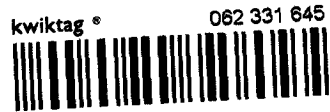


ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAW 11-98

"Budget Support Act of 1995"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 11-440 on first and second readings, November 7, 1995 and December 5, 1995 respectively. Following the signature of the Mayor on December 27 1995, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-181 and published in the January 5, 1995, edition of the D.C. Register (Vol. 43 page 5) and transmitted to Congress on January 22, 1996 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 11-98, effective March 5, 1996.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Jan. 22,23,24,25,26,29,30,31

Feb. 1,2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29

March 1,4

AN ACT
D.C. ACT 11-181

*Codification
District of
Columbia
Code
1996 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 26, 1995

To require the Mayor to identify and submit to the Council a list of which positions can be made eligible for certain retirement incentive programs; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to modify the reduction-in-force procedures to allow only 1 round of lateral bumping within a competitive level, to authorize personnel authorities to create smaller competitive areas within an agency, to set a deadline of February 1, 1996, for personnel authorities to make final decisions on the identification of positions to be abolished through a reduction-in-force, to add 5 years to creditable service for District residency for purposes of a reduction-in-force, to require the Mayor to submit to the Council by March 1, 1996, a list of positions to be abolished through a reduction-in-force, and to modify the school reduction-in-force procedures to limit nonschool personnel from being assigned to the same competitive level as classroom teachers; to prohibit the backfilling of positions left vacant as a result of a reduction in force; to amend the District of Columbia Procurement Practices Act of 1985 to provide that any contractor who receives a contract to provide services previously provided by District government employees shall offer a displaced District employee the right of first refusal for any available position for which the employee is qualified for a transition employment period of 6 months, to require contracts for goods and services to or on behalf of the District government to include a provision that certain District employees displaced by contracting-out and hired by a contractor be provided benefits identical to those prescribed the Service Contract Act of 1965, to require that displaced employees receive notice at least 30 days prior to being affected by any contracting-out, and to require that the Council approve any proposal in excess of \$1 million to contract out services during a 12-month period; to amend the Nursing Home and Community Residence Facility Residents' Protection Act of 1985 to repeal the contracting-out provisions; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to specify the range of outplacement services for employees separated in Fiscal Year 1996; to establish an Initiative Implementation Monitoring Committee to monitor the progress of the implementation of budget initiatives and to issue periodic reports to the Council; to create the position of Chief Information Officer;

ENROLLED ORIGINAL

to amend the General Obligations Bond Act of 1994, D.C. Law 10-116, to authorize a negotiated sale of certain general obligations bonds issued by the District; to require the Mayor to submit to the Council a revised cash flow statement reflecting the differences in the statement included in the Revised Fiscal Year 1996 Budget Request Act within 7 days of the Council's passage of the Revised Fiscal Year 1996 Budget Request Act; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to authorize the temporary assignment of employees between the District government and private sector organizations; to amend the District of Columbia Board of Education Fees for Select Adult, Community, and Continuing Education Courses Act of 1994 to authorize the Board of Education to charge fees for various courses and services; to require the Board of Education to contract out all food services operations and security services for the D.C. Public Schools for fiscal year 1996, to contract out, for no more than a 3-year period, beginning in School Year 1995-96 and Fiscal Year 1996, the development of new management and data systems, as well as training of currently employed personnel to use and manage these systems, in the areas of budget, finance, personnel/human resources, management information services, procurement, and supply management; and to require that active duty officers and noncommissioned officers of the United States Armed Forces be detailed as administrators and instructors in the Junior Reserve Officers' Training Corps Program; to amend the District of Columbia Real Property Tax Revision Act of 1974 to establish the real property tax rates and the real property special tax rates for real property tax year 1996, and to approve related reports; and to place a limit on the amount of borrowing to be financed by the Arena Tax for the purpose of construction and financing of the Arena.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Budget Support Act of 1995".

TITLE I - RETIREMENT INCENTIVE STUDY AND REPORT

Sec. 101. Retirement incentive eligibility.

(a) The Mayor shall conduct a study and identify which positions, if any, in each agency can be made eligible for the Easy Out Retirement Program, the Early Out Retirement Program, and the Voluntary Severance Program established by the Budget Support Legislative Review Emergency Act of 1995, enacted on November 9, 1995 (D.C. Act 11-154; 42 DCR 6569), without impairing the ability of the agency to accomplish its mission.

(b) The Mayor shall submit the study required by subsection (a) of this section to the Council by January 1, 1996.

(c) The Council, by February 1, 1996, will review the list to determine if all the positions identified should be deemed critical. The Council shall make additions and deletions as needed. Upon final determination by the Council as to which positions are critical, the Council shall

Note, Section
1-627.2

forward the list to the Mayor and the Mayor shall direct that any person or persons holding a position deemed to be critical are not eligible to participate in any of the District incentive out programs.

TITLE II - MODIFICATION OF REDUCTION-IN-FORCE PROCEDURES

Sec. 201. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), is amended as follows:

(a) Section 2401 (D.C. Code § 1-625.1) is amended by amending the third sentence to read as follows:

Section
1-625.1

"A personnel authority may establish lesser competitive areas within an agency on the basis of all or a clearly identifiable segment of an agency's mission or a division or major subdivision of an agency."

(b) A new section 2406 is added to read as follows:

New Section
1-625.5

"Sec. 2406. Abolishment of positions for Fiscal Year 1996.

"(a) Notwithstanding any other provision of law, regulation, or collective bargaining agreement either in effect or to be negotiated while this legislation is in effect for the fiscal year ending September 30, 1996, each agency head is authorized, within the agency head's discretion, to identify positions for abolishment.

"(b) Prior to February 1, 1996, each personnel authority shall make a final determination that a position within the personnel authority is to be abolished.

"(c) Notwithstanding any rights or procedures established by any other provision of this title, any District government employee, regardless of date of hire, who encumbers a position identified for abolishment shall be separated without competition or assignment rights, except as provided in this section.

"(d) An employee affected by the abolishment of a position pursuant to this section who, but for this section would be entitled to compete for retention, shall be entitled to 1 round of lateral competition pursuant to Chapter 24 of the District of Columbia Personnel Manual, which shall be limited to positions in the employee's competitive level.

"(e) Each employee who is a bona fide resident of the District of Columbia shall have 5 years added to his or her creditable service for reduction-in-force purposes.

"(f) Each employee selected for separation pursuant to this section shall be given written notice of at least 30 days before the effective date of his or her separation.

"(g) Neither the establishment of a competitive area smaller than an agency, nor the determination that a specific position is to be abolished, nor separation pursuant to this section shall be subject to review except as follows:

"(1) An employee may file a complaint contesting a determination or a separation pursuant to title XV of this act or section 303 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Code § 1-2543); and

ENROLLED ORIGINAL

"(2) An employee may file with the Office of Employee Appeals an appeal contesting that the separation procedures of subsections (d) and (f) of this section were not properly applied.

"(h) An employee separated pursuant to this section shall be entitled to severance pay in accordance with title XI of this act.

"(i) Separation pursuant to this section shall not affect an employee's rights under either the Agency Reemployment Priority Program or the Displaced Employee Program established pursuant to Chapter 24 of the District of Columbia Personnel Manual.

"(j) The Mayor shall submit to the Council a listing of all positions to be abolished by agency and responsibility center by March 1, 1996, or upon the delivery of termination notices to individual employees.

"(k) Notwithstanding the provisions of section 1708 or section 2402(d), the provisions of this act shall not be deemed negotiable.

"(l) A personnel authority shall cause a 30-day termination notice to be served, no later than September 1, 1996, on any incumbent employee remaining in any position identified to be abolished pursuant to subsection (b) of this section."

TITLE III - MODIFICATION OF SCHOOL RIF PROCEDURES

Sec. 301. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), is amended as follows:

(a) Section 301 (D.C. Code § 1.603.1) is amended as follows:

Section
1-603.1

(1) A new paragraph (13A) is added to read as follows:

"(13A) "Nonschool-based personnel" means any employee of the District of Columbia Public Schools who is not based at a local school or who does not provide direct services to individual students."

(2) A new paragraph (15A) is added to read as follows:

"(15A) "School administrators" means principals, assistant principals, school program directors, coordinators, instructional supervisors, and support personnel of the District of Columbia Public Schools."

(b) Section 801A(b)(2) (D.C. Code § 1-609.1(b)(2)) is amended as follows:

Section
1-609.1

(1) By striking the semicolon at the end of subparagraph (L); and

(2) By adding a new subparagraph (L-i) to read as follows:

"(L-i) Notwithstanding any other provision of law, the Board of Education shall not issue rules that require or permit nonschool-based personnel or school administrators to be assigned or reassigned to the same competitive level as classroom teachers;"

(c) Section 2402 (D.C. Code § 1-625.2) is amended by adding a new subsection (f) to read as follows:

Section
1-625.2

ENROLLED ORIGINAL

"(f) Notwithstanding any other provision of law, the Board of Education shall not require or permit nonschool-based personnel or school administrators to be assigned or reassigned to the same competitive level as classroom teachers."

(d) Section 1111 (D.C. Code § 1-612.11) is amended by adding a new subsection (a-1) to read as follows:

**Section
1-612.11**

"(a-1) Notwithstanding any other provision of law, rule, or regulation, an employee of the District of Columbia Public Schools shall be:

"(A) Classified as an Educational Service employee;

"(B) Placed under the personnel authority of the Board of Education; and

"(C) Subject to all Board of Education rules.

"(2) School-based personnel shall constitute a separate competitive area from nonschool-based personnel who shall not compete with school-based personnel for retention purposes.

TITLE IV - PROHIBITION ON BACKFILLING OF POSITIONS

Sec. 401. Abolishment of positions.

Any position left vacant as a result of a reduction-in-force, established in section 201 shall be abolished.

**Note, Section
1-625.5**

TITLE V - CONTRACTING OUT

Sec. 501. The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code § 1-1181.1 *et seq.*), is amended as follows:

**Section
1-1181.5b**

(a) Section 105b(a) (D.C. Code § 1-1181.5b(a)) is amended to read as follows:

"(a) Any contract, including a lease or other agreement, or any contracting policies and procedures relating to such contracts, to provide goods and services to or on behalf of the District government shall provide that:

"(1) With respect to contracting out to provide goods or services to or on behalf of the District government that currently are provided by employees, department, or agencies of the District government, a cost-benefit analysis comparing the in-house costs of providing the service with the costs associated with contracting for the service shall be completed for each contract proposed pursuant to this section;

"(2) Contracting out will provide savings over the duration of the contract of at least 5%;

"(3) Any contractor who is awarded a contract that displaces District government employees shall offer to any displaced employee a right-of-first-refusal to employment by the contractor, in a comparable available position for which the employee is qualified, for at least a

ENROLLED ORIGINAL

6-month period during which the employee shall not be discharged without cause;

"(4) Any District employee that is displaced as a result of a contract, and is hired by the contractor which was awarded the contract which displaced the employee shall be entitled to the benefits provided by the Service Contract Act of 1965 ("Act"), 41 U.S.C. § 351 *et seq.* For purposes of this act, service employees of the water and sewer fund shall be treated by the contractor and entitled to all benefits as if those employees were not excluded from application of the Act.

"(5) If the employee's performance during the 6-month transition employment period required by paragraph (3) of this subsection is satisfactory, the new contractor shall offer the employee continued employment under terms and conditions established by the new contractor;

"(6) Any solicitation for proposed contracts issued pursuant to this section shall include information concerning the procedure by which current District government employees may exercise the right to bid on the contracts;

"(7) An assessment of the economic impact on the District shall be completed for each contract proposed pursuant to this section;

"(8) Prior notification shall be provided to affected District government employees 30 days prior to any adverse impact on the employees; and

"(9) For those contracts which provide services essential to the health or safety of District residents, a determination and findings that the contracting out will not adversely affect the recipients."

(b) New sections 105c and 105d are added to read as follows:

"Sec. 105c. Policy for contracting out government services.

"(a) In contracting out (including a lease or other agreement or any contracting policies or procedures relating to such contracts) to provide goods or services to or on behalf of the District government that currently are provided by employees, departments, or agencies of the District government, the Mayor shall make a determination and finding, which shall be in writing and submitted to the Council, that the contract will meet the following criteria:

"(1) Meets specific performance criteria for the service to be contracted out including costs and savings resulting from the contract;

"(2) Includes a requirement for the submission to the District contracting officer of monthly reports on the contractor's compliance with the performance criteria; and

"(3) Includes a provision that the contract can be cancelled for failure to comply with the performance criteria.

"(b) When contracting out occurs, the Mayor shall make efforts to assist affected District employees and to promote employment opportunities for District residents based on the action to contract out. The findings shall include efforts made by the Mayor to:

"(1) Consult with union representatives and all employees concerning affected District government employees;

"(2) Provide alternative employment in the District government to affected District employees who are qualified; and

New Section
1-1181.5c

ENROLLED ORIGINAL

"(3) Encourage the contractor performing the service that is contracted out to make bona fide offers of employment to all other qualified District residents before extending offers to qualified nonresidents.

"(c) When contracting out pursuant to this act, the Mayor shall conduct a cost-benefit analysis, which shall be made available to the public by the Mayor, to determine whether the contracting-out will:

"(1) Result in increased economic development for the District in terms of entrepreneurial opportunities for District businesses or employment opportunities for District businesses or employment opportunities for District residents;

"(2) Result in the strengthening of 1 or more existing District businesses, creation of 1 or more new businesses in the District, or relocation of 1 or more businesses from outside to inside the District; and

"(3) Result in the expansion of, or at least in revenue neutral effect on, the District's tax base.

"Sec. 105d. Council review of proposals to contract out in excess of \$1,000,000.

**New Section
1-1181.5d**

"Pursuant to section 451(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 803; D.C. Code § 1-1130(b)), as added by section 304 of the District of Columbia Financial Responsibility and Management Assistance Authority Act of 1995, approved April 17, 1995 (109 Stat. 97; D.C. Code § 1-1130(b)), the Mayor and all independent agencies and entities of the District government shall submit to the Council for approval any proposal to contract out services covered by this act that involves expenditures in excess of \$1,000,000 during a 12-month period."

(c) A new section 1102a is added to read as follows:

"Sec. 1102a. Standards for contracting officer.

**New Section
1-1191.4**

"(a) Any contracting manager or contracting officer who performs the cost/benefit analysis required by section 105b(a)(1) shall meet certain training standards and be certified to ensure a level of management skills and experience in doing cost/benefit analyses.

"(b) Within 60 days of the effective date of the Budget Support Emergency Act of 1995, the Mayor shall issue, as a part of the District Government Procurement Regulations, rules for all District government employees who participate in the preparation of any cost/benefit analysis for any proposal to contract out services previously provided by District employees. The rules shall include the provisions contained in subsection (a) of this section."

Sec. 502. Section 501a of the Nursing Home and Community Residence Facility Residents' Protection Act of 1985, effective March 19, 1994 (D.C. Law 10-79; D.C. Code § 32-1462), is repealed.

**Section
32-1462**

TITLE VI - TRANSITION BENEFITS FOR DISPLACED EMPLOYEES

Sec. 601. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), is amended as follows:

New
Subchapter
XXV-A,
Chapter 6,
Title 1

(a) A new title XXIV-A is added to read as follows:

"TITLE XXIV-A - TRANSITION BENEFITS FOR DISPLACED EMPLOYEES

"Sec. 2421. Outplacement services for displaced employees in Fiscal Year 1996.

New Section
1-625A.1

"The outplacement services provided by the Mayor to employees displaced during Fiscal Year 1996 shall include provisions for the following:

"(1) Counseling services for stress and finance management;

"(2) Access to automated job information services;

"(3) Job fairs;

"(4) Coordination of training and job banks with the D.C. Chamber of Commerce, Business Coalition, and labor organizations;

"(5) Consulting with regional governments concerning job vacancies and job banks;

"(6) Workshops on writing resumes; and

"(7) Access to facsimile and copying machines, computers, typewriters, and telephones where local calls can be made to prospective employers.

"Sec. 2422. Transition benefits for displaced employees in Fiscal Year 1996.

New Section
1-625A.2

"(a) This section shall apply only to employees displaced as a result of a reduction-in-force in Fiscal Year 1996.

"(b) Any employee who is displaced as a result of the reduction-in-force procedure in Fiscal Year 1996 may be eligible for, to the extent there are Fiscal Year 1996 appropriations, the following:

"(1) Continuation of health insurance benefits and premium contribution at the same rate as the employee had been subsidized by the District while an active employee for 2 months after separation or upon the commencement of new employment, whichever occurs first;

"(2) Child care vouchers in the amount of \$75 per week payable to a licensed day care provider for each week the displaced employee is certified to be unemployed for the 6-month period following separation or through the end of the first week when the displaced employee is no longer unemployed, whichever occurs first; and

"(3) Tuition assistance to attend any vocational training or GED program not to exceed one-half the yearly cost for any full-time District resident student at UDC.

"(c) The benefits contained in subsection (b) of this section are subject to the following limitations:

"(1) The displaced employee must be a bona fide District resident at the time of separation and must have filed a District of Columbia income tax return in the 2 years prior to separation;

ENROLLED ORIGINAL

"(2) The continued coverage under subsection (b)(1) and (2) of this section for District employees enrolled in the Federal Employee Health Benefits Plan and Federal Employees Group Life Insurance Plan are subject to the federal regulations governing these benefits;

"(3) The employee must not have been the recipient of the early out or easy out retirement incentive or voluntary severance incentive programs in Fiscal Year 1996;

"(4) The limit of the Fiscal Year 1996 appropriations for this program;

"(5) The employee cannot have been offered a position with a contractor for government services under section 105b(a) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code § 1-1181.1 *et seq.*), and refused such offer of employment;

"(6) Nothing in subsection (b) of this section shall be construed as an entitlement to any benefits; and

"(7) No benefits set forth in subsection (b) of this section shall be available in any future Fiscal Year without additional appropriations for those benefits.

"Sec. 2423. The Department of Employment Services shall have responsibility for the administration of this title.

New Section
1-625A.3

"Sec. 2424. Reports.

New Section
1-625A.4

"The Department of Employment Services shall submit quarterly reports, until January 1, 1997, on the effectiveness of outplacement services."

TITLE VII - MONITORING COMMITTEE

New
Subchapter
I-B,
Chapter 3,
Title 47
New Section
47-319.1

Sec. 701. Establishment of the Initiative Implementation Monitoring Committee; duties.

(a) There is established an Initiative Implementation Monitoring Committee ("Committee").

(b) The Committee shall advise the Mayor and the Council on the status of the implementation of the initiatives contained in the District's Revised Fiscal Year 1996 Budget Request Act and the July 1995 recommendations of the Financial Responsibility and Management Assistance Authority.

(c) The Committee is authorized to meet weekly to review weekly reports on the implementation of budget initiatives from subordinate agency heads and the budget officers of independent agencies to facilitate the monitoring of spending initiatives.

Sec. 702. Composition.

New Section
47-319.2

(a) The Committee shall consist of 9 members as follows:

(1) City Administrator or his or her designee, provided that the designee shall have the full authority of the City Administrator;

(2) Budget Director for the Council;

ENROLLED ORIGINAL

- (3) Inspector General ("IG") or his or her designee, provided that the designee shall have the full authority of the IG;
 - (4) Chief Financial Officer ("CFO") or his or her designee, provided that the designee shall have the full authority of the CFO;
 - (5) Director of the Office of Personnel ("Director") or his or her designee, provided that the designee shall have the full authority of the Director;
 - (6) Auditor or his or her designee, provided that the designee shall have the full authority of the Auditor;
 - (7) Chief Information Officer;
 - (8) One person designated by the Chairman of the Council Committee of the Whole; and
 - (9) One person designated by the Chairman of the Council Committee on Government Operations.
- (b) The City Administrator shall serve as the chair of the Committee.
 - (c) Four members of the Committee shall constitute a quorum.

Sec. 703. Compensation.

Members of the Committee shall receive no compensation.

New Section
47-319.3

Sec. 704. Reports.

The Committee shall submit to the Council reports on the status of the Fiscal Year 1996 budget initiatives each month or as requested by the Council.

New Section
47-319.4

TITLE VIII - CREATION OF CHIEF INFORMATION OFFICER POSITION

Sec. 801. Creation of Chief Information Officer position; duties.

- (a) There is created within the Office of the City Administrator a Chief Information Officer.
- (b) The Chief Information Officer shall provide directions and coordination for the District government's acquisition, management, and use of information and telecommunication technology, including the D.C. Wide Area Network; provide for uniformity and consistency in policies and standards for the acquisition, management, and use of information processing and telecommunications equipment, including government-wide approval of contracts over \$100,000; and provide for requisite system planning, including developing or updating strategic planning documents for District government information resources systems and telecommunication systems. Such relevant functions and staff that may currently exist within the District government should be consolidated directly under the direction of the Chief Information Officer.

Section
1-1182.9

TITLE IX - DEBT RESTRUCTURING

Sec. 901. The General Obligation Bond Act of 1994, effective May 3, 1994 (D.C. Law 10-116; 41 DCR 1224), is amended as follows:

(1) Section 7(a) is amended to read as follows:

"Sec. 7. Sale of the Bonds.

"(a) The Bonds of any series may be sold by the Mayor pursuant to the provisions of section 466 of the Home Rule Act, provided that the Bonds of any series, with the exception of bonds issued to refund outstanding indebtedness of the District, shall be sold by competitive bid. The Bonds of any series issued to refund outstanding indebtedness of the District shall be sold by competitive bid or by negotiated sale. Competitive bid is the preferred method of sale for the Bonds. If the Mayor determines, in writing, that competitive bid is not feasible or is not in the best interest of the District, Bonds issued to refund outstanding indebtedness of the District shall be sold by negotiated sale and the Mayor shall transmit a copy of this written determination to the Secretary to the Council within 3 days of the date of the written determination."

(2) Section 21(c)(1) is amended to read as follows:

"(c)(1) The Mayor's letter of transmittal accompanying the submission of any proposed resolution to approve the issuance of Bonds pursuant to this act shall include a statement as to:

"(A) Whether the Bonds of any series are intended to be sold by competitive bid or by negotiated sale and, if the Bonds of any series are intended to be sold by negotiated sale, a copy of the Mayor's written determination that sale by competitive bid is not feasible or is not in the best interest of the District and a statement of the reasons supporting this determination; and

"(B) Whether the Bonds of any series are intended to be issued on a tax-exempt or taxable basis."

TITLE X - REVISED CASH FLOW STATEMENT

Sec. 1001. Within 7 days of the Council's passage of the District's Revised Fiscal Year 1996 Budget Request Act and this act, the Mayor shall submit a revised cash flow statement to the Council reflecting the differences in the statement included in the Revised Fiscal Year 1996 Budget Request Act.

TITLE XI - TEMPORARY ASSIGNMENT OF DISTRICT EMPLOYEES AND PRIVATE SECTOR EMPLOYEES.

Sec. 1101. Title 27 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code §§ 1-628.1 to 1-628.5), is amended as follows:

ENROLLED ORIGINAL

(a) Section 2701 (D.C. Code § 1-628.1) is amended to read as follows:

**Section
1-628.1**

"Sec. 2701. Policy.

"(a) The District government recognizes that intergovernmental and private sector cooperation are essential factors in resolving problems affecting the District and that the temporary assignment of personnel between and among governmental agencies, at the same or different levels of government, private sector organizations, and institutions of higher education, is a significant factor in achieving such cooperation.

"(b) Any agency is authorized to participate in a program of personnel interchange with private sector organizations, institutions of higher education, or agencies of federal, state, and local governments; provided, however, that the period of original assignment cannot exceed 2 years, but with the concurrence of the agencies or organizations and the employee involved, the assignment period may be extended in increments of 1 year."

(b) Section 2702 (D.C. Code § 1-628.2) is amended as follows:

**Section
1-628.2**

(1) The phrase "or organization" is added after the phrase "receiving agency" wherever it appears in the section.

(2) Subsection (c) is amended by adding the phrase "or organizations" after the word "agencies".

(c) Section 2703 (D.C. Code § 1-628.3) is amended to read as follows:

"Sec. 2703. Status of employees of other governments or organizations.

"(a) When any agency of the District acts as a receiving agency, employees of the sending agency or organization who are assigned under authority of this title may:

"(1) Be given appointments in the receiving agency covering the periods of such assignments with compensation to be paid from the receiving agency funds or without compensation; or

"(2) Be considered to be on detail to the receiving agency.

"(b) The appointment of an employee of another government or organization, assigned to a District agency, may be made without regard to the laws or rules and regulations governing the selection of employees in the Career and Educational Services.

"(c) An employee of another government or organization who is detailed to a District agency may not by virtue of the detail be considered to be an employee of the District, except as provided in this section, nor may he or she be directly paid a salary or wage by the District agency. The assignment agreement may, however, authorize the District agency to reimburse the sending agency or organization for all or any part of the employee's salary and fringe benefits. The agreement between the sending agency or organization and the receiving agency may govern the supervision of the duties of such employees during the period of detail.

"(d) The District government shall treat any employee of a sending agency or organization assigned to the District who suffers disability or death as a result of personal injury arising out of and in the course of such assignment, or sustained in the performance of duties, as a District employee for the purpose of the District's employee disability compensation program. An employee of a sending agency or organization is not entitled to benefits under that program for any period for which he or she elects similar benefits under the employee compensation

ENROLLED ORIGINAL

program of his or her permanent employer."

(d) Section 2704 (D.C. Code § 1-628.4) is amended as follows:

**Section
1-628.4**

(1) Subsection (a) is amended by adding the phrase ", private sector organization," after the phrase "another government".

(2) Subsection (c) is amended by adding the phrase ", private sector organization," after the word "governments".

(e) Section 2705(a)(1) and (2) (D.C. Code § 1-628.5(a)(1) and (2)) is amended by adding the phrase "or organizations" after the word "agencies".

**Section
1-628.5**

TITLE XII - PUBLIC EDUCATION

Sec. 1201. Section 3(a) of the District of Columbia Board of Education Fees for Select Adult, Community, and Continuing Education Courses Act of 1994, effective March 16, 1995 (D.C. Law 10-220; D.C. Code § 31-132), is amended to read as follows:

**Section
31-132**

"(a) The District of Columbia Board of Education ("Board of Education") is authorized to charge fees for all adult, community, and continuing education courses, and for employee certification and recertification and certification of university teacher education programs, provided that no additional fees shall be charged for ongoing courses in Academic Year 1994-1995 and Fiscal Year 1995 until those courses are completed."

Sec. 1202. Section 2(b) of the District of Columbia Board of Education Fees for Select Adult, Community, and Continuing Education Courses Temporary Amendment Act of 1994, effective June 16, 1995 (D.C. Law 11-49; 42 DCR 3237), is amended to read as follows:

**Section
31-132**

"(b) The District of Columbia Board of Education is authorized to charge fees for all adult, community, and continuing education courses, and for employee certification and recertification and certification of university teacher education programs, provided that no additional fees shall be charged for ongoing courses in Academic Year 1994-1995 and Fiscal Year 1995 until those courses are

Sec. 1203. (a) Notwithstanding any other law, rule, or regulation, the District of Columbia Board of Education shall contract out, beginning in School Year 1995-96 and Fiscal Year 1996, all food services operations and security services for the D.C. Public Schools unless the Superintendent determines that it is not feasible.

**Section
1-1181.5e
Note, Section
31-801
4-618.1**

(b) Notwithstanding any other law, rule, or regulation, the District of Columbia Board of Education shall contract out for no more than a 3-year period, beginning in School Year 1995-96 and Fiscal Year 1996, the development of new management and data systems, as well as training of currently employed personnel to use and manage these systems, in the areas of budget, finance, personnel/human resources, management information services, procurement, and supply management.

ENROLLED ORIGINAL

Sec. 1204. Pursuant to section 101(1)(c) and (d) of the Reserve Officers' Training Corps Vitalization Act of 1964, approved October 13, 1964 (78 Stat. 1063; 10 U.S.C. 2031(c) and (d)), the Board of Education, beginning in the 1995-96 School Year, shall request and ensure that active duty officers and noncommissioned officers of the U.S. Armed Forces be detailed as administrators and instructors to the District of Columbia Public Schools' Junior Reserve Officers' Training Corps program.

TITLE XIII - REAL PROPERTY TAX RATES

Sec. 1301. Section 412 of the District of Columbia Real Property Tax Revision Act of 1974, approved September 3, 1974 (88 Stat. 1052; D.C. Code § 47-812), is amended as follows:

(a) Subsection (b) is amended to read as follows:

Section
47-812

"(b) Notwithstanding the provisions of subsection (a) of this section, the following real property tax rates are established for taxable real property in the District of Columbia for the real property tax year beginning October 1, 1995, and ending September 30, 1996:

- "(1) \$0.3659 for each \$100 of assessed value for Class 1 Property;
- "(2) \$0.5869 for each \$100 of assessed value for Class 2 Property;
- "(3) \$0.7050 for each \$100 of assessed value for Class 3 Property;
- "(4) \$0.8194 for each \$100 of assessed value for Class 4 Property;
- "(5) \$1.9055 for each \$100 of assessed value for Class 5 Property."

(b) Subsection (c) of this section (D.C. Code § 47-812(c)) is amended to read as follows:

Section
47-812

"(c) Pursuant to section 9 of the General Obligation Bond Act of 1994, effective May 3, 1994 (D.C. Law 10-116; 41 DCR 1224), the following real property special tax rates are established for taxable real property in the District of Columbia for the real property tax year beginning October 1, 1995, and ending September 30, 1996:

- "(1) \$0.5941 for each \$100 of assessed value for Class 1 Property;
- "(2) \$0.9531 for each \$100 of assessed value for Class 2 Property;
- "(3) \$1.1450 for each \$100 of assessed value for Class 3 Property;
- "(4) \$1.3306 for each \$100 of assessed value for Class 4 Property;
- "(5) \$3.0945 for each \$100 of assessed value for Class 5 Property."

Sec. 1302. Section 415A(1) and (2) of the District of Columbia Real Property Tax Revision Act of 1974, effective October 1, 1987 (D.C. Law 7-28; D.C. Code § 47-818.1(1) and (2)), is amended to read as follows:

Section
47-818.1

"(1) "Tax Rates and Tax Burdens in the District of Columbia: A Nationwide Comparison" (Government of the District of Columbia, June 1995); and

ENROLLED ORIGINAL

"(2) "A Comparison of Tax Rates and Burdens in the Washington Metropolitan Area" (Government of the District of Columbia, June 1995).".

Sec. 1303. Notwithstanding any other provision of law, the amount of borrowing associated with the arena development and construction costs, including, but not limited to, land acquisition, construction, predevelopment, off-site infrastructure, and financing for capital interest and principal, may not exceed \$61 million, to be paid from proceeds of the arena tax, established pursuant to title III of the Omnibus Budget Support Act of 1994, effective June 14, 1994 (D.C. Law 10-128; D.C. Code § 47-2751 *et seq.*).

New Section
47-398.5
Note, Section
47-2751

TITLE XIV - APPLICABILITY

Sec. 1401. Sections 201, 301, 302, 1203 shall apply upon enactment by Congress of the District of Columbia Appropriations Act, 1996.

TITLE XV - FISCAL IMPACT

Sec. 1501. Fiscal impact statement.

Titles I - Retirement/Voluntary Incentive Study

Council enactment of the "Revised Fiscal Year 1996 Budget Request Act of 1995" assumed that as many as 1,000 FTE's would take a retirement or voluntary Incentive. Title I requires that the Mayor identify which positions, if any, in each agency can be made eligible for such an incentive/retirement without impairing the ability of the agency to accomplish its mission.

Following this identification, the Council will consider enacting a new set of retirement incentive programs.

Titles II and III - Modification of RIF Procedures

The restriction on "bumping rights" has no measurable fiscal impact but the net impact on productivity should be positive as any RIF will be less disruptive than it might have been.

Titles V - Contracting Out

Title V liberalizes the District Government's ability to out-source government operations. The Revised FY96 Budget Request Act required certain operations to be out-sourced. The Council assumed no net savings in FY96 to reflect the absorption of one-time start-up costs. The Authority adjusted the budget to show small savings.

In Fiscal Years 1997 through 2000 the Bill requires that a savings of at least 5% be realized. For the areas the Council identified for out-sourcing in the Fiscal Year 1996 budget those minimum savings are:

1. DC Village: \$1.4 million
2. Food Services DCPS: \$1.8 million
3. Security DCPS: \$.4 million
4. Medical MPD: \$1 million
5. Correctional Treatment Facility DOC: \$1.2 million

To the extent to which a 5% savings cannot be realized and therefore a contract is not let, the lesser savings will not be reflected in the government's expenditures. The Bill also requires that a contractor offer (as a right of first refusal) positions to existing employees where there is an available position of which the employee is qualified. The Council does not believe that this requirement is onerous but to the extent that it decreases the propensity of potential contractors to bid on contracts the fiscal impact will be negative. At the same time, if the right of first refusal causes increased employment of displaced government workers there may be savings to the government through reduced unemployment insurance costs and, if that same employee is a District resident, avoidance of lost income tax and other income related revenues.

The bill also requires that the federal "Contract Services Act" be applied to water and sewer service workers in an effort to assure the federal protections apply to this area which the federal law excludes. In general, the application of the federal law may, as with any qualification placed on out-sourcing, decrease the propensity of a contractor to bid or influence any eventual bid so as to increase costs and have a negative fiscal impact.

The Bill further requires that the Mayor conduct a cost-benefit analysis to determine the total impact of any given contract on both the expenditures of the government and the District's economy to measure any secondary revenue and expenditure impacts. This requirement is intended to cause more informed decision making and is expected to have a positive fiscal impact.

Title VI: Transition Benefits for Displaced Workers

The Bill provides for certain benefits to displaced District government employees and caps expenditures to available appropriations. The Revised FY96 Budget Act contains \$1.5

ENROLLED ORIGINAL

million for such expenditures and the administrative costs of the program will be absorbed by the Department of Employment Services existing out-placement program.

The cap on expenditures is modeled after a cap which the Council placed on the non-union optical and dental program in Fiscal Year 1995. The program was left in place but funding was reduced by half with the limitation on expenditures at the appropriated level. The program ceased paying benefits when the funding was exhausted.

The pending Fiscal Year 1996 Budget provided for the out-sourcing of 3,666 FTE's and the outright elimination of another 350 FTE's. At this time these represent the universe of possible applicants for these benefits. The Bill has two restrictions regarding eligibility of applicants. First, only District residents may apply. Approximately 40% of Government employees are District residents and therefore only 40% of the separated employees would be eligible for the program. Secondly, employees who fail to accept a position they have been offered under the first-refusal rights provided in the contracting-out provisions, are not eligible for the benefits.

Title VII: Monitoring Committee

The creation of a monitoring committee should have a positive fiscal impact as it should increase the propensity of the Government to follow through with initiatives designed to reduce costs.

Title VIII: Chief Information Officer (CIO)

The creation of a CIO should have a positive fiscal impact as it should improve the government's ability to collect, analyze and disseminate information. The Bill anticipates that the costs of this office will be covered through the consolidation of existing resources.

Title IX: Debt Restructuring

The Original and Revised FY96 Budgets both assumed that the District would restructure a portion of outstanding debt to reduce debt service in Fiscal Year 1996. The Executive Branch indicated that such a restructuring could only be successful if sold through a negotiated bid rather than a competitive offering.

Title XI allows for such a negotiated sale and in that respect has a positive fiscal impact of \$70 million FY96.

Title X: Revised Cash Flow

The requirement of a cash flow statement will have no fiscal impact.

Title XI: Outside Employee Assignments

Expansion of the ability of the District to accept temporary employees from the private sector or other government entities will have no immediate fiscal impact. In the long run, however, the impact should be positive due to increased productivity.

Title XII: Special Provisions - DCPS

1. Adult Education Fees

The Public Schools are authorized to charge certain increased fees for Adult Education. The Board estimates that there will be positive fiscal impact of \$462 thousand per year from FY96 to 2000.

2. Jr. ROTC Programs

The Bill mandates that active duty military officers or noncommissioned officers of the US Armed Forces be detailed to fill 18 FTE's in the Schools Jr. ROTC Program beginning in FY96. No savings are anticipated in FY96 to reflect the need for separation costs of existing employees. For Fiscal Year 1997 the savings are expected to be \$32 thousand per average for each of the 18 FTE's or \$576 thousand per Fiscal Year.

Title XIII: Property Tax Rates

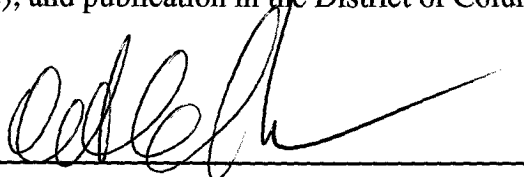
Title XIII of Bill 11-440 maintains the FY 1996 real property tax rates at the same aggregate rate for each of the five classes of real property that was in effect in fiscal years 1994 and 1995. The fiscal impact of this act on the District government's Fiscal Year 1996 budget will be nonexistent. This is because the revenue estimates to support the FY 1996 budget already reflect the totals, by class, of the rates established by this act. When the Council acted on April 19, 1995 to adopt the FY 1996 budget it adopted an amendment to the revenue tables of the Committee of the Whole report on that budget act to reflect real property tax rates existent in FY 1994 as opposed to the calculated rates, which had gone into effect pursuant to D.C. Code § 47-812(a) and 47-815(c).

There has been considerable controversy over the past year regarding what the real property tax rates should be. If the rates were set higher than established herein, there would be

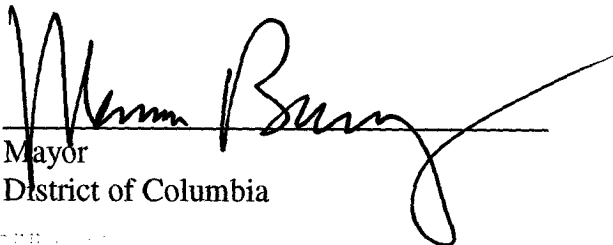
a positive fiscal impact. However, this would be offset somewhat by the perception of unacceptable tax burden which is a factor in taxpayer's decisions to locate or remain in the District of Columbia. On the other hand, the effect of maintaining the same aggregate tax rates in the present real estate market is to provide tax relief (because the aggregate assessment base has continued to drop and therefore applying the unchanged tax rates produces lower tax bills for the average real property taxpayer). When comparing estimated total real property tax revenues for FY 1996 with actuals for FY 1991, the tax relief for 1996 will total approximately \$116 million.

TITLE XVI - EFFECTIVE DATE

Sec. 1601. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Authority Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(c)), and a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: December 26, 1995



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-440

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FIRST READING, 11-07-95

VOICE VOTE APPROVED
RECORDED VOTE ON REQUEST

ABSENT BRAZIL

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote AB - Absent NV - Present not Voting

Regis Ford
Secretary to the Council

CERTIFICATION RECORD

December 11, 1995
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FINAL READING, 12-05-95

VOICE VOTE APPROVED, BRAZIL AND EVANS VOTED NO
RECORDED VOTE ON REQUEST

ABSENT CHAVOUS, CROPP, LIGHTFOOT, AND THOMAS

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no AB-Absent NV-Present not voting

Regis Ford
Secretary to the Council

CERTIFICATION RECORD

December 11, 1995
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE
RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote AB - Absent NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

AN ACT
D.C. ACT 12-234

*Codification
District of
Columbia
Code
1998 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 1997

To amend, on a temporary basis, the District of Columbia Procurement Practices Act of 1985 to establish criteria for Council review and approval of contracts for expenditures in excess of \$1 million during a 12-month period, and to expedite the review and approval of federal-aid highway contracts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Establishment of Council Contract Review Criteria Temporary Amendment Act of 1997".

Sec. 2. Section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Code § 1-1181.5a), is amended to read as follows:

**Note, Section
1-1181.5a**

"Sec. 105a. Criteria for Council review of contracts in excess of \$1 million.

"(a) Pursuant to section 304(a)(3) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 151; D.C. Code § 1-1130) ("FRMAA"), which amended section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Code § 1-1130), prior to the award of a contract in excess of \$1,000,000 during a 12-month period, the Mayor (or executive independent agency) shall submit the proposed contract to the Council for review and approval in accordance with the criteria established in this section.

"(b) The proposed contract shall be deemed approved if one of the following occurs:

"(1) During the 10-calendar-day period beginning on the date the Mayor (or executive independent agency) submits the contract to the Council, no member of the Council introduces a resolution to approve or disapprove the proposed contract; or

"(2) If a resolution has been introduced in accordance with paragraph (1) of this subsection, the Council does not disapprove the contract during the 45-calendar-day period beginning on the date the Mayor (or executive independent agency) submits the proposed contract to the Council.

ENROLLED ORIGINAL

"(c) Proposed contracts submitted pursuant to this section shall contain the following:

"(1) If the proposed contract is a proposal to extend an existing contract or to enter into a new contract with a proposed contractor who has contracted with the District for the same product or services under a prior contract, there shall be a statement that includes the following:

"(A) Whether the proposed contractor is willing to continue to provide the product or services at the price and terms of the existing or prior contract; and

"(B) Whether the price agreed to exceeds the price of the existing or prior contract for the same terms, and if the price exceeds the price of the existing or prior contract, a rationale for the difference in price;

"(2) If the proposed contract is a proposal to modify an existing contract for a product or service, there shall be a statement that provides a rationale for the modification of the existing contract and a summary of the changes;

"(3) A statement indicating whether the amount of the proposed contract is within the appropriated authority for the agency for the fiscal year as set forth in the District of Columbia Appropriations Act;

"(4) If the proposed contract is for any fiscal year in which the District has adopted a financial plan and budget in accordance with sections 201 and 202 of FRMAA (109 Stat. 108; §§ 47-392.1 and 47-392.2), a certification that the proposed contract is consistent with the applicable approved financial plan and budget;

"(5) A certification that the proposed contractor is current with its District and federal taxes or has worked out and is current with a payment schedule approved by applicable governmental entities (including withholding taxes, income and property taxes, or regulatory fees or fines) and includes a statement concerning the proposed contractor's indebtedness to the District involving loans or taxes;

"(6) A copy of the request for proposal, if any, to which the proposed contractor responded;

"(7) A statement indicating whether the proposed contractor is currently debarred from providing services to any governmental entity (federal, state, or municipal), the dates of the debarment, and the reasons for debarment;

"(8) A statement as to whether the proposed contractor is a certified local, small, or disadvantaged business enterprise as defined in section 3 of the Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1992, effective March 17, 1993 (D.C. Law 9-217; D.C. Code § 1-1152.1);

"(9) A statement as to whether the proposed contractor is located within an economic development zone as described in the Economic Development Zone Incentives Amendment Act of 1988, effective October 29, 1988 (D.C. Law 7-177; D.C. Code § 5-1401 *et seq.*);

"(10) A statement whether the proposed contract is in accordance with

ENROLLED ORIGINAL

procurement laws and regulations applicable to the procuring agency, including whether the proper type of procurement was selected, whether policies and procedures governing source selection and cost or price determination have been followed, whether the proposed procurement fulfills an agency mission, and whether the proposed procurement represents the best practice currently available to the District for fulfillment of the particular mission;

"(11) A statement indicating whether the proposed contractor has any currently pending legal claim against the District government; and

"(12) All information related to the proposed contract which has been or is required to be submitted to the District of Columbia Financial Responsibility and Management Assistance Authority.

"(d) After the effective date of the Council Contract Approval Modification Temporary Amendment Act of 1995 Emergency Amendment Act of 1996, no proposed contract or lease worth over \$1,000,000 for a 12-month period may be awarded until after the Council has reviewed and approved the proposed contract or lease as provided in this section.

"(e) After the effective date of the Council Contract Approval Modification Temporary Amendment Act of 1995 Emergency Amendment Act of 1996, any employee or agency head who shall knowingly or willfully enter into a proposed contract or lease in excess of \$1,000,000 without prior Council review and approval in accordance with this section shall be subject to suspension, dismissal, or other disciplinary action under the procedures set forth in section 1601(d)(1) and (18) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-617.1(d)(1) and (18)). This subsection shall apply to subordinate agency heads appointed according to section 1001 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-611.1) and to independent agency heads.

"(f) No contractor who knowingly or willfully performs on a contract with the District by providing a product or service worth in excess of \$1,000,000 for a 12-month period based on a contract made after the effective date of the Council Contract Approval Modification Temporary Amendment Act of 1995 Emergency Amendment Act of 1996, without prior Council approval, can be paid more than \$1,000,000 for the products or services provided.

"(g) Subsection (c) of this section shall not apply to contracts to implement a federal program where the federal government requires the use of federal contracting procedures as a condition for the receipt of federal assistance.

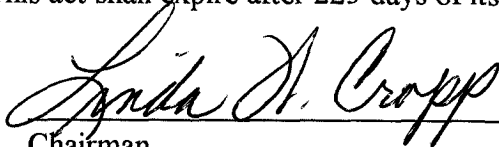
"(h) Review and approval by the Council of the annual capital program of federal highway aid projects shall constitute the District Charter-required Council review and approval of individual federal-aid highway contracts that make up the annual program."

Sec. 3. This act shall have no fiscal impact.

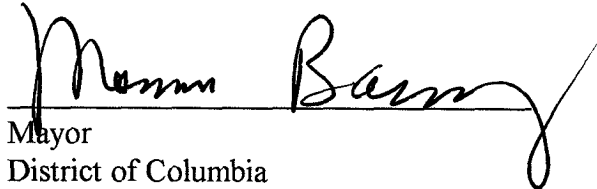
ENROLLED ORIGINAL

Sec. 4. (a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: December 22, 1997



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

Docket No.

B12-440

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 11-4-97

VOICE VOTE RECORDED VOTE ON REQUEST

APPROVED

ABSENT

DIXON, JARVIS AND SMITH

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Dixon					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

[Signature] December 5, 1997
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 12-4-97

VOICE VOTE RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Dixon					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									

X-indicates Vote

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

[Signature] December 5, 1997
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Dixon					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date