is on the second page which is Section C. It's a scale of penalization that is already written in D.C. for violations of this nature.
MR. McGANN: Excuse me. You're keeping Section C, which is what I thought, but you're keeping Section C that exist already.

MR. BUTLER: We're referencing the behaviors in Section 1 of the law that we wrote here. If you're operating outside of Section 1(a), on public roads the speed limit is posted 45 or lower or if you're operating outside of that section, which is referenced here, then we need to give you a penalty.

If we catch you again, there's an increased penalty. B says on the shoulder so if you're on the highway and you want to get off the shoulder and you want to go through traffic, here's your ticket. They can get you for that. That's what is referenced here in Section C -- Subsection C of Section 2.

MR. McGANN: What do you mean by shoulder lane? I'm sorry. Do you mean the actual shoulder of the emergency lane or are you talking about --

MR. BUTLER: D.C. has laws right now
on the books that can be referenced where D.C. has declared the shoulders and make them ridable for bicyclist. That's the laws on the books so I'm not changing it or adding another law there. That's something that's --

MR. McGANN: So you're referring to the actual shoulder as opposed to the road.

MR. BUTLER: The posted speed limit is above 45 so if it's a highway -- it says highway so any highway has a speed limit posted above 45.

There's no avenues in the District with a 50-mile-per-hour speed limit. Like that's crazy. North Capital, South Capital, like that's 45.

MR. McGANN: By highways you're referring to those, not federal highways.

MR. BUTLER: On the shoulder, yes. That's something that is being violated already anyway but we're putting it in a legalized form, adopting practices that come from other states that have legalized these types of vehicles in a limited use.

If people have to travel from in the
city and going down 295 or down the Southeast
freeway to cut off to one of the roads maybe to
go to Capitol Hill. You know what I mean?
That's where they can use the limited access and
get off and keep it moving.

D.C. has to address our population,
our flow as something that's presenting in the
city like with an issue. We need to address the
cars. We need to address our unique space
limitations in D.C. and development.

We have high registration numbers
which means basically people are competing with
parking spaces for housing and this is, as I
said, by making it the way it's set up, it allows
for limited public space use.

As far as parking, you can't park it
out on the street so you won't see things like we
see with bike sheds. This is set up, like I say,
to give scalable penalties for not obeying the
laws of the road. I still feel like they are
harsher than some of the penalties that drivers
of traditional vehicles will see. I hope I
answered you question.

CHAIRMAN BENNETT: Let me just make sure. This is really more of a question for you. So the two issues -- it sounds like I'm hearing two issues with his initiative. One is that the Attorney General says there are a couple sections that are vague. Right? Not that they violate the -- that they don't meet the eight requirements, but it just says it's vague.

MR. McGANN: Being that they're vague, in the Attorney General's opinion, is that a person wouldn't have proper due process to be subject to a fine because they don't know exactly what the prohibited behavior is.

CHAIRMAN BENNETT: Okay. But the basis of that is the vagueness of those sections.

MR. McGANN: Correct.

CHAIRMAN BENNETT: Then the other that our General Counsel's Office had -- the other issue our General Counsel's Office has is it eliminates funds that those funds are appropriated. Therefore, it violates -- I can't
remember the number. It eliminates --

MR. McGANN: Three.

CHAIRMAN BENNETT: It violates 3 of the appropriations. Those are really the two issues.

MR. McGANN: The main ones and then the Attorney General also had an issue with a new regulatory scheme of registering a new type of vehicle.

MR. BUTLER: What is the new regulatory scheme?

MR. McGANN: I'm --

MR. BUTLER: So we'll have to answer to his -- that's another question I have. We'll have to answer to his --

MR. McGANN: Well, I'm just raising what they -- you can address it. You are more than welcome to address that.

CHAIRMAN BENNETT: The way the process basically works is that we're just getting opinions from the Attorney General. Like we at the Board are getting opinions from the Attorney
General and also from our own General Counsel's Office with regard to your initiative and then we have to make a decision. I'm trying to kind of narrow this down.

MR. BUTLER: And then that is presented to me. Do I need to respond to the AG right now or just address the Board?

CHAIRMAN BENNETT: You just address us right now. What I want to try and do is narrow this down to what -- it sounds like there are two or maybe three.

MR. BUTLER: Coming from you all there's one which is appropriations. What I need to get from the General Counsel and from the Board is what is --

CHAIRMAN BENNETT: We take both the General Counsel's opinion under advisement, as well as the Attorney General's opinion. If there were other opponents to it, we would take their opinions under advisement also.

From your perspective, the proponent's perspective, you need to address all those
matters that we would have. There is a point and
you probably ought to make a counter point.

I'm just trying to make sure that I
understand the issues so that you're clear what
we're going to make a decision on, the issues
from a opponent's perspective that we're going to
be hearing along with any other issues that we
may have as individuals who sit on the Board
which is why we have an opportunity to ask you
questions.

From my perspective -- I'm going to
ask the Board members if they have additional
questions. From my perspective those are really
the only two/three issues that I hear.

MR. BUTLER: One more question?

CHAIRMAN BENNETT: It's your dime or
quarter or whatever it is it cost to make a phone
call these days. Your cell phone.

MR. BUTLER: So the vague, the
appropriations. As far as it being vague, I will
respond to that again. As I've explained, the
piece that was referred to as being vague, once
it's drafted and if petitions were to be issued, you all would come up with terminology that would -- like as it's written on every petition I've worked on; Initiative 76, Initiative 77, Initiative 71, I consulted on all these measures and we don't put this language on any petition.

We put something that makes sense to people walking down the street that you can read in 15 seconds. So I heard the AG but nobody is sitting in the poor house right now for marijuana. They are researching the laws on marijuana and what technically is a gift, what technically is this and that.

Do you see what I'm saying? I understand what you're saying about vague but law as it's written legislative text can be argued to be vague for populations that don't read legislative text. Do you know what I mean? So a majority of people that are violating the law don't know the section or subsection or the terminology of the law they are violating until they've been presented with the fact that they
need to find out. That's my response to the
vague and the appropriations. I'm not
appropriating a new --

CHAIRMAN BENNETT: Can I stop you for
a second and just make sure I'm clear about what
you just said?

MR. BUTLER: Sure.

CHAIRMAN BENNETT: So your point is
that you believe that those sections that you
wrote are written in, if I can use this term,
plain English or plain language versus
legislative speak if you will.

MR. BUTLER: This is legislative speak
and on the petitions they will be in plain
language.

CHAIRMAN BENNETT: Right.

MR. BUTLER: That will be drafted by
you all. Correct?

CHAIRMAN BENNETT: Yes. So your point
is you feel like it's the plain speak, so to
speak, or the non-legislative speak is what
people will actually understand and --
MR. BUTLER: That's what people go by. That is what people are presented with. To this day people whip out petitions that say you can grow three mature plants, three -- we don't want to reference before but this is what you've sat on.

People say you can have three mature plants, three small plants. That's what the law says. People aren't fully aware that if somebody comes in your house and you have three residents and all of you all are growing and somebody has nine and somebody else has 12.

You know what I mean? Like people don't reconcile their actions with the law until they are presented with the law and a violation. At that point that third person in the house about to claim some plants. You see what I'm saying?

CHAIRMAN BENNETT: Yeah, I hear you.

MR. BUTLER: To abide by the law it's not their plants.

CHAIRMAN BENNETT: Right. I hear you.
MR. BUTLER: But that's how the law is written. They don't know that until, like I said, somebody comes in the house for something, a report or whatever just like a lot of other times when you encounter the law.

From my understanding of what was the onus that was on me as the proposer is not to write a legislative text in plain speak. I thought it was suppose to be written like referring to this section, referring to another subsection if that's how the law that I'm amending is already written.

If you look at the law that I'm amending A(1)(b)(1), all that stuff is already there. If it's vague, then it's already there. Do you see what I'm saying? All I did was change the words after the sections. These aren't new sections.

CHAIRMAN BENNETT: Your point is you didn't make it vague.

MR. BUTLER: I didn't make it vague.

To me the law 55-1401.012, Section 50-1401.05 is
vague by that rule and is appropriations of
taking away violations. If that's an
appropriation, then like how do we get rid of any
penalties?

CHAIRMAN BENNETT: Right.

MR. BUTLER: If this was a Supreme
Court ruling, we could never petition to get
penalties taken away from us. That's
interesting.

CHAIRMAN BENNETT: Mr. Gill, do you
have any questions?

MR. GILL: No. No questions.

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

MS. LEWIS: No.

CHAIRMAN BENNETT: Are you sure?

MS. LEWIS: Well, I guess what I'm
curious about is it sounds like what you're
saying is what the counterpoint of your proposal
is is that because the budget relies on certain
penalties, right?

The District budget relies on certain
penalties so they are kind of projecting that
just like they do parking tickets. Within a
given year we are going to obtain this amount of
money and these particular fines or categories of
fines. What is your response to that? I just
want to make sure I'm clear.

MR. BUTLER: Does that burden lie on
the citizens? Do we say, okay, we have these
penalties established so we can't legalize
behaviors because we must maintain these
penalties. Like if that's the logic, then we
should still have slaves. We shouldn't pay
people to work because it takes away from the
companies.

If you're living on government land,
then you should be living as a share cropper
because this is our land. Do you know what I'm
saying? Like how far do you let that -- how far
do you let the concept of a penalty and revenue
from the penalty almost become a budgetary
expectation? Do you know what I mean?

I worked for the Bureau of Land
Management for the Federal Government. If the land that we are governing and observing and maintaining, if that revenue to pay me had to come from jail money.

Do you know what I'm saying? Money from our federal prisons, then like if it had to. Do you know what I'm saying? If you make this legal, we can't pay for the Bureau of Land Management.

How far do we let our need for the penalties keep from putting the burden on the people to keep providing the money for these penalties when we have a process in place where we could turn -- where we could still maintain penalties, legalize the behavior, and you'll get money off of the penalties.

You won't be sending the citizens to jail therefore decreasing your population -- your earning population, and you'll get back. Tickets for people who ride unregistered and people who are riding unlicensed, you'll get those penalties for speeding and all the other types of things
that you have, tags and things on the vehicles.

You'll get the revenue back and penalties that you're saying you're going to lose. You lose $250 for not arresting -- not chasing down riders and getting them off the device because that's what happens in practice.

You lose that $250 that you chased down a rider for. If you stop chasing riders, you can get them with the speed cams. We have technology in place, new technology in place, that we don't have to depend on these things in the way that we use to depend on them. We don't have to depend on policing of space for traffic tickets when we can just nab you.

If you have a dirtbike and you -- we know how a dirtbike and an ATV looks so if you have a seat right here and on the back of that person's seat you put a registration sticker, if that person takes this bike up and doing a wheelie past the speed camera, that's two violations that you can send to the person, or to the address, whoever let them ride the bike that
shouldn't be riding the bike.

You send them one ticket for speeding.
You send the other one saying if you weren't
doing a wheelie you wouldn't seen this
registration sticker on your car to send you this
ticket. You send another ticket for doing
stunts. That's if it happens.

You can better regulate behaviors if
you release the need on some of these penalties
and some of these revenues that we are accustomed
to. This is the foundation of our country.
People were used to having free labor and that
was a need. There was a need to build the
country. At a certain point you've got to let go
of those things. Do you know what I mean?

Because it becomes more harmful than
it is good. Like I said, with D.C. right now 80
percent of our people that move here do not have
vehicles. Our population doubles during the day,
during the work week.

The burden already is on the citizens
of D.C. to pay the cost for travel to now be
taxed for Uber and Lyft at a higher rate to then
the transit system that you are already being
taxed to ride -- not taxed to ride but you are
paying to ride.

If you want another option, you have
to -- half our population has to go to get a car
loan. You get a car loan from an institution
that's charging you a higher interest rate.
That's a penalty for being your demographic.

I understand penalties but what I'm
saying is we have the means in place to knock out
certain penalties and recoup those revenues by
other means if we apply the technologies that we
have in the city.

CHAIRMAN BENNETT: I'll go back. Ms.
Lewis?

MS. LEWIS: No, thank you.

CHAIRMAN BENNETT: Mr. Gill?

MR. GILL: I think the term
appropriation is what it's going to come down to.
In terms of the factors it's vague and so maybe
we'll pull out the Dorsey case.
CHAIRMAN BENNETT: We will make a decision on this in executive session. My compliments to your initiative and also to your arguments around the matters that we need to consider.

I have to say this was one of the few times that we've actually, I think, gotten some data in these sessions that I think will help us and also cause us to really think through the positions that we've gotten from both General Counsel and also the Attorney General. Job well done. I'm not sure what the answer is going to be but thank you.

MR. BUTLER: You said at the executive session?

CHAIRMAN BENNETT: We're going to meet after this meeting. We'll talk through it and somebody, maybe the General Counsel's Office, will be able to connect with you.

MR. McGANN: We'll have it to you in short order.

MR. BUTLER: So I can expect that by
mail?

MR. McGANN: Mail, email.

MR. BUTLER: Thank you so much everybody.

CHAIRMAN BENNETT: Thank you.

All right, Mr. McGann. I think you've got a couple more.

MR. McGANN: Couple more. Bear with me. At this point in time I'd like to introduce my colleague Ms. Renee Christiansen to present Proposed Emergency Rulemaking for Chapters 1, 2, 4, 5, 7, 8, 17, and 33.

MS. CHRISTIANSEN: Hello. My name is Renee Christiansen, staff attorney for the Board of Elections. For the Board's consideration today is a Notice of Emergency and Proposed Rulemaking affecting multiple chapters of Title 3 of the D.C. Municipal Regulations.

Those chapters are Chapter 1, Organization of Board of Elections. Chapter 2, Political and Ethical Conduct of Board Members and Employees. Chapter 4, Hearings. Chapter 5,
Voter Registration. Chapter 7, Election Procedures. Chapter 8, Tabulation and Certification of Election Results. Chapter 17, Candidates, Members, and Officials of Local Committees and Political Parties and National Committee Persons. Finally, Chapter 33, Prohibition on Use of Government Resources for Campaign Related Purposes and Interpretive Opinions.

The purpose of the amendments to Chapter 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. Additional amendments to these chapters are organizational and stylistic.

The amendments to Chapter 2:

(1) Codify the Board's current status to act as a personnel authority pursuant to the District of Columbia Government Comprehensive
Merit Personnel Act of 1978 as amended for its employees.

(2) Adopt personnel rules that apply to all other District of Columbia employees unless specifically exempted in this chapter.

(3) Relocate any existing personnel regulations to this chapter.

(4) Retain the existing rules concerning political activity of board members and employees.

The purpose of the amendments to Chapters 5, 7, and 8 is to codify rules following the passage of the Automatic Voter Registration Act of 2016. Substantively, the proposed amendments:

(1) Codify a new deadline of 21 days before election day for the Board to receive registration applications digitally or by mail.

(2) Codify a new deadline of 21 days before a primary election for previously registered voters to newly affiliate with a major political party and be eligible to go in that
Further amendments to Chapter 5 establish monthly reporting requirements for voter registration agencies. Additionally, amendments to Chapter 7 establish rules for media contact and photography in voting places and codify requirements for eligible voters to remain permanent absentee voters. The remaining amendments to these chapters are organizational and stylistic.

The amendment to Chapter 17 changes the deadline for candidates for party offices to file amendments, or statements to amend or withdraw from registered slates. This amendment changes the filing deadline to coincide with the deadline to withdraw as a candidate for either public or party office which is 54 days before election day. It would also allow for changes up until the time of the ballot position lottery.

The purpose of the amendment to Chapter 33 is to make a minor conforming amendment by adding the Attorney General to the
list of public officials who may as part of their official duties express views on a District of Columbia election as permitted following the passage of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013.

The emergency action to adopt these rules is necessary since the rulemaking will establish new regulations concerning the deadline by which voters can register to vote or make voter registration changes including party affiliation prior to the June 19, 2018 primary election. Adoption of these rules is necessary for the immediate preservation of public peace and welfare to District residents in accordance with District law.

If the Board votes to adopt these emergency rules, they will become effective today and remain in effect until August 2, 2018 unless they are superseded by a notice of final rulemaking adopted by the Board and published in the D.C. Register.
Additionally, the Board's adoption of this proposed rulemaking will allow the public a comment period of 30 days from the date of publication of the notice in the D.C. Register after which the Board would make comments, if any, and then consider the adoption of final rules at a public meeting.

That concludes my summary of the rulemaking before you. I would add if the public is interested in receiving a copy of this rather large rulemaking, contact us in the Office of the General Counsel and we would be happy to provide it.

CHAIRMAN BENNETT: Great. Any questions, Ms. Lewis?

MS. LEWIS: No, thank you.

CHAIRMAN BENNETT: Mr. Gill?

MR. GILL: No questions.

CHAIRMAN BENNETT: Are we ready to vote and make a motion?

MR. GILL: Motion to accept the recommendations.
MS. LEWIS: Second.

CHAIRMAN BENNETT: All in favor?

MEMBERS: Aye.

CHAIRMAN BENNETT: Unanimous. Thank you so much.

MR. McGANN: Okay. Last but not least, a measure on our report.

CHAIRMAN BENNETT: Office of General Counsel.

MR. McGANN: Apparently it is. We have litigation status on three cases currently pending before the D.C. Superior Court and Judge in chambers.

Those cases are D.C. Board of Elections v. Christopher Hawthorne; D.C. Board of Elections v. Camille Loya; and D.C. Board of Elections v. Charles Wilson. All three are companion cases in that they're petitions for enforcement of campaign finance orders.

We have a hearing before the Judge in chambers tomorrow morning at 10:30. At that time we anticipate receiving an order enforcing the
judgment of the Board of Elections and we will
record those judgments.

CHAIRMAN BENNETT: Great.

MR. McGANN: That's my report.

CHAIRMAN BENNETT: That's your report.

Thank you.

MR. McGANN: And I'm sticking to it.

CHAIRMAN BENNETT: And you're sticking
to it.

All right. Ms. Miller.

MS. MILLER: Thank you, Mr. Chair.

The first matter under my agenda is the proposed
relocation of two precincts, Precinct No. 8 and
Precinct No. 29. Lou is here and I'll ask him to
come forward and present to the Board the
relocations and the reasons associated with
relocating each of these precincts. This would
be 42-1900.

CHAIRMAN BENNETT: Okay.

STAFF: Good morning. The first
precinct that is up for relocation -- both
precincts are in Ward 3. The first precinct is
Precinct No. 8 which is Palisades Recreation Center.

This facility is under construction currently and would not be available for the upcoming June 19th primary election. Therefore, I am recommending that we relocate to the Palisades neighborhood library located at 4901 B Street, N.W.

On the registration for this precinct is 3,821. The precinct is accessible with slight modifications. When I say slight modifications, it's a brand new facility but the main entrance to the door does not have the pushbutton access so we'll have to leave the door propped open.

We will be using a multi-purpose room. The voting space is excellent. The lighting is excellent. There is a small parking lot behind the facility as well as street parking. It is currently located approximately six blocks from the current voting place.

The next voting place is Precinct No. 29 which is the 2nd District Police District.
This office is scheduled to go under renovation in March of 2018 and would not be available for the upcoming June 19th primary election. Therefore, I'm proposing that we relocate to the Washington Hebrew Congregation Church which is located at 3935 Macone Street, N.W.

The registration for this area is 1,935. The facility is accessible with slight modifications. This is another facility that does not have the pushbutton access to the main entrance but we can leave the doors propped open. We will be using the multi-purpose room in that area.

The voting space is excellent. The lighting is excellent. There is a parking lot that they may have to share with the staff of the facility as well as street parking and it is approximately three blocks from the current voting place for the 2nd District voting space.

MS. MILLER: Just a question. I'm just wondering why we waited so late to move to these locations.
STAFF: Okay. With regards to Precinct No. 8, the facility has been closed. It was scheduled for renovation by April. Of course, with construction and I don't know what issues they had with DCPR but the construction date kept getting pushed back. Therefore, they informed me that it would not be available and is not scheduled to be completed until July 4 and opened for Independence Day.

With regards to Precinct No. 29 when we gave the survey to the facility it was not under construction because they were waiting on the funding and then we were notified that the funding has been approved and they will begin construction in May so it still hasn't been closed as of yet but they are looking in the future that it will be closed in May so, therefore, it will not be available for June.

CHAIRMAN BENNETT: So you will notify the citizens by mail initially and then I guess there will be signs at the old places directing them to the new?
STAFF: I will put the proposed relocations in the D.C. Register today, as well as notify all the affected ANCs and the counsel member for Ward 3 as well.

CHAIRMAN BENNETT: Any questions?

Thank you.

I'm sorry. Are we going to vote on that? Can we get a motion?

MR. GILL: Motion to accept the relocations.

MS. LEWIS: Second.

CHAIRMAN BENNETT: All in favor.

MEMBERS: Aye.

CHAIRMAN BENNETT: The ayes have it.

It's unanimous. Thank you.

MS. MILLER: Thank you.

MR. GILL: It's a big job.

CHAIRMAN BENNETT: Just briefly I want to go into some general matters. The deadline for candidates to file their nominating petitions for the January primary was March 21st. However, due to inclement weather on the 21st and the
government being closed, the deadline was
extended to March 22nd, the next business day for
the government.

All sitting chairs for the petitions
are required to be valid as of March 21st. The
10-day challenge period begins Saturday March
24th and will end on Monday, April 2. During
that time the office is open every day including
Sundays, I might add, even this past Sunday which
was Easter Sunday. The office was open and staff
was here. I want to commend you all on that.
Thank you very much.

We had public inspection for anyone to
come in and review the nominating petitions.
During that time we had 13 challenges filed
against nine candidates, or nine nominating
petitions.

As of yesterday all candidates who
were challenged have been notified. Prehearings
are now in the process of being scheduled between
the General Counsel's Office and the Registrar.
It should begin, I believe, later this week.
Once prehearings are completed, anyone disagreeing with the outcome of the prehearing will have an opportunity to go before the Board to resolve those challenges. All the challenges have to be resolved no later than April 23rd.

Our voter registration system, which we have been talking about for close to a year. The procurement of the VRS is finally in the decision-making process. The final submissions for the bid on solicitation were submitted last Monday, March 26th.

We are actually scheduled to meet with the Office of Contract and Procurement today at 2:30, assuming we get out of here by then, to see who has submitted proposals and to review the solicitations. We are moving slow but faster than we were.

MR. McGANN: Moving.

MS. MILLER: We're getting there.

Training. Our poll worker trainers are in place and have been working in setting for the past few weeks with the poll worker training materials for
the June 19th primary. We will begin training for early voting on Monday. The training for election day workers will begin a week later on April 17th.

As you all know, early voting will start on June 4 at One Judiciary Square. At the other eight satellite locations early voting begins on June 8th. All early voting ends on June 15th.

Just a little bit about list maintenance. Last month I did place on the record that we published a list of 22,557 voters' records who had not voted since November of 2010, I believe. We had asked for those individuals to contact the Board by March 21st if, in fact, they did not want their names removed.

We did not receive any information from any of those voters. No one responded. Actually, those individuals were removed so we have cleaned up our records by 22,557 voters as of March 21st.

Also, with respect to our Eric
mailings which, again, onto list maintenance, I mentioned last month that we had sent out 3,732 notices of individuals whose name appeared on the voter registry but no longer reside in the District according to Eric.

We have removed 1,266 individuals from that list and we are still getting information in, although we cannot remove any more because our deadline to do so was March 21st but we are still getting updates from that list of individuals who have sent mailings for those who may want their addresses updated which we sent 4,137 notices to in-state residents where we received information that the address is different from the address that we have on file.

As of last week we received 1,226 individuals have responded to that. Either they are now out of state or they have updated their address so the list maintenance continues with that as well.

I'm going to talk just a little bit about HOBA funding. In October of -- March 23rd
rather, I'm sorry, the Omnibus Bill was signed by
the president which allowed money for HOBA,
federal funding. The District will be receiving
$3 million in HOBA funding. I did actually speak
with the chairman of the EAC last week to which I
say, "Where is my money?"

Anyway, that aside, he will be signing
off and I have received notification that we will
receive $3 million in HOBA funding. It is
forthcoming. We are scheduled to be on a call
tomorrow to discuss the mechanics associated with
how that money is suppose to be directed to
spend.

A lot of attention is being focused on
cyber security and there's a major push towards
ensuring that some of that funding will be used
towards cyber security in addition to just the
overall conduct of federal elections and how
elections are conducted.

The bill is pretty general allowing
states to determine their most pressing
priorities and use of the money to meet the needs
of each jurisdiction used, but it does specifically point to including enhancing the election technology and upgrades to cyber security.

The city will have to come up with a 5 percent match of that $3 million which is $150,000. That can be done over a two-year period. Our hope is that our budget is not affected by the fact that we are going to receive the $3 million.

We will have that money but the law provides that the money should be submitted or provided from the EAC no later than 45 days after the bill was signed which takes us somewhere around the first week in March -- May. I'm sorry.

Our budget hearings, with that in mind, are scheduled for next Friday. Right now we are scheduled to receive about $10.5 million of the $12 million that was requested. I just hope that none of that is affected by HOBA.

That concludes my report.
CHAIRMAN BENNETT: Thank you.
Any questions, Ms. Lewis, Mr. Gill?
MS. LEWIS: No.
CHAIRMAN BENNETT: Next on the agenda is Ms. Montgomery.
MS. COLLIER-MONTGOMERY: Good afternoon. The first thing that I would like to announce on the record is that the Office of Campaign Finance will be relocating to 1015 Half Street, S.E., this building, Suite 775, on May 11, 2018. I will also publish a notice for the public on our website as well and also on our Facebook and Twitter accounts on this date as well.

During the month of March, March 10th was the deadline for the filing of the reports of receipts and expenditures by our principal campaign committees and our political action committees who are active in the current election cycle. We had 97 required filers, 45 principal campaign committees, and 52 political action committees.
Eighty-six of the committees timely filed. We had two late filers and we had two requests for extensions which were requested and granted. There were nine failures to file and those failures to file were referred to the Office of the General Counsel along with the failure to timely file. All of the committee who timely filed electronically filed so there were 86 who electronically filed their reports.

With the referrals to the Office of the General Counsel, with the failure to timely file the March 10th report, again there were six principal campaign committees; the 2018 Gordon for Mayor, Victoria Gordon, Treasurer; Justin Green At Large, Justin Green, Treasurer; Dustin D.C. Canner for D.C. Mayor, Dustin Canner, Treasurer; MMC Foundation, Manly Collins, Candidate Treasurer; Davis for Mayor 2018; Eric Gates, Treasurer; Wasserman for Ward 3, Jessica Wasserman, Treasurer.

The political action committees and initiatives committees which were referred are as
follows: Gertrude Stein, Democratic Club,
    Political Account, Jessica Pierce, Treasurer;
    Economic and Protection Party, Margaret Smith,
    Treasurer; Emancipation Eight Pack, Anthony
    Golterry, Treasurer; D.C. Young Democrats,
    Anthony Stephens, Treasurer; Ward 1 Democrats,
    Hector Huezo, Treasurer.

    During the month of March we had 18
    new candidates and committees who registered with
    the agency and the names of those new candidates
    and committees will be posted on our website
    today with our stats.

    We held entrance conferences during
    the month of March on two dates. The first was
    on March 14, 2018. The participants were Michael
    D. Brown, Candidate Michael D. Brown for Senate
    2018; Robert "Beau" Finley, Candidate Ward 3 Blue
    Wave Democrats Committee; Yvonne L. Gillespie,
    Treasurer Michael D. Brown for Senate 2018; John
    Capozzi, Candidate Dump Trump, Democrats for
    Action; James Lavar, Candidate Democrats Moving
    Forward #RESIST.
On March 28th the participants were
Jessica Sutter, Candidate Jessica Sutter for
SBOE, Art Slater, Treasurer, Dump Trump,
Democrats for Action; Vasoo Abrihan, Treasurer,
D.C. for Democracy; Ryan Washington, Candidate,
Washington for D.C; Frank Barr, Treasurer,
Franklin for D.C. 2018; Marily Tyler Brown,
Treasurer, Democrats Moving Forward #RESIST.

In our Audit Branch during the month
of March the Audit Branch conducted 46 desk
reviews of political action committees, 49 desk
reviews of principle campaign committees, and
also issued 36 requests for additional
information concerning the audit reports or the
desk reviews which were conducted.

Also, during the month of March with
our ongoing audits we have four periodic random
audits which are ongoing, other reports filed on
January 31, 2018 of the candidates in the 2018
election. Those include Re-Elect Muriel Bowser,
our Mayor; Karl Racine 2018; Tenny McDuffie 2018;
and Deon for D.C.
With the periodic random audits of the political action committees for the reports which were filed on January 31, 2018 we have two ongoing audits; Verizon Communications, Inc., Good Government Club, Washington, D.C. and Food Service Pack.

We issued two audits during the month of March and those will be posted at our website for review by the public. The first is the Greater Washington, D.C. Insurance and Financial Advisers Act which was issued on March 6, 2018, and Brianne for D.C. 2018 which was issued on March 29, 2018.

I would ask the General Counsel William Sanford for the Office of Campaign Finance to provide the legal report for the agency.

CHAIRMAN BENNETT: Thank you.

Mr. Sanford.

MR. SANFORD: Mr. Chairman and distinguished board members, my name is William Sanford, General Counsel for the Office of
Campaign Finance. During the month of March 2018 the Office of General Counsel received 13 items which included eight principal campaign committees and five political action committees.

The Office of the General Counsel completed five informal hearings and issued five audits which included the following:

Two orders were issued for failure to timely file reports in which no fines were imposed. Three orders were issued for failure to timely file reports in which fines totally $3,850 were imposed.

The Office of the General Counsel imposed fines against the following respondents during the month of March: a fine of $1,400 was imposed against Dustin Canner for Mayor, principal campaign committee; a fine of $1,400 was imposed against Justin Green At Large Committee; and a fine of $1,050 was imposed against the MMC Foundation Committee.

During the month of March 2018 the Office of the General Counsel collected $1,500 in
fines and that fine was transmitted to the Office of the General Counsel by Jeffrey Thompson in accordance with an installment agreement between the Office of Campaign Finance and Mr. Thompson.

During the month of March there were no open investigations in the Office of the General Counsel. During the month of March 2018 there was one request for an interpretive opinion that was received and one interpretive opinion was issued.

On the 12th of March the Office of the General Counsel issued Opinion No. 018-01. The requester was Donald R. Dinan. His request was submitted on the 22nd of February and the request involved contributions to slate.

On the 9th of March the Office of the General Counsel received a request for an interpretative opinion which is currently pending and the requester was Clinton Lassure. That request involved registration requirements.

During the month of March 2018 there were no show cause proceedings conducted by the
Office of the General Counsel. That should conclude my report.

CHAIRMAN BENNETT: Thank you. Any questions?

MR. GILL: No questions.

CHAIRMAN BENNETT: Ms. Montgomery.

MS. COLLIER-MONTGOMERY: I have no further matters.

CHAIRMAN BENNETT: Great. That concludes our Campaign Finance Report. Are there any public matters for the Board? Hearing none, the meeting is adjourned. Thank you very much.

(Whereupon, the above-entitled matter went off the record at 12:26 p.m.)
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Regular Board Meeting

Before: DC BOE

Date: 04-04-18

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

______________________________
Court Reporter

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