

GOVERNMENT OF THE
DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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SPECIAL BOARD MEETING

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WEDNESDAY

JUNE 25, 2014

The Board met in Suite 280 North, One
Judiciary Square, 441 4th Street, N.W.,
Washington, D.C., at 9:30 a.m., Deborah K.
Nichols, Chairman, presiding.

BOARD MEMBERS PRESENT:

DEBORAH K. NICHOLS, Chairman

STEPHEN I. DANZANSKY, Member

ALSO PRESENT:

CLIFFORD D. TATUM, Executive Director

KENNETH J. MCGHIE, ESQ., General Counsel

to the Board

KAREN F. BROOKS, Registrar of Voters

C O N T E N T

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P R O C E E D I N G S

(12:48 a.m.)

CHAIRMAN NICHOLS: Good afternoon.

I hereby call to order the special meeting of the Board of Elections. The purpose of this meeting is to conduct a hearing to formulate the Short Title and Summary Statement, and legislative form of the proposed initiative entitled "No Worker Shall Make Less Than the Minimum Wage Act of 2014," and to approve the petition form for the Fair Minimum Wage Act of 2014.

It is Wednesday, June 25th, 2014.

The time is 12:49 p.m.

I'm Deborah K. Nichols, chairman of the board. Accompanying me this afternoon are Member Stephen Danzansky. Also present on the dias is our general counsel, Mr. Kenneth McGhie, and our executive director, Mr. Clifford Tatum.

Our first order of business is to conduct the hearing to formulate the Short

1 Title and Summary Statement for No Worker
2 Shall Make Less Than the Minimum Wage Act of
3 2014. I'll ask the parties to come forward to
4 the table. A draft formulation of the Short
5 Title and Summary Statement has been prepared.

6 I will ask our general counsel to
7 read it into the record.

8 MR. MCGHIE: Okay. This would be
9 Initiative Measure No. 74. The short title is
10 No Worker Shall Make Less Than the Minimum
11 Wage Act of 2014.

12 The Summary Statement reads as
13 follows:

14 "If enacted, the No Worker Shall
15 Make Less Than the Minimum Wage Act of 2014
16 will increase the minimum wage in the District
17 of Columbia to \$12.50 hourly, or one dollar
18 above the federal minimum wage, whichever is
19 greater, by 2017; gradually increase the
20 minimum wage for tip employees, so that they
21 receive the same minimum wage as other
22 employees by 2012; beginning in 2018, require

1 the minimum wage to increase yearly in
2 proportion to increases in the Consumer Price
3 Index; and ensure that the minimum wage
4 increases will not apply to D.C. Government
5 employees, or employees of D.C. Government
6 contractors."

7 CHAIRMAN NICHOLS: Are there any
8 suggestions from the Board, or interested
9 parties, as to any changes to the Short Title
10 and Summary Statement formulation? Have any?

11 (No response)

12 CHAIRMAN NICHOLS: All right.
13 Hearing none, the Board has five days from
14 today to submit the Short Title to the D.C.
15 Register -- Short Title and Summary Statement,
16 in legislative form, to the D.C. Register for
17 publication.

18 If any qualified registered
19 elector of the District objects to the Summary
20 Statement, Short Title, or legislative form of
21 the measure, anyone who does that may seek
22 review in Superior Court within ten calendar

1 days from the date the Board publishes the
2 Short Title.

3 I will now attain a motion to
4 adopt the Short Title, Summary Statement, and
5 legislative form as read by the general
6 counsel, subject to minor technical edits.

7 BOARD MEMBER DANZANSKY: Madam
8 Chair, I move we adopt the language as read in
9 the record by the general counsel.

10 CHAIRMAN NICHOLS: All right. The
11 motion is before us. All in favor, aye.

12 (Chorus of ayes)

13 CHAIRMAN NICHOLS: All opposed?

14 Hearing none, the motion carries.

15 If there are no further questions,
16 thank you all for coming. We will see you back
17 soon, so that we can do the petition form.

18 MR. MCGHIE: Yes. If there are --

19 CHAIRMAN NICHOLS: If there are no
20 objections or challenges. All right? Thank
21 you so much. Thank you. Thank you so much.
22 Appreciate it.

1 (Pause)

2 CHAIRMAN NICHOLS: All right.
3 Okay. We will now move to the approval of the
4 Petition Form for Initiative Measure No. 73,
5 Fair Minimum Wage Act of 2014. Is there
6 anyone here to represent -- thank you, sir.
7 Come and identify yourself for the record,
8 please.

9 REVEREND JONES: I'm Reverend
10 Edwin Jones.

11 CHAIRMAN NICHOLS: All right.
12 Reverend Jones. Okay. Mr. McGhie, would you --
13 or I can.

14 "Pursuant to D.C. Official Code
15 Section 1001.16(G), the Board must approve an
16 initiative or referendum petition form before
17 it can be circulated. The Board is required to
18 prepare and provide to the proposer at a
19 public hearing an original form, which the
20 proposer must formally adopt as his or her own
21 form."

22 Mr. McGhie will now present the

1 petition form and --

2 REVEREND JONES: Thank you.

3 CHAIRMAN NICHOLS: Okay. We'll
4 give you a chance to look that over and see if
5 you approve of the petition form, and would
6 adopt it as your own form.

7 (Rev. Jones reviews the form)

8 CHAIRMAN NICHOLS: Yes, sir?

9 REVEREND JONES: Okay. I had had
10 an opportunity to read the statement and we do
11 accept this petition as presented.

12 CHAIRMAN NICHOLS: We want to make
13 a clarification. We need to know what the
14 proper initiative number is for this, because
15 we have 73 on one document. We have 72 on
16 another document. And even for your petition
17 -- not petition -- your initiative number. So
18 what is the correct initiative number?

19 MS. BROOKS: It should be -- it is
20 72, and the next one will be 73.

21 CHAIRMAN NICHOLS: No Worker --

22 MS. BROOKS: No Worker --

1 CHAIRMAN NICHOLS: -- is 73.

2 MS. BROOKS: 73. Yes.

3 (Simultaneous speaking)

4 MS. BROOKS: 72 is the Fair
5 Minimum Wage Act of 2014.

6 CHAIRMAN NICHOLS: Yes. We're
7 going to have to --

8 (Simultaneous speaking)

9 CHAIRMAN NICHOLS: You'll be 73.
10 Not 74. And what do we do to clarify the
11 record on that?

12 MR. MCGHIE: I think it's a
13 technical error then.

14 CHAIRMAN NICHOLS: Technical
15 error. Okay. That we can clear. All right.
16 Thank you, Reverend Jones, for your patience.
17 We appreciate that.

18 Do Board Members have any
19 questions or comments?

20 (No response)

21 CHAIRMAN NICHOLS: No? Mr.
22 Danzansky?

1 BOARD MEMBER DANZANSKY: No. I have
2 no comments, Madam Chair. Thanks.

3 CHAIRMAN NICHOLS: Okay. Well, I
4 would like to entertain a motion, and
5 substantially, the following form, that the
6 Board approve the petition form adopted by the
7 proponent of Initiative No. 72.

8 BOARD MEMBER DANZANSKY: Yes. I
9 move that we adopt the petition form for
10 Initiative No. 72. Did we submit a copy for
11 the record? Or do we need to?

12 CHAIRMAN NICHOLS: Yes.

13 BOARD MEMBER DANZANSKY: We do.
14 Okay. So moved.

15 CHAIRMAN NICHOLS: All in favor?

16 (Chorus of ayes)

17 CHAIRMAN NICHOLS: All opposed?

18 Hearing no opposition, the ayes
19 have it. Mr. McGhie.

20 MR. MCGHIE: Okay. The Registrar of
21 Voters has calculated, I guess, the signature
22 requirements and she's prepared to give that

1 right now.

2 CHAIRMAN NICHOLS: Come forward,
3 Ms. Brooks, and read your calculations in to
4 the record, and outline the remainder of the
5 process.

6 MS. BROOKS: Okay. As you're
7 aware, the petition submitted in support of
8 Initiative Measure No. 72, Fair Minimum Wage
9 Act of 2014, must contain the signatures of 5
10 percent of the voters registered in the
11 District of Columbia, provided that this total
12 includes 5 percent of the registered voters in
13 each of five or more wards. Pursuant to D.C.
14 Official Code Section 1-204.102, this number
15 is based on the latest official count of
16 registered voters by the Board of Elections,
17 which was issued 30 or more days prior to the
18 submission of signatures.

19 While the requirement cannot yet
20 be determined, I have calculated for the
21 information of proponent and opponent what
22 this requirement would be, if the most recent

1 voter registration figures published by the
2 Board were used, which is indicated in the
3 chart below.

4 For this initiative, you would
5 need 22,608 signatures, total, at least 5
6 percent of each ward, which is reflected in
7 short. I'll give you a copy.

8 Proponents and opponents are
9 advised to check with the Board on a monthly
10 basis, as new statistics are issued, to get
11 up-to-date estimates of the signature
12 requirement. In addition, the 180 day period
13 for circulating the petition pursuant to D.C.
14 Official Code Section 1-1001.16(J)(1) expires
15 on Monday, Decca Finance Service 22nd, 2014,
16 at 5:00 p.m.

17 Should the proponent wish to place
18 this measure on the ballot at the November
19 4th, 2014 general election, the petition must
20 be submitted no later than 5:00 p.m. on
21 Monday, July 7, 2014.

22 CHAIRMAN NICHOLS: July 7?

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MS. BROOKS: Yes. Seven. 2014.

CHAIRMAN NICHOLS: All right. Are there any questions, Reverend Jones?

REVEREND JONES: No; no.

CHAIRMAN NICHOLS: All right. Thank you so much. Are there any other matters to be brought before the Board this afternoon?

(No response)

CHAIRMAN NICHOLS: Hearing none, without objections, this special meeting is adjourned. The time is 1:01 p.m. It is still June 25th, on Wednesday, 2014.

(Whereupon, at 1:01 p.m., the special meeting adjourned.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Special Board Meeting

Before: DC BOE

Date: 06-24-14

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

NEAL R. GROSS

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