DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS

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In Re: Initiative No. 63, "Medical)	Administrative Hearing
Marijuana Initiative of)	No. 02-017
2002)	Re: Ballot Access for Initiative Petition
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	_)	

MEMORANDUM OPINION AND ORDER

- I. <u>Background</u>. On July 25, 2001, Robert Kampia, a registered qualified elector, filed with the Board a proposed initiative measure entitled "Medical Marijuana Initiative of 2002." The proposed initiative was published in the D.C. Register on April 19, 2002. On May 1, 2002, the Board approved the initiative measure as a proper subject and formulated the official short title, summary statement, and legislative text. The proposed measure was designated as Initiative Measure No. 63. On June 13, 2002, the proposer was issued the petition form for circulation, and was advised that the deadline by which to submit the petition in order for Initiative No. 63 to appear on the November 5, 2002 General Election ballot was July 8, 2002. On July 8, 2002, Robert Kampia submitted the Initiative Measure No. 63 petition containing 2,384 pages.
- II. <u>Findings</u>. After completing the Board's standard procedures for verifying registered voter signatures contained in Initiative Measure No. 63, "Medical Marijuana Initiative of 2002," the Board's staff, in conjunction with the Data Management Division of the Office of Planning, determined that the initiative did not meet the statutory requirements for certification to the ballot, in accordance with D.C. Code §1-204.102(a). The Board, therefore, adopts the findings of the Executive Director, Alice Miller, as

contained in her August 7, 2002 Petition Verification Report, and incorporates the attached report into its Order.

III. <u>Conclusions of Law</u>. D.C. Code §1-1001.16 (o)(1) provides that "[a]fter acceptance of an initiative or referendum petition, the Board shall certify, within 30 calendar days after such petition has been accepted, whether or not the number of valid signatures on the initiative or referendum petition meets the qualifying percentage and ward distribution requirements established [by law]."

D.C. Code §1-204.102 provides that "the total [number of] signatures submitted [shall] include 5 percent of the registered electors in each of 5 or more of the City's wards. The number of registered electors which is used for computing these requirements shall be according to the latest official count of registered electors by the Board of Elections and Ethics which was issued 30 or more days prior to submission of the signatures for the particular initiative or referendum petition."

Accordingly, the Board, having found that the results of the petition verification process for Initiative Measure No. 63, "Medical Marijuana Initiative of 2002," indicate that the petition contains an insufficient number of valid signatures, states that it is hereby,

ORDERED, that Initiative Measure No. 63 be certified as numerically insufficient to appear on the ballot for the November 5, 2002 General Election.

August 12, 2002
Date

Henjamin Wilson

Chairman

CERTIFICATE OF SERVICE

I hereby certify that on Monday, August 12, 2002, a copy of the foregoing order was delivered by hand to Robert D. Kampia, Marijuana Policy Project, 236 Massachusetts Avenue, N.E., Suite 305, Washington, D.C. 20002.
Terri D. Stroud