The Special Meeting of the Board of Elections convened in Room 280 North at 441 4th Street, N.W., Washington, D.C. at 10:00 a.m., Deborah K. Nichols, Chairperson, presiding.

BOARD MEMBERS PRESENT:
DEBORAH K. NICHOLS, Chairperson
DEVARIESTE CURRY, Member
STEPHEN I. DANZANSKY, Member

BOARD STAFF PRESENT:
CLIFFORD D. TATUM, Executive Director
KENNETH J. McGHIE, General Counsel
CHAIR NICHOLS: Good morning.

Welcome. I hereby call to order the Special Meeting of the Board of Elections to propose language for the Short Title and Summary Statement of Initiative 71 titled Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Act of 2014.

It is Tuesday, March 25, 2014, and we are meeting in Room 280 North of One Judiciary Square. The time is 10:15 a.m.

I'm Deborah Nichols, Chairman of the Board. Present with me this morning are members Devarieste Curry and Stephen Danzansky. Also present on the dais are Mr. Ken McGhie, the Board's General Counsel; Mr. Clifford Tatum, the Board's Executive Director.

At this point I will turn the meeting over to Mr. McGhie to present the initiative and the process that we are to
follow this morning.

MR. MCGHIE: Yes, the Board has proposed - has approved as a proper subject for the initiative, a letter submitted that was entitled Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Act of 2014.

At this point the Board is now required pursuant to D.C. Code Section 1-1001.16(e) to formulate the Short Title and Summary Statement which will appear on the ballot, and the Office of the General Counsel has submitted its recommended proposed title and summary statement for the Board's consideration.

I've also presented the General Counsel's proposal to the proposer who is present with his attorney, and I would ask them to come forward to the table and identify themselves for the record.

MS. LAFORGE: Good morning.

MR. EIDINGER: Good morning. Adam
Eidinger, proposer.

MS. LAFOREGE: Amanda LaForge, counsel for proposer.

MR. MCGHIE: Procedurally what is done is we ask the proposer if they agree with the language recommended by the Office of the General Counsel, and if you do or do not, any suggested language or edits that you would make to our proposal first, and if there are any proponents to the measure, that any language that they would be recommending, and of course, the Board has the final say on what language will appear on the ballot.

So at this point, please state your full name and address for the record.

MR. EIDINGER: Yes, Adam Eidinger, 1858 Mintwood Place, Northwest, Number 4, Washington, D.C. 20009, and should I - this is fine. This is perfect. No problems.

MR. MCGHIE: All right, and is there anyone else that would like to be heard on the proposed Short Title and Summary
Statement either for or against the measure?
No answer.

CHAIR NICHOLS: All right.

MR. MCGHIE: So at this point does any member of the Board have any suggested changes to our or the General Counsel's proposed language?

MEMBER DANZANSKY: Well, yes, I have three changes which will keep us within our wording summary.

I recommend that we include in the first summary statement, the first paragraph, this initiative if passed will make it lawful under District of Columbia law so that we do have Federal law that runs contrary to that, and I think our citizens just ought to be informed that this is under D.C. law.

Second is since this is a carve-out to a criminal statute, I think we need to be specific and follow the initiative language as closely as possible within our 100-word limit and so I would just recommend that we
include the proposer's language relating to
transfer without payment but not sell. Our
language simply - the language here simply
says transfer but not sell and actually
transfer without payment is different.
Selling is by definition for money versus for
a promise or whatever, so I think the
proposer's language is more inclusive and is
better language, and our voters ought to know
what they're voting for, so I would just add
the words of the proposer, transfer without
payment, with a parenthesis but not sell.

Finally, the number of plants, I
would again follow the proposer's language up
to six plants with the carve-out for three
mature cannabis, no more than three of which
will be mature flowering plants.

So, as I say, since this is a
carve-out to a criminal statute, I think the
summary ought to be very specific in what it
allows and doesn't allow, and so I'm really
taking the proposer's language and suggesting
that we include that in it for the Board's consideration.

CHAIR NICHOLS: Can I clarify your - the second bullet. Are you saying that it should read grow no more than six cannabis plants with three or fewer being mature comma flowering plants comma?

MEMBER DANZANSKY: Yes, correct, thank you, madam.

CHAIR NICHOLS: Okay. All right. Ms. Curry, do you have any proposed changes?

MEMBER CURRY: I don't. I agree with Mr. Danzansky, particularly the first one on the District of Columbia law. I think that one in particular is an important clarification.

CHAIR NICHOLS: Do the proposers have any issues with that proposed language?

MR. EIDINGER: Can I just consult with him for one second?

CHAIR NICHOLS: Sure.

MR. EIDINGER: On the summary
statement, inserting under D.C. law under lawful, it seems perfectly reasonable and a
good clarification. We just would like to get
- I'd just like to get the exact language for Bullet 2 and 3 because I think I have grow up
to six cannabis plants with three or fewer being mature within the person's principal residence.

MEMBER DANZANSKY: Your language.

CHAIR NICHOLS: Grow no more than six -

MR. EIDINGER: Or it says grow up to six.

CHAIR NICHOLS: No more than.

MR. EIDINGER: No more than.

CHAIR NICHOLS: We're coming from for example Number - Item C in your initiative, the language states no more than six cannabis plants with three or fewer being mature, flowering plants provided that all persons resided blah, blah, blah. Okay?

MR. EIDINGER: Okay, yes, that
sounds fine, and then the transfer without payment but not sell up to one ounce, I'm just wondering why does not sell clarifies that already because there's no - can you -

MEMBER DANZANSKY: Okay, it was your language originally. It might have been redundant, and I think you probably put it in because the definition of the word sell means to exchange for money versus other consideration, and you intended to make it broader including other consideration, so that's - I think that ought to - this ought to reflect that. That's all.

MR. EIDINGER: That's fine, so transfer without payment but not sell.

MEMBER DANZANSKY: That's correct.

MR. EIDINGER: That's fine.

MEMBER DANZANSKY: I'm just trying to be true to your language and the reasons for it.

MR. MCGHIE: The Board needs to entertain a motion to accept this as the
proposed title and summary statement but
before - let me read what they - the Short
Title and Summary Statement and ask the Board
to entertain a motion based on my reading.

It would read on the ballot:

Initiative Measure Number 71 - Short Title,
Legalization of possession of Minimal Amounts
of Marijuana for Personal Use Act of 2014
Summary Statement - this initiative, if
passed, will make it lawful under District of
Columbia law for a person 21 years of age or
older to possess up to two ounces of marijuana
for personal use; grow no more than six
cannabis plants with three or fewer being
mature, flowering plants within the person's
principal residence; transfer without payment
but not sell up to one ounce of marijuana to
another person 21 years of age or older; and
use or sell drug paraphernalia for the use,
growing or processing of marijuana or
cannabis.

CHAIR NICHOLS: All right. I will
entertain a motion to adopt the proposed
changes to the Summary Statement.

MEMBER DANZANSKY: So moved.

CHAIR NICHOLS: All in favor.

Aye.

VOTING: Aye.

CHAIR NICHOLS: All opposed. Ayes

have it. Now I would like to entertain a
motion to adopt the Short Title and Summary
Statement and for publication in the D.C.
Register for a period of -

MR. MCGHIE: It's a ten-day
challenge period.

CHAIR NICHOLS: Ten-day challenge
period. I will entertain a motion to that
effect.

MEMBER DANZANSKY: So moved.

MEMBER CURRY: Second.

CHAIR NICHOLS: All in favor.

Aye.

VOTING: Aye.

CHAIR NICHOLS: All opposed. Ayes
have it. There being no further business before us, this meeting is adjourned. The time is 10:26 a.m. It is Tuesday, March 25th, 2014.

(Whereupon, the above-entitled matter was concluded at 10:26 a.m.)
CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Special Board Meeting

Before: D.C. Board of Elections

Date: 03-25-2014

Place: Washington, D.C.

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

______________________________

Court Reporter