



DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS  
WASHINGTON, D.C. 20001-2745

January 5, 2010

Vincent C. Gray  
Chairman At-Large  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Suite 504  
Washington, D.C. 20004

Dear Mr. Gray:

Enclosed please find a Notice of Public Hearing for the purpose of determining whether the proposed measure, "Preservation of Traditional Marriage One Man One Woman 2009" is a proper subject for initiative in the District of Columbia. The hearing will take place on Tuesday, February 16, 2010 at 10:30a.m., at One Judiciary Square, 441 4<sup>th</sup> Street, N.W., Suite 280N, Washington, D.C. 20001

If you would like to address the issue of whether the proposed measure presents a proper subject for initiative, the Board requests that written memoranda be filed with the Office of the General Counsel for the Board no later than 4:00p.m., on Thursday, February 11, 2010 at One Judiciary Square, 441 4<sup>th</sup> Street, N.W., Suite 270N, Washington, D.C. 20001. Please note given the time constraints associated with the referendum process, the deadline to file any memoranda must be strictly adhered to by all interested parties. Additionally, you will be permitted to present your arguments on this measure at the hearing on February 16, 2010.

Sincerely,

Kenneth J. McGhie  
General Counsel

Enclosure

## BOARD OF ELECTIONS AND ETHICS

### NOTICE OF PUBLIC HEARING RECEIPT AND INTENT TO REVIEW INITIATIVE MEASURE

The Board of Elections and Ethics shall consider in a public hearing whether the proposed measure "Preservation of Traditional Marriage One Man One Woman 2009" is a proper subject matter for initiative, at the Special Board Meeting on Tuesday, February 16, 2010 at 10:30am., One Judiciary Square, 441 4<sup>th</sup> Street, N.W., Suite 280, Washington DC.

The Board requests that written memoranda be submitted for the record no later than 4:00 p.m., Thursday, February 11, 2010 to the Board of Elections and Ethics, General Counsel's Office, One Judiciary Square, 441 4<sup>th</sup> Street, N.W., Suite 270, Washington, D.C. 20001.

Each individual or representative of an organization who wishes to present testimony at the public hearing is requested to furnish his or her name, address, telephone number and name of the organization represented (if any) by calling the General Counsel's office at 727-2194 no later than February 11, 2010.

The Short Title, Summary Statement and Legislative Text of the proposed initiative read as follows:

#### **SHORT TITLE**

**PRESERVATION OF TRADITIONAL MARRIAGE ONE MAN ONE WOMAN 2009**

#### **SUMMARY STATEMENT**

The purpose of this initiative is to allow the citizens of the District of Columbia to vote to preserve traditional marriage as between one man one woman.

- This initiative would define marriage as between one man and one woman.
- This initiative would amend as follows:
- Section 1283 (DC Official Code section 46-401) is redesignated as section 1283

"Marriage is the legally recognized union between one man and one woman. No person may enter into a marriage in the District of Columbia with another person unless it is a man and a man.

**LEGISLATIVE TEXT**

To repeal the District of Columbia’s “Religious Freedom and Civil Marriage Equality Act of 2009.”

**BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA**, that this Act may be cited as the” Religious Freedom and Civil Marriage Equality Amendment Act of 2009”.

Sec. 2 Chapter Forty-Three of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1391; D.C., Official Code § Sec 46-401 *passim*), is amended as follows:

(a) Section 1283 (D.C. Official Code ‘46-401) is redesignated as section 1283a. (a) A new section 1283 is added to read as follows: “Sec. 1283 EQUAL ACCESS TO MARRIAGE.

(a) Marriage is the legally recognized union of 2 persons. Any person may enter into a marriage in the District of Columbia with another person, regardless of gender, unless the marriage is expressly prohibited by section 1283a or section 1285.

(b) Where necessary to implement the rights and responsibilities relating to the marital or familial relationships, gender-specific terms shall be construed to be gender neutral for all purposes throughout the law, whether in the context of statute, administrative or court rule, policy, common law, or any other source of civil law.”

(c) Section 1287a (D.C. Official Code ’46-405.01) is amended by striking the phrase “sections 1283” and inserting the phrase “sections 1283a” in its place.

