

# ENROLLMENT(S)

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# COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

### D.C. LAW 12-175

#### "Fiscal Year 1999 Budget Support Act of 1998"

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. 12-618, on first and second readings, May 5, 1998 and June 2, 1998, respectively. Following the signature of the Mayor on June 23, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-399 and published in the October 9, 1998, edition of the D.C. Register (Vol. 45 page 7193) and transmitted to Congress on January 25, 1999 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 12-175, effective March 26, 1999.



LINDA W CROPP  
Chairman of the Council

#### Dates Counted During the 30-day Congressional Review Period:

Feb. 2,3,4,8,9,10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

AN ACT

D. C. ACT 12-399

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 23, 1998

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*Codification  
District of  
Columbia  
Code  
1999 Supp.*

To amend An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, to require the Mayor to establish a plan to mandate enrollment of TANF and TANF-related Medicaid recipients in an HMO; to amend the District of Columbia Unemployment Compensation Act to reduce the taxable wage base, lower the maximum weekly benefit amount, and eliminate the dependent's allowance; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase to a total of 220 the number of all positions under the Mayor's personnel authority and the number of Excepted Service employees that the Mayor may appoint to subordinate agencies, to allocate up to 60 of the positions subject to appointment by the Mayor to the Office of the Inspector General, to allocate, during a control year, a maximum of 20 positions to the Office of the Chief Financial Officer, and to allow the Chief of Police to designate up to 1% of positions in the Metropolitan Police Department as Excepted Service policy positions, in addition to the 220 positions under the Mayor's personnel authority; to amend the District of Columbia Procurement Practices Act of 1985 to require the Chief Procurement Officer to delegate contracting authority in writing and to file copies of such delegations with the Mayor, the Council, and the Inspector General, and to authorize the Chief Procurement Officer to develop a pre-qualification process to certify the financial and professional responsibility of prospective bidders for District government contracts; to amend the Budget Support Act of 1995 to abolish the position of Chief Information Officer; to establish statutory time frames for the assessment and placement of special education students by the Board of Education and the District of Columbia Public Schools; to require the Board of Education and the District of Columbia Public Schools to conduct a census of the number of students enrolled in and the employees of the District of Columbia Public Schools; to amend the District of Columbia Traffic Act, 1925 to exempt from the excise tax motor vehicles and trailers purchased by nonresidents prior to coming into the District of Columbia; to amend the District of Columbia Government Quick Payment Act of 1984 to limit the time during which a claim for interest can be filed by vendors doing business with the District of

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Columbia; to amend Chapter 12 of Title 21 of the District of Columbia Code to provide the Mayor with the responsibility for approving appropriate training programs for all program employees who may be authorized to administer medication and to authorize the Mayor to enter into reciprocity agreements with the State of Maryland and the Commonwealth of Virginia to allow training programs approved in those states to be accepted in the District; to establish school based budgeting within the District of Columbia Public School System, to require the District of Columbia Public Schools to contract for a comprehensive cleanup of personnel records, submit a comprehensive long range master facilities plan, submit a fiscal year budget identifying the specific amounts to be used for each school and school function, and to require the submission of Implementation and Accountability Plans, to support full funding of pre-kindergarten, full-day kindergarten, school counselors, and librarians; to establish a Truancy and Dropout Prevention program in the District of Columbia Public Schools; to authorize the District government to enter into contingent fee contracts for private attorney services in bringing Medicaid reimbursement litigation; to amend the Automobile Consumer Protection Act of 1984 and section 28-3902(h) of the District of Columbia Code to continue suspension of the enforcement of consumer protection functions by the Department of Consumer and Regulatory Affairs until October 1, 2000; to allow the auction of excess police vehicles that are beyond their useful life; to grant \$500,000 in small purchase authority to the Fire and Emergency Medical Services Department; to amend the Advisory Neighborhood Commissions Act of 1975 to grant authority to the District of Columbia Auditor to subpoena ANC records; to establish the Office of Real Property Management to manage the real property assets of the District government, supervise the allocation and assignment of space within District-owned, controlled, and leased facilities, and to develop an accountability system for personal property assets of the District government; to amend the District of Columbia Comprehensive Government Merit Personnel Act of 1978 to include the Office of Property Management in the definition of subordinate agency; to abolish the Department of Administrative Services; to establish the Office of the Chief Technology Officer to centralize the development and coordination of information technology and telecommunications systems in the District government, and to transfer to this office various functions of the Office of the City Administrator; to amend the District of Columbia Comprehensive Government Merit Personnel Act of 1978 to include the Office of the Chief Technology Officer in the definition of subordinate agency; to establish the Department of Motor Vehicles to manage, control, and maintain systems and programs to ensure the safe and efficient movement of motor vehicles in the District of Columbia, and to transfer to this office various functions of the Department of Public Works; to amend the District of Columbia Comprehensive Government Merit Personnel Act of 1978 to include the Department of

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Motor Vehicles in the definition of subordinate agency; to establish the Economic Development Liaison Office as a liaison between the Mayor, Chief Financial Officer, National Capital Revitalization Corporation, and other economic development policy groups in the coordination of economic growth and employment opportunities in the District; to abolish the Office of Tourism and Promotions and transfer its functions to the Economic Development Liaison Office; to amend the Office of Banking and Financial Institutions Enterprise Fund Establishment Act of 1997 to convert the Fund to a non-lapsing general fund special account; to amend the Cable Television Communications Act of 1981 to convert the Cable Television Fund to a non-lapsing general fund special account; to provide burial assistance subject to appropriations; to make the disability compensation procedures more efficient by reducing the number of disability claims unsupported by evidence, halting compensation payments to claimants who are no longer disabled, and to recover overpayments; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to eliminate the requirement that the Mayor submit compensation adjustments to the Council each year on the 1st day in September that the Council is in session, and to make technical clarifying amendments to section 1061 of Title X-A regarding universal leave; and to amend the National Capital Revitalization Corporation Act of 1998 to make clarifying technical amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 1999 Budget Support Act of 1998".

**TITLE I - TANF AND TANF-RELATED MEDICAID MANAGED CARE PROGRAM**

Sec. 101. Short title.

This title may be cited as the "TANF and TANF-Related Medicaid Managed Care Amendment Act of 1998".

Sec. 102. Section 1(d) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Code § 1-359(d)), is amended as follows:

Section  
1-359

(a) Strike the phrases "AFDC-related Medicaid recipient" and "AFDC and AFDC-related Medicaid recipients" wherever they appear and insert the phrases "TANF-related

Medicaid recipient" and "TANF and TANF-related Medicaid recipients", respectively, in their places.

(b) Paragraph (2) is amended as follows:

(1) Subparagraph (A) is amended to read as follows:

"(A) TANF and TANF-related Medicaid recipients shall select any health maintenance organization with a current contract with the District of Columbia to provide managed care services to TANF and TANF-related Medicaid recipients on a capitated method of payment."

(2) Subparagraph (B)(ii) is repealed.

(3) Subparagraph (C) is amended to read as follows:

"(C) The Mayor shall assign any TANF and TANF-related Medicaid recipient who does not choose a provider within a reasonable time to a health maintenance organization described in subparagraph (A) of this paragraph."

(4) Subparagraph (D) is repealed.

Sec. 103. Fiscal impact statement.

This title will have no adverse fiscal impact. The Fiscal Year 1999 financial plan and budget is predicated on savings from implementation of the mandatory health maintenance organization Medicaid managed care program.

## TITLE II - DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION TAX STABILIZATION

Sec. 201. Short title.

This title may be cited as the "Unemployment Compensation Tax Stabilization Amendment Act of 1998".

Sec. 202. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-101 *et seq.*), is amended as follows:

(a) Section 3(e)(D.C. Code § 46-103(e)) is amended by adding a new paragraph (6) to read as follows:

Section  
46-103

"(6) After January 1, 1997, the term "wages" shall not include any amount in excess of \$9,000 actually paid to any person arising out of employment in 1997 or in any succeeding calendar year."

(b) Section 7(b)(3)(B)(D.C. Code § 46-108(b)(3)(B)) is amended by designating the existing text as sub-subparagraph (i) and adding a new sub-subparagraph (ii) to read as follows:

Section  
46-108

"(ii) For benefit years commencing on or after January 5, 1997, the maximum weekly benefit amount shall be \$309."

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(c) Section 7(f) (D.C. Code § 46-108(f)) is amended by striking the period at the end and inserting the phrase "provided, however, that this section shall not apply to claims for benefit years commencing on or after January 5, 1997." in its place. Section 46-108

**Sec. 203. Fiscal impact statement.**

The fiscal impact of this title will be positive. The Department of Employment Services estimates that the reduction in the maximum weekly benefit will reduce the expenditures of the District's Unemployment Compensation Fund by \$300,000 to \$400,000 annually. In addition, this provision should have a positive impact on the private economy and help protect the District's tax base by bringing the District's unemployment compensation benefits closer to parity with those provided in Maryland and Virginia, where the maximum weekly benefits are \$250 and \$226, respectively.

**TITLE III - DESIGNATION OF EXCEPTED SERVICE POSITIONS**

**Sec. 301. Short title.**

This title may be cited as the "Designation of Excepted Service Positions Amendment Act of 1998".

**Sec. 302. Section 903(a)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-610.3(a)(2)), is amended to read as follows:** Section 1-610.3

"(2) The Mayor may appoint persons to 220 positions, of which 60 may be allotted to and designated by the Office of the Inspector General. In a control year, a maximum of 20 positions subject to appointment by the Mayor shall be allocated to and designated by the Office of the Chief Financial Officer. In addition to the 220 Excepted Service positions, the Chief of Police may designate up to 1% of the total number of authorized positions within the Metropolitan Police Department as Excepted Service policy positions, no more than 10 of which may be filled by sworn members or officers;"

**Sec. 303. Fiscal impact statement.**

The enactment of this title will have no fiscal impact. It authorizes, in addition to the 220 Excepted Service positions allotted to the Mayor, up to 1 % of the total number of authorized positions within the Metropolitan Police Department as Excepted Service policy positions. The positions cannot be filled if sufficient funds are not available.

**TITLE IV - PROCUREMENT REFORM AMENDMENT**

Sec. 401. Short title.

This title may be cited as the "Procurement Practices Streamlining Amendment Act of 1998".

Sec. 402. Sections 105 and 302 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code §§ 1-1181.5 and 1-1183.2), are amended as follows:

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

Section  
1-1181.5

(1) The last sentence of subsection (a) is amended to read as follows: "The CPO may delegate contracting authority to employees of a department, agency, or other entity commensurate with the CPO's judgment of each employee's ability to meet the objective of this act. This delegation shall be subject to limitations specified in writing, copies of which shall be filed in the office of the CPO and submitted to the Mayor, Council, and Inspector General."

(2) Subsection (c)(1) is amended in the second sentence by inserting the phrase ", Council," between the word "Mayor" and the phrase "and the Inspector General".

(b) Section 302 (D.C. Code § 1-1183.2) is amended by adding a new subsection (d) to read as follows:

Section  
1-1183.2

"(d) The CPO shall establish a pre-qualification process to certify the financial and professional responsibility of prospective bidders for District government contracts. The CPO may, under circumstances prescribed by regulation, limit participation in certain procurements to bidders who have been found responsible through the pre-qualification process. The pre-qualification process shall address, but shall not be limited to, the following characteristics of a prospective bidder:

- "(1) The type of business or organization and its history;
- "(2) The resumes and professional qualifications of the business or organization's staff, including relevant professional licenses, affiliations, and specialties;
- "(3) Information attesting to financial capability, including financial statements;
- "(4) A summary of similar contracts awarded to the bidder, and the bidder's performance of those contracts;
- "(5) A statement attesting to compliance with wage, hour, workplace safety, and other standards of labor law;
- "(6) A statement attesting to compliance with federal and District equal employment opportunity law; and
- "(7) Information about pending lawsuits or investigations, and judgments, indictments, or convictions against the bidder or its proprietors, partners, directors, officers, or managers."



Sec. 403. Fiscal impact statement.

This title will have a positive fiscal impact. First, it will eliminate the requirement that the CPO make changes in the contracting authority of employees of a department or agency by issuing a regulation, a cumbersome and time-consuming process that must be initiated on an almost continuous basis. Instead, the legislation requires the CPO to specify contracting authority in writing and to inform the Mayor, Council, and the Inspector General of these delegations. Second, the legislation authorizes the CPO to conduct a pre-qualification process that certifies the financial and professional capability of prospective bidders. Although the fiscal impact of pre-qualification is impossible to quantify, it can only increase the quality of District procurements by screening out unqualified bidders.

**TITLE V - CHIEF INFORMATION OFFICER REPEAL**

Sec. 501. Short title.

This title may be cited as the "Chief Information Officer Repeal Act of 1998".

Sec. 502. Section 801 of the Budget Support Act of 1995, effective March 5, 1996 (D.C. Law 11-98; D.C. Code § 1-1182.9), is repealed.

**Section  
1-1182.9**

Sec. 503. Fiscal impact statement.

This title will have no fiscal impact. It facilitates the creation of an independent Office of the Chief Technology Officer ("OCTO"), as reflected in the District's Fiscal Year 1999 financial plan and budget, by abolishing the position of Chief Information Officer, which is presently authorized by statute to oversee information technology and telecommunications policy in the District government. Those responsibilities will be transferred to the OCTO in the District's Fiscal Year 1999 budget.

**TITLE VI - ASSESSMENT AND PLACEMENT OF SPECIAL EDUCATION STUDENTS**

Sec. 601. Short title.

This title may be cited as the "Special Education Assessment and Placement Act of 1998".

**Note,  
New Section  
31-1861**

Sec. 602. (a) The District of Columbia Board of Education ("Board"), or its successor, and the District of Columbia Public Schools ("DCPS") shall assess or evaluate a student, who may have a disability and who may require special education services, within 60 days from the date that the student was referred for an evaluation or assessment.

**New Section  
31-1861**

(b) If a student is classified as having a disability, as defined in section 101(a)(1) of the Individuals with Disabilities Education Act, approved April 13, 1970 (84 Stat. 175; 20 U.S.C. § 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 359; 29 U.S.C. § 706(8)), the Board and DCPS shall place that student in an appropriate public, private, or residential placement within 60 days from the date that the evaluation or assessment was completed.

**Sec. 603. Fiscal impact statement.**

Enactment of this title will have no negative fiscal impact on the expenditures of the District and could have a positive fiscal impact. Currently, DCPS has 50 days to evaluate and place a student who needs special education services. Because the proposed language only extends the time frame for assessment and placement from 50 to 120 days, there is no need to hire additional staff or purchase additional resources to implement the extension. However, the extension in time increases the possibility that DCPS will complete assessments and placements within the required time frame and thereby avoid imposition of fines for noncompliance.

**Sec. 604. Applicability.**

This title shall apply upon the enactment by the United States Congress of legislation authorizing 120 days for the Board of Education and the District of Columbia Public Schools to assess and place special education students.

**Note,  
New Section  
31-1861**

**TITLE VII - INDEPENDENT CONTRACTOR STUDENT ENROLLMENT  
COUNT**

**Sec. 701. Short title.**

This title may be cited as the "Public School Enrollment Census Act of 1998".

**Note,  
New Section  
31-2853.42a**

**Sec. 702. (a)** The Board of Education and the District of Columbia Public Schools shall hire an independent contractor to perform a census of the enrolled students in the D.C. Public Schools as well as the school employees, their job classifications, and duties.

**(b)** The independent contractor shall count the number of students enrolled in the District of Columbia Public Schools. The count shall include the information specified in section 2402(b) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321[257]; D.C. Code § 31-2853.42(b)).

**New Section  
31-2853.42a**

**(c)** The independent contractor shall submit the census report to the Council, Mayor, and the Financial Authority on or before January 1, 1999, and in subsequent years as needed.

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Sec. 703. Fiscal impact statement.

The fiscal impact of this title is estimated to be \$150,000, which can be absorbed within the Fiscal Year 1999 Budget of the District of Columbia Public Schools.

**TITLE VIII - MOTOR VEHICLE EXCISE TAX EXEMPTION AMENDMENT**

Sec. 801. This title may be cited as the "Motor Vehicle Excise Tax Exemption Amendment Act of 1998".

Sec. 802. Section 6(j)(3) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Code § 40-703(j)(3)), is amended by adding a new subparagraph (H) to read as follows:

Section  
40-703

"(H) Previously permanently registered motor vehicles and trailers purchased or acquired by nonresidents prior to coming into the District of Columbia and establishing or maintaining residences in the District."

Sec. 803. Fiscal impact statement.

This title will result in a loss of \$1 million in annual revenue to the District. However, this adjustment has been calculated in the Fiscal Year 1999 revenue projections.

**TITLE IX - QUICK PAYMENT AMENDMENT ACT**

Sec. 901. Short title.

This title may be cited as the "Quick Payment Amendment Act of 1998".

Sec. 902. The District of Columbia Government Quick Payment Act of 1984, effective March 15, 1985 (D.C. Law 5-164; D.C. Code § 1-1171 *et seq.*), is amended as follows:

(a) Section 3(b) (D.C. Code § 1-1172(b)) is amended as follows:

Section  
1-1172

(1) Paragraph (1) is amended to read as follows:

"(1) Interest penalties on amounts due to a business concern under this act shall be due and payable to the concern for the period beginning on the day after the required payment date and ending on the date on which payment of the amount is made, except that no interest penalty shall be paid if payment for the complete delivered item of property or service concerned is made on or before: (A) the 3rd day after the required payment date, in the case of meat or a meat product, described in subsection (a)(2)(B)(i) of this section; (B) the 5th day after the required payment date, in the case of an agricultural commodity, described in subsection (a)(2)(B)(ii) of this section; or (C) the 15th day after the required payment date in the case of any other item. Interest, computed at a rate of not less than 1%, shall be determined by the Mayor by regulation."

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(2) New paragraphs (1A) and (1B) are added to read as follows:

"(1A) Each contract executed pursuant to 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.*), shall include in the solicitation a description of the contractor's rights and responsibilities under the act.

"(1B) Paragraphs (1) and (1A) of this subsection shall apply to claims arising after the effective date of the Quick Payment Amendment Act of 1998."

(b) Section 5 (D.C. Code § 1-1174) is amended as follows:

Section  
1-1174

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

"(a)(1) Claims for interest penalties which a District agency has failed to pay in accordance with the requirements of sections 3 and 4 shall be filed with the contracting officer for a decision. Interest penalties under this act shall not continue to accrue: (A) after the filing of an appeal for the penalties with the Contract Appeals Board; or (B) for more than one year.

"(2) The contracting officer shall issue a decision within 60 days from the receipt of any claim submitted under this act.

"(3) Within 90 days from the receipt of a decision of the contracting officer, the contractor may appeal the decision to the Contract Appeals Board.

"(4) The contractor shall file a claim for interest penalties and any amendments to such claim within 90 days after the principal is paid, except that if the contractor notifies the contracting officer in writing of the contractor's intent to file a claim within the 90-day period, the contractor shall be allowed 180 days after the principal is paid to file such claim."

(2) New subsections (c) and (d) are added to read as follows:

"(c)(1) With respect to any claim arising from a payment between March 15, 1985, and the effective date of the Quick Payment Amendment Act of 1998, the contractor shall file a claim for interest penalties and any amendments to such claim with the contracting officer within 180 days of the effective date of the Quick Payment Amendment Act of 1998.

"(2) The 180 days specified in paragraph (1) of this subsection shall be extended to 270 days to file a claim if the contractor notifies the contracting officer in writing of the contractor's intent to file a claim for interest penalties within 180 days of the effective date of the Quick Payment Amendment Act of 1998.

"(3) A claim filed by a contractor may be amended at any time prior to the issuance of a decision by the contracting officer.

"(d) Subsection (a) of this section shall apply to claims arising after the effective date of the Quick Payment Amendment Act of 1998."

Sec. 903. Fiscal impact statement.

The fiscal impact of this title will be positive. Because current law does not include a time limit on quick payment claims, the District is liable for claims dating back to March 15, 1985, when the District of Columbia Government Quick Payment Act of 1984 took effect. This

title would create deadlines for filing quick payment claims, enabling the District to cap this liability while still giving vendors sufficient time to file their claims.

The amount of the potential liability for quick payment claims is not known. In fiscal year 1997, the District paid a total of \$386,000 in interest penalties on total vendor payments approaching \$1.9 billion. Nevertheless, the District's potential liability for late payments dating back to 1985 could amount to \$1 billion or more. In its Fiscal Year 1997 "Report on Compliance and On Internal Control Over Financial Reporting," KPMG Peat Marwick LLP sampled 104 invoices and found that 70 were not paid on time. The District has routinely failed to pay vendors on time for years and therefore the potential liability for quick payment claims is undoubtedly quite large.

**TITLE X - USE OF TRAINED EMPLOYEES TO ADMINISTER MEDICATION TO PERSONS WITH MENTAL RETARDATION OR OTHER DISABILITIES**

Sec. 1001. Short title.

This title may be cited as the "Use of Trained Employees to Administer Medication Act of 1998".

Sec. 1002. Chapter 12 of Title 21 of the District of Columbia Code is amended as follows:

- (a) Section 21-1201(8)(A) is amended by striking the phrase ", at a minimum,". Section 21-1201
- (b) Section 21-1201(13) is amended as follows: Section 21-1201
  - (1) By striking the phrase "District of Columbia Board of Nursing" and inserting the phrase "Mayor" in its place; and
  - (2) By striking the period after the word "participants" and adding the phrase ", or an individual who has successfully completed a training program in medication administration approved by the State of Maryland or the Commonwealth of Virginia." in its place.
- (c) Section 21-1203(a)(2) is amended as follows: Section 21-1203
  - (1) By adding the phrase "who has been trained and certified" after the phrase "registered nurse";
  - (2) By striking the phrase "District of Columbia Board of Nursing" and inserting the phrase "Mayor" in its place; and
  - (3) By adding after the phrase "§21-1205(a)" the phrase ", or has successfully completed a training program in medication administration approved by the State of Maryland or the Commonwealth of Virginia".
- (d) Section 21-1205 is amended as follows: Section 21-1205

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(1) Subsection (a) is amended by striking the phrase "District of Columbia Board of Nursing" and inserting the word "Mayor" in its place.

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

"(b) Training programs for all program employees who may be authorized to administer medication in accordance with this chapter shall be approved by the Mayor or shall be medication administration programs approved by the State of Maryland or the Commonwealth of Virginia. The Mayor may enter into agreements of reciprocity with other jurisdictions, under which training programs approved in such jurisdictions shall also be accepted in the District of Columbia."

Sec. 1003. Fiscal impact statement.

This title will not have a negative fiscal impact. Enactment of the title will assist in implementing the Use of Trained Employees to Administer Medication to Persons with Mental Retardation or Other Disabilities Act of 1995, which will have a positive fiscal impact on the Medicaid budget by reducing the reimbursable operating expenses of Intermediate Care Facilities for the Mentally Retarded.

**TITLE XI - SCHOOL BASED BUDGETING AND ACCOUNTABILITY ACT**

Sec. 1101. Short title.

This title may be cited as the "School Based Budgeting and Accountability Act of 1998".

Sec. 1102. The District of Columbia Board of Education, or its successor, and the District of Columbia Public Schools shall submit to the Council of the District of Columbia, the Mayor, and the District of Columbia Financial Responsibility and Management Assistance Authority a school-based budget for each District of Columbia Public School by August 1 of each fiscal year during a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 152; D.C. Code § 47-393(4)).

Sec. 1103. The District of Columbia Public Schools ("DCPS") shall, by December 31, 1998, contract with a firm experienced in human resource management to comprehensively rebuild all DCPS employee personnel files.

Sec. 1104. The District of Columbia Public Schools shall, by December 31, 1998, submit to the Council for review and approval a revised and comprehensive Long Range Master Facilities Plan which shall include annual updates to the facilities plan, as well as a school

New  
Subchapter  
II,  
Chapter 1,  
Title 31

Note,  
New Section  
31-123.1

New Section  
31-123.1

New Section  
31-123.2

New Section  
31-123.3

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disposition plan delineating the process through which citizen involvement shall be facilitated, and establishing the criteria that shall be utilized in disposition decisions, one of which must be consideration of the impact of any proposed new use of a school building on the neighborhood in which the building is located. There shall be a moratorium on disposition decisions until the facilities plan has been approved by the Council.

Sec. 1105. The District of Columbia Public Schools and its Chief Financial Officer shall, by October 1, 1998, provide to the Council of the District of Columbia a comprehensive Fiscal Year 1999 budget displaying in detail the amount of funds to be applied to each school system function and the amount of funds to be expected by each individual school. This budget shall state all underlying budget assumptions including, but not limited to, average salaries.

**New Section  
31-123.4**

Sec. 1106. The Superintendent shall, by September 15, 1998, provide a detailed Implementation Plan for each component of the General Education Reforms, the Special Education Reforms, and the Central Administration Reforms that will be contained in the Fiscal Year 1999 budget. This Implementation Plan shall specifically state the number and specific occupation positions that will be added and deleted in order to implement each component of the Implementation Plan.

**New Section  
31-123.5**

Sec. 1107. The Superintendent shall, by December 15, 1998, provide an Accountability Plan for each school. The Accountability Plan shall set forth five-year student achievement test goals and year one benchmarks, as measured against a baseline derived from student performance levels determined by the "Stanford 9" tests administered in Spring 1998.

**New Section  
31-123.6**

Sec. 1108. District of Columbia Public School Funding.  
The District of Columbia Public Schools should fully fund pre-kindergarten, full-day kindergarten, school counselors, and librarians.

**New Section  
31-123.7**

- Sec. 1109. Fiscal impact statement.
- (a) As a result of section 1102 of this title, the District of Columbia Public Schools may incur additional administrative costs of developing a school-based budget for each school. However, these expenditures can be absorbed in the DCPS Fiscal Year 1999 budget.
  - (b) The fiscal impact of section 1103 of this title will be \$150,000 which can be absorbed within the Fiscal Year 1999 budget of the District of Columbia Public Schools.
  - (c) There is no fiscal impact for the implementation of sections 1104-1108 of this title.

**TITLE XII - DISTRICT OF COLUMBIA PUBLIC SCHOOLS TRUANCY AND DROPOUT PREVENTION PROGRAM ACT**

New Subchapter III, Chapter 4, Title 31 Note, New Section 31-471

Sec. 1201. Short title.

This title may be cited as the "District of Columbia Public Schools Truancy and Dropout Prevention Program Act of 1998".

Sec. 1202. (a) Subject to the availability of appropriations, the District of Columbia Board of Education, or its successor, and the District of Columbia Public Schools shall offer a Truancy and Dropout Prevention Program for students who are enrolled in the District of Columbia Public Schools system. The programs should be implemented on a full-time basis, work with local schools and parents, and provide resources that will help reduce absences and unexcused absences, and reduce dropout and increase retention rates.

New Section 31-471

(b) The program shall develop a supportive relationship with the Metropolitan Police Department.

(c) The program shall be available for students who are enrolled in grades K-12 and for students who are enrolled in ungraded classes in elementary, middle or junior high, and high schools.

(d) Notwithstanding any other law, nothing in this section shall be construed to create an entitlement to a truancy or dropout prevention program for any student.

Sec. 1203. Fiscal impact statement.

The implementation of this program will require the DCPS to hire an undetermined amount of additional personnel and purchase appropriate supplies and equipment. Because the implementation of the program is explicitly subject to the availability of appropriated funds within DCPS, enactment of this title will have no negative fiscal impact.

**TITLE XIII - AUTHORIZATION FOR THE DISTRICT GOVERNMENT TO ENTER INTO CONTINGENT FEE CONTRACTS FOR PRIVATE ATTORNEY SERVICES IN BRINGING MEDICAID REIMBURSEMENT LITIGATION**

Sec. 1301. Short title.

This title may be cited as the "Private Attorney Contract Authorization Act of 1998".

Note, New Section 1-360.1

Sec. 1302. (a) During Fiscal Year 1999, and during each of the next succeeding four fiscal years, the District government is authorized to enter into contingent fee contracts for private attorney services in bringing Medicaid reimbursement litigation.

New Section 1-360.1



(b) Remuneration under these contracts, in such amount as the District government determines to be appropriate, shall be paid only out of the proceeds of any judgement, settlement, or other monetary recovery that the District government obtains in such actions.

**Sec. 1303. Fiscal impact statement.**

Enactment of this title will have no negative fiscal impact because the title authorizes expenditures for legal services rendered only as a percentage of any successful judgement, settlement, or other monetary recovery obtained by the District government. Due to the nature of the Medicaid reimbursement litigation contemplated, including potential class action litigation against tobacco companies, enactment of this title could lead to substantial monetary recoveries and thereby have a significant positive fiscal impact upon the District government.

**Sec. 1304. Applicability.**

This title shall apply upon the enactment by the United States Congress of legislation authorizing the District to enter into contingent fee contracts for private services as provided in section 1302 of this title.

**TITLE XIV - CONTINUED SUSPENSION OF ADMINISTRATIVE ENFORCEMENT CONSUMER PROTECTION FUNCTIONS**

**Sec. 1401. Short title.**

This title may be cited as the "Consumer Protection Amendment Act of 1998".

Sec. 1402. Section 11a of the Automobile Consumer Protection Act of 1984, effective September 26, 1985 (D.C. Law 11-52; D.C. Code § 40-1310), is amended by striking the year "1998" and inserting the year "2000" in its place.

**Section  
40-1310**

Sec. 1403. Section 28-3902 of the District of Columbia Code is amended by adding a new subsection (i) to read as follows:

**Section  
28-3902**

"(i) Notwithstanding any other provision of District law, enforcement of this chapter by the Department of Consumer and Regulatory Affairs is suspended until October 1, 2000."

**Sec. 1404. Fiscal impact statement.**

Enactment of this title is necessary to reflect the continued inability of the Department of Consumer and Regulatory Affairs to administer these consumer protection functions in Fiscal Year 1999 due to continued lack of funding for the program.

**TITLE XV - AUCTION OF EXCESS POLICE VEHICLES**

Sec. 1501. Short title.

This title may be cited as the "Auction of Excess Police Vehicles Act of 1998".

Sec. 1502. Notwithstanding any other provision of law, for Fiscal Years 1998 and 1999 only, police vehicles purchased for the Metropolitan Police Department ("Department") which have been declared excess, either through age or mechanical faults, shall be auctioned, or otherwise disposed of by the Department. Revenue generated by auction or other means of disposal will be returned to the Department as Other Revenue, to be used expressly for the purchase of replacement vehicles, including motorcycles.

**Note, Section  
47-304**

Sec. 1503. Fiscal impact statement.

Enactment of this title will have no appreciable negative fiscal impact, because the current requirement that proceeds from vehicle sales be returned to the General Fund creates a significant economic disincentive for the Metropolitan Police Department to dispose of vehicles that are well beyond their useful life.

Sec. 1504. Applicability.

This title shall apply as of October 1, 1998.

**TITLE XVI - \$500,000 IN SMALL PURCHASE AUTHORITY TO FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT**

Sec. 1601. Short title.

This title may be cited as the "Fire and Emergency Medical Services Department Small Purchase Authority Act of 1998".

**Note, Section  
1-1183.22**

Sec. 1602. Notwithstanding any other provision of law, or Mayor's Order 89-37, issued February 7, 1989, the Fire and Emergency Medical Services Department's delegated small purchase authority shall be \$500,000. The District of Columbia government may not require the Fire and Emergency Medical Services Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed \$500,000.

**New Section  
1-1183.22**

Sec. 1603. Fiscal impact statement.

Enactment of this title will have no fiscal impact.

**TITLE XVII - AUDITOR SUBPOENA AUTHORITY**

Sec. 1701. Short title.

This title may be cited as the "Auditor ANC Records Subpoena Authorization Amendment Act of 1998".

Sec. 1702. Section 16(e) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Code § 1-264(e)), is amended to read as follows:

New Section  
1-264

"(e) Each Commission shall, by resolution, designate the location at which the Commission's books and records shall be maintained which shall, if the Commission has a regular office, be the Commission office. The District of Columbia Auditor shall have access to the books and records of each Commission pursuant to section 455(c) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Code § 47-117(c)), and may issue subpoenas to banking and financial institutions requiring the production of financial documents and statements pursuant to an audit conducted under this act. Such financial documents shall include, but not be limited to, bank statements, cancelled checks, and signature cards. The District of Columbia Auditor may apply to the Superior Court of the District of Columbia for an order enforcing the subpoena. Any failure to obey the order of the court may be punished by the Superior Court as civil contempt."

Sec. 1703. Fiscal impact statement.

There is sufficient funding in the Fiscal Year 1999 budget of the District of Columbia Auditor to implement this title.

**TITLE XVIII - REORGANIZATIONS FOR THE DEPARTMENT OF ADMINISTRATIVE SERVICES (ESTABLISHMENT OF THE OFFICE OF PROPERTY MANAGEMENT), THE OFFICE OF THE CITY ADMINISTRATOR (ESTABLISHMENT OF THE OFFICE OF THE CHIEF TECHNOLOGY OFFICER), THE DEPARTMENT OF PUBLIC WORKS (ESTABLISHMENT OF THE MOTOR VEHICLE DEPARTMENT), AND THE OFFICE OF TOURISM AND PROMOTIONS (ESTABLISHMENT OF THE ECONOMIC DEVELOPMENT LIAISON OFFICE)**

New  
Chapter 11,  
Title 9

**SUBTITLE A - OFFICE OF PROPERTY MANAGEMENT ESTABLISHMENT**

Sec. 1801. Short title.

This subtitle may be cited as the "Office of Property Management Establishment Act of 1998".

Note,  
New Section  
9-1101

**ENROLLED ORIGINAL**

Sec. 1802. Establishment of the Office of Property Management.

New Section  
9-1101

(a) Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Code § 1-227(b)), there is hereby established, in the Executive Branch of the government of the District of Columbia, an Office of Property Management ("Office") under the supervision of a Chief Property Management Officer, who shall carry out the functions and authorities assigned to the Office. The Office of Property Management is established as of the effective date of the Fiscal Year 1999 Budget Support Emergency Act of 1998, passed by the Council on June 2, 1998 (Bill 12-670).

(b) The Chief Property Management Officer shall have full authority over the Office and all functions and personnel assigned thereto, including the power to redelegate to other employees and officials of the Office such powers and authority as in the judgment of the Chief Property Management Officer is warranted in the interests of efficiency and sound administration.

Sec. 1803. Purpose.

New Section  
9-1102

The purpose of the Office is to manage the real property assets of the District of Columbia and, in particular, to maximize the value of those assets; to minimize the use and the costs to the District government of privately leased space, buildings, and other facilities; to supervise the efficient and cost-effective allocation and assignment of space within District-owned, controlled and leased facilities; and to develop and maintain effective systems to manage and account for the District's personal property assets. Nothing in this subtitle shall affect the disposition of certain school property as set forth in D.C. Code § 47-392.25.

Sec. 1804. Functions.

New Section  
9-1103

The functions of the Office shall be to:

- (1) Acquire real property, by purchase or lease, for use by the District government;
- (2) Manage space in buildings and adjacent areas operated and leased by the District government, assist District agencies in implementing space plans, and administer the employee parking program;
- (3) Provide building services for facilities owned and occupied by the District government, including engineering services, custodial services, security services, energy conservation, utilities management, maintenance, inspection and planning, and repairs and non-structural improvements;
- (4) To manage the capital improvement and construction program for District government facilities;

**ENROLLED ORIGINAL**

(5) Dispose of District real and personal property through sale, lease, or other authorized method, and to exercise other acquisition and property disposition authority delegated by the Mayor; and

(6) Manage data and information needs pertaining to real property, including maintaining inventory records for tracking and controlling District-owned, controlled, and leased space.

**Sec. 1805. Transfers.**

(a) All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Department of Administrative Services for the real property management functions set out in Reorganization Plan No. 5 of 1983, effective March 1, 1984, are hereby transferred to the Office.

(b) All the functions assigned, and authorities delegated to the Department of Administrative Services in Sections III(A), III(C), III(E), III(F), and III(G) of Reorganization Plan No. 5 of 1983, effective March 1, 1984, are hereby transferred to the Office.

(c) All the functions assigned and authorities delegated to the Department of Public Works in section III (J) of Reorganization Plan No. 4 of 1983, effective March 1, 1984, are hereby transferred to the Office.

**New Section  
9-1104  
Note, Vol. 1**

**Sec. 1806. Organization.**

(a) There are hereby established four primary organizational functions in the Office as follows:

(1) The Office of the Chief Property Management Officer, which will include the staff and organizational units needed to carry out the overall plans and directions for the Office of Property Management;

(2) The Property Management Division, which will coordinate and manage real property throughout the District government, including the acquisition and disposition of such property; oversee the capital improvement and construction program for District government facilities; and administer building operations;

(3) The Protective Services Division, which will coordinate and manage the security requirements for District government facilities; and

(4) The Support Services Division, which will coordinate and manage the procurement, financial, technology, and administrative functions for the office, and manage the personal property inventory for the District.

(b) The Chief Property Management Officer, in the performance of his or her duties and functions, is authorized to restructure the organizational components of the Office as he or she deems necessary to improve the quality of services.

**New Section  
9-1105**

**ENROLLED ORIGINAL**

Sec. 1807. Subordinate agency status.

Section  
1-603.1

Section 301(q) of the District of Columbia Comprehensive Government Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-603.1(17)), is amended by adding a new paragraph (43) to read as follows:

"(43) Office of Property Management."

Sec. 1808. Abolishment of the Department of Administrative Services.

Note,  
New Section  
9-1101,  
Vol. 1

Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Code § 1-227(b)), the Council hereby abolishes the Department of Administrative Services, established under Reorganization Plan No. 5 of 1983, effective March 1, 1984. The Department of Administrative Services is abolished as of October 1, 1998.

Sec. 1809. Fiscal impact statement.

This reorganization plan will not have a fiscal impact. The fiscal year 199 Budget Request Act includes funding for an Office of Property Management and Office of the Chief Technology Officer, and eliminates funding for the Department of Administrative Services. Therefore, the reorganization plan is consistent with the District's Fiscal Year 1999 financial plan and budget.

**SUBTITLE B - OFFICE OF THE CHIEF TECHNOLOGY OFFICER  
ESTABLISHMENT**

New  
Chapter 11B,  
Title 1

Sec. 1811. Short title.

This subtitle may be cited as the "Office of the Chief Technology Officer Establishment Act of 1998".

Note,  
New Section  
1-1195.1

Sec. 1812. Establishment of Office of the Chief Technology Officer.

(a) Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Code § 1-227(b)), there is hereby established, in the Executive Branch of the government of the District of Columbia, an Office of the Chief Technology Officer ("Office") under the supervision of a Chief Technology Officer, who shall carry out the functions and authorities assigned to the Office. The Office of the Chief Technology Officer is established as of the effective date of the Fiscal Year 1999 Budget Support Emergency Act of 1998, passed by the Council on June 2, 1998 (Bill 12-670).

New Section  
1-1195.1  
Note, Section  
1-1134

(b) The Chief Technology Officer shall have full authority over the Office and all functions and personnel assigned thereto, including the power to redelegate to other employees

and officials of the Office such powers and authority as in the judgment of the Chief Technology Officer is warranted in the interests of efficiency and sound administration.

**Sec. 1813. Purpose.**

**New Section  
1-1195.2**

The purpose of the Office is to centralize responsibility for the District government's investments in information technology and telecommunications systems to help District departments and agencies provide services more efficiently and effectively. The Office will develop and enforce policy directives and standards regarding information technology and telecommunications systems throughout the District government. The Office will also serve as a source of expertise for District departments and agencies seeking to use information technology and telecommunications systems to improve services.

**Sec. 1814. Functions.**

**New Section  
1-1195.3**

The functions assigned to the Office shall be to:

- (1) Issue regulations governing the acquisition, use, and management of information technology and telecommunications systems and resources throughout the District government, including hardware, software, and contract services in the areas of data and word processing, telecommunications, printing and copying;
- (2) Review and approve all agency proposals, purchase orders, and contracts for the acquisition of information technology and telecommunications systems, resources, and services, and recommend approval or disapproval to the Chief Procurement Officer;
- (3) Review and approve the information technology and telecommunications budgets for District government department and agencies;
- (4) Coordinate the development of information management plans, standards, systems, and procedures throughout the District government, including the development of an information technology strategic plan for the District;
- (5) Assess new or emerging technologies and advise District department and agencies on the potential applications of these technologies to their programs and services;
- (6) Implement information technology solutions and systems throughout the District government;
- (7) Promote the compatibility of information technology and telecommunications systems throughout the District government; and
- (8) Serve as a resource and provide advice to District departments and agencies about how to use information technology and telecommunications systems to improve services, including assistance to departments and agencies in developing information technology strategic plans.

**ENROLLED ORIGINAL**

**Sec. 1815. Transfers.**

All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Chief Information Officer in the Office of the City Administrator pursuant to section 801 of the Budget Support Act of 1995, effective March 5, 1996 (D.C. Law 11-98; D.C. Code § 1-1182.9), or to the Department of Administrative Services for the information technology and telecommunications purposes and functions set out in Reorganization Plan No. 5 of 1983, effective March 1, 1984, are hereby transferred to the Office of the Chief Technology Officer.

**New Section  
1-1195.4  
Note, Section  
1-1182.9,  
Vol. 1**

**Sec. 1816. Organization.**

(a) There are hereby established 3 primary organizational functions in the Office as follows:

**New Section  
1-1195.5**

(1) The Office of the Chief Technology Officer, which will include the staff and organizational units needed to carry out the overall plans and directions for the District's information technology and telecommunications policies;

(2) Agency Support Services, which will provide direct assistance and support to the user agencies throughout the District government. Agency Support Services will also provide procurement and contract oversight and assistance for information technology and telecommunications, maintain standard technology-related contracts that all District departments and agencies may use, and manage projects that introduce new technologies and systems throughout the District government; and

(3) Technical Services, which will provide support for desktop computers, servers, phones, and network equipment, and identify cost savings, operational efficiencies, and ways to improve public services by introducing tested technologies such as electronic service delivery, document imaging, and Internet systems.

(b) The Chief Technology Officer, in the performance of his or her duties and functions, is authorized to restructure the organizational components of the Office as he or she deems necessary to improve the quality of services.

**Sec. 1817. Subordinate agency status.**

Section 301(q) of the District of Columbia Comprehensive Government Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-603.1(17)), is amended by adding a new paragraph (44) to read as follows:

**Section  
1-603.1**

"(44) Office of the Chief Technology Officer."

**Sec. 1818. Fiscal impact statement.**

This reorganization plan will not have a fiscal impact. The Fiscal Year 1999 Budget Request Act includes funding for an Office of Property Management and an Office of the Chief Technology Officer, and eliminates funding for the Department of Administrative Services.



Therefore, the reorganization plan is consistent with the District's Fiscal Year 1999 financial plan and budget.

**SUBTITLE C - MOTOR VEHICLE DEPARTMENT ESTABLISHMENT**

New  
Chapter 1A,  
Title 40

Sec. 1821. Short title.

This subtitle may be cited as the "Department of Motor Vehicles Establishment Act of 1998".

Note,  
New Section  
40-151

Sec. 1822. Establishment of the Department of Motor Vehicles.

(a) Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Code § 1-227(b)), there is hereby established in the Executive Branch of the government of the District of Columbia a Department of Motor Vehicles ("DMV").

New Section  
40-151

(b) The Director of the DMV shall have authority over the department and all functions and personnel assigned thereto, including the power to re-delegate to other employees and officials of the department such powers and authority as, in the judgment of the Director is warranted in the interests of efficiency and sound administration.

Sec. 1823. Purpose.

The DMV is charged with helping to improve the District of Columbia's economic competitiveness and quality of life by fostering the safe operation of motor vehicles on District streets in accordance with applicable laws and regulations.

New Section  
40-152

Sec. 1824. Organization.

There is hereby established in the DMV offices and divisions as follows:

New Section  
40-153

(1) The Office of the Director, with subordinate staff offices as are required to carry out overall management responsibility for the office;

(2) Division of Adjudication, with subordinate staff offices as required, to coordinate and managed the functions as follows:

- (A) Traffic adjudication hearings;
- (B) Traffic adjudication processing; and
- (C) Public space adjudication;

(3) Customer Services Division, with such subordinate staff offices as are required, to coordinate and manage the following functions for the District:

- (A) Vehicle inspection;
- (B) Vehicle registration; and

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(C) Driver testing, including medical reviews and insurance compliance;  
and

(4) Support Services Division, with such subordinate staff offices as are required to coordinate and manage the procurement, financial, technology and administrative functions for the Department of Motor Vehicles, and management of the personal property inventory for the Department of Motor Vehicles.

Sec. 1825. Functions.

New Section  
40-154

The primary function of the major organizational components of the DMV are to plan, program, operate, manage, control, and maintain systems, processes, and programs that serve to ensure the safe and efficient movement of people in the operation of motor vehicles within the District of Columbia. The following functional components are included within this framework:

(1) Adjudication functions as follows:

- (A) Administer the processes of collecting traffic fines and adjudicating disputes regarding traffic movement or parking movement in the public right-of-way;
- (B) Ensure that efficient information and payment processing services are provided to motorists who have been ticketed, booted, or towed;
- (C) To process all correspondence relating to contested traffic violations;
- (D) Maintain account for the ticket file;
- (E) Make determinations on violations which pertain to automobile insurance;
- (F) Make determinations on complaints filed against public vehicle operators; and
- (G) Make determinations on drivers' permits, including suspensions and revocations;

(2) Customer service functions as follows:

- (A) Title and register new or used motor vehicles and trailers in the District and issue special tags and permits;
- (B) Coordinate the issuance of special tags and permits, and to enforce activities relating to automobile dealers and vehicle inspection facilities;
- (C) License public vehicle operators;
- (D) Provide all services which pertain to the issuance of driver permits and licensing; and
- (E) Maintain and administer a traffic record system; and

(3) Administrative service functions to provide department wide coordination of administrative services emphasizing human resources, technology and information support, procurement, and fiscal management support services.

**ENROLLED ORIGINAL**

Sec. 1826. Transfers.

New Section  
40-155  
Note Vol. 1

(a) All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Department of Public Works for the vehicle and driver licensing, registration, and control functions set out in Reorganization Plan No. 4 of 1983, effective March 1, 1984, are hereby transferred to the Department of Motor Vehicles.

(b) All of the of the functions assigned, and authorities delegated to the Department of Public Works, with respect to issuing regulations for and administering motor vehicle services, except for parking services functions, as set forth in section III(H) of Reorganization Plan No. 4 of 1983, effective March 1, 1984 (including only vehicle and driver licensing, registration, and control) are hereby transferred to the Department of Motor Vehicles.

Sec. 1827. Reorganization.

New Section  
40-156

The Director of the DMV is authorized to organize the personnel and property transferred herein within any organizational unit of the DMV as the Director deems appropriate. Until such establishment, existing orders establishing the components of the pre-existing Department of Public Works remain in force, where they do not conflict with this act.

Sec. 1828. Subordinate agency status.

Section  
1-603.1

Section 301(q) of the District of Columbia Comprehensive Government Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-603.1(17)), is amended by adding a new paragraph (45) to read as follows:

"(45) Department of Motor Vehicles."

Sec. 1829. Fiscal impact statement.

This reorganization will not have negative fiscal impact. The reorganization is consistent with the District's Fiscal Year 1999 Financial Plan and Budget.

Sec. 1830. Applicability.

This subtitle shall apply as of October 1, 1998.

**SUBTITLE D - ECONOMIC DEVELOPMENT LIAISON OFFICE  
ESTABLISHMENT**

New  
Subchapter  
I-A,  
Chapter 22,  
Title 1

Sec. 1831. Short title.

This subtitle may be cited as the "Economic Development Liaison Office Establishment Act of 1998".

Note,  
New Section  
1-2207.1

**ENROLLED ORIGINAL**

Sec. 1832. Establishment of the Economic Development Liaison Office.

New Section  
1-2207.1

(a) In accordance with section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Code §1-227(b)), there is hereby established in the Executive Branch of the government of the District of Columbia an Economic Development Liaison Office, to be headed by an Assistant City Administrator for Economic Development, who shall serve as liaison between the Mayor, the City Administrator, the Chief Financial Officer, the National Capital Revitalization Corporation, hospitality industry organizations, and economic development policy groups.

(b) The Economic Development Liaison Office shall give priority to assisting activities that foster economic growth and employment opportunities in the District by retaining, expanding, and attracting business through strategic neighborhood revitalization policies and actions to remove blight and facilitating opportunities for commercial and human capital development consistent with the economic, social, housing, and employment needs of residents and citizens of the District.

Sec. 1833. Functions.

New Section  
1-2207.2

The Economic Development Liaison Office shall perform the following functions:

- (1) Develop and support programs to ensure local business development and the participation of small and disadvantaged businesses in public and private economic development activities;
- (2) Assist businesses in their procedural relationships with the District government, including, but not limited to, the expediting of administrative processes, such as approval of necessary permits, zoning actions, street closings, and other relevant District administrative actions;
- (3) Assist the Executive in the administration and supervision of the Office of Planning;
- (4) Assist the Executive in the administration and supervision of the Office of Banking and Financial Institutions;
- (5) Assist the Executive in the administration and supervision of the Office of Local Business Opportunity Administration;
- (6) Assist the Executive in the administration and supervision of the Office of Motion Pictures and Television Development;
- (7) Assist the Executive in the coordination of activities of the Zoning Commission with other economic development activities of the District government;
- (8) Assist the Executive and the Chief Financial Officer in the transfer payment of all taxes collected on behalf of business improvement districts; and
- (9) Assist the Executive in the coordination of activities between the Executive and the Department of Housing and Community Development, the National Capital

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Revitalization Corporation, the President of the United States District of Columbia Task Force, the Washington Convention Center Authority, the Washington Convention and Visitors Association, the Hotel Association of Washington, the Restaurant Association of Washington, the D.C. Committee to Promote Washington, the D.C. Chamber of Commerce, the D.C. Building Industries Association, the Federal City Council, and the Committee of 100 on the Federal City.

Sec. 1834. Transfer of functions; abolishment of the Office of Tourism and Promotions.

New Section  
1-2207.3  
Note, Vol. 1

(a) All authorities, responsibilities, and functions assigned to the Office of Tourism and Promotions by Reorganization Plan No. 2 of 1992, effective October 1, 1992, including oversight responsibility for the D.C. Committee to Promote Washington and the Office of Motion Picture and Television Development, established by Mayor's Order 79-218, dated September 14, 1979, are hereby transferred to the Economic Development Liaison Office.

(b) The Office of Tourism and Promotions, established by Reorganization Plan No. 2 of 1992, effective January 6, 1993, is hereby abolished.

Sec. 1835. Fiscal impact statement

The enactment of this subtitle will have no fiscal impact because the new Economic Development Liaison Office will replace the Office of Economic Development abolished by the Council when it enacted legislation to establish the National Capital Revitalization Corporation.

Sec. 1836. Applicability.

This subtitle shall apply as of October 1, 1998.

**TITLE XIX - CREATION OF OFFICE OF BANKING AND FINANCIAL INSTITUTIONS AND CABLE TV NON-LAPSING ACCOUNTS**

**SUBTITLE A - CONVERSION OF THE OFFICE OF BANKING AND FINANCIAL INSTITUTIONS ENTERPRISE FUND TO A NON- LAPSING ACCOUNT**

Sec. 1901. Short title.

This subtitle may be cited as the "Conversion of the Office of Banking and Financial Institutions Special Account Establishment Act of 1998".

Sec. 1902. The Office of Banking and Financial Institutions Enterprise Fund Establishment Act of 1997, effective March 20, 1998 (D.C. Law 12-60; D.C. Code §§ 26-802.2 - 26-802.4), is amended as follows:

(a) Section 1802(2) (D.C. Code § 26-802.2) is repealed.

Section  
26-802.2

**ENROLLED ORIGINAL**

(b) Section 1804 (D.C. Code § 26-802.3) is amended to read as follows:

Section  
26-802.3

"(a) In accordance with D.C. Code § 47-131(c)(4), there is hereby established within the General Fund of the District of Columbia a special account, to which shall be credited, without regard to fiscal year limitation pursuant to an act of Congress, the fees that are identified in section 1804.

"(b) Subject to the applicable laws relating to the appropriation of District funds, monies received and deposited in the special account shall be used to defray the expenses of the Office of Banking and Financial Institutions in the discharge of its administrative and regulatory duties as prescribed by law. The special account shall not be used by any other District government agency.

"(c) The special account shall be continuing. Revenues deposited into the special account shall not revert to the General Fund at the end of any fiscal year or at any other time, but shall be continually available to the Office of Banking and Financial Institutions for the uses and purposes set forth in section 3a of the District of Columbia Regional Interstate Banking Act of 1985, effective November 23, 1985 (D.C. Law 6-63; D.C. Code § 26-802.1), subject to authorization by Congress in an appropriations act."

(c) The lead-in language of section 1804 (D.C. Code § 26-802.4) is amended by striking the phrase "Enterprise Fund" and inserting the phrase "special account" in its place.

Section  
26-802.4

Sec. 1903. Fiscal impact statement.

This enactment of this subtitle will have a positive fiscal impact because program fees will be retained by the Office of Banking and Financial Institutions, thus reducing the local appropriation necessary to support the Office.

Sec. 1904. Applicability.

This subtitle shall apply as of October 1, 1998.

**SUBTITLE B - CONVERSION OF THE CABLE TELEVISION FUND TO A NON-LAPSING ACCOUNT**

Sec. 1911. Short title.

This subtitle may be cited as the "Cable Television Special Account Establishment Act of 1998".

Sec. 1912. Section 8a(a) of the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5-36; D.C. Code § 43-1807.1(a)), is amended as follows:

Section  
43-1807.1

(a) The first sentence is amended to read as follows:

**ENROLLED ORIGINAL**

"(a) In accordance with D.C. Code § 47-131(c)(4), there is hereby established within the General Fund of the District of Columbia a special account ("special account"), to which shall be credited, without regard to fiscal year limitation pursuant to an act of Congress, all revenue owed and accruing to the District from the establishment, regulation, and operation of a cable television system within the District of Columbia. No revenues deposited into the continuing, non-lapsing special account may be obligated or spent in any year without a Congressional appropriation. Revenues in this continuing, non-lapsing special account that are carried over into a succeeding fiscal year may not be obligated or spent in the succeeding year without a new Congressional appropriation that permits such obligation or expenditure."

(b) Strike the phrase "Cable Television Fund" wherever it appears and insert the phrase "special account" in its place.

(c) Strike the second sentence and insert in its place two new sentences to read as follows:

"The Cable Television special account shall be continuing. Revenues deposited into the special account shall not revert to the General Fund at the end of any fiscal year or at any other time, but shall be continually available to the Office of Cable Television for the uses and purposes set forth in this act, subject to authorization by Congress in an appropriations act."

Sec. 1913. Fiscal impact statement.

The enactment of this subtitle will have a positive fiscal impact because program fees will be retained by the Office of Cable Television and Telecommunications, thus reducing the local appropriation necessary to support this program.

Sec. 1914. Applicability.

This subtitle shall apply as of October 1, 1998.

**TITLE XX - BURIAL ASSISTANCE PROVIDED SUBJECT TO APPROPRIATIONS**

Sec. 2001. Short title.

This title may be cited as the "Burial Assistance Amendment Act of 1998".

Sec. 2002. Section 29 of the Emergency Assistance Program Act of 1988, effective March 16, 1989 (D.C. Law 7-221; D.C. Code § 3-1028), is amended as follows:

Section  
3-1028

(a) Strike the phrase "\$450" and insert the phrase "\$800" in its place.

(b) Add two new sentences at the end to read as follows:

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"Burial assistance shall be subject to the availability of appropriations. Notwithstanding any other law, nothing in this section shall be construed to create an entitlement to burial assistance for any person."

Sec. 2003. Fiscal impact statement.

This title will have no adverse fiscal impact because its availability is subject to appropriations.

Sec. 2004. Applicability.

This title shall apply as of October 1, 1998.

**TITLE XXI - ESTABLISHMENT OF DISABILITY COMPENSATION EFFICIENCIES**

Sec. 2101. Short title.

This title may be cited as the "Disability Compensation Amendment Act of 1998".

Sec. 2102. Title XXIII of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-624.1 *et seq.*), is amended as follows:

(a) Section 2301 (D.C. Code § 1-624.1) is amended by adding new subsections (s) and (t) to read as follows:

Section  
1-624.1

"(s) The term "claimant" means a person who has applied for benefits under this title.

"(t) The term "Director" means the Director, Department of Employment Services."

(b) Section 2303 (D.C. Code § 1-624.3) is amended as follows:

Section  
1-624.3

(1) Subsection (a) is amended by inserting, after the phrase "by a qualified physician," a new phrase to read as follows: "approved by the Mayor or his or her designee pursuant to subsection (c) of this section,".

(2) Subsection (c)(1) is amended as follows:

(A) Add the phrase "or his or her designee," after the first use of the word "Mayor".

(B) Add a new sentence at the end to read as follows: "Any health care provider who is a member of such managed care organization shall apply in writing to the Mayor or his or her designee, and be approved by the Mayor or his or her designee prior to providing any services, appliances, or supplies pursuant to this section."

(c) Section 2324 (D.C. Code § 1-624.24) is amended as follows:

Section  
1-624.24

(1) Subsection (a) is amended by adding the phrase "or his or her designee" after the word "Mayor" wherever it appears.

(2) Subsection (b)(1) is amended to read as follows:



**ENROLLED ORIGINAL**

"(b)(1) Before review under section 2328(a), a claimant for compensation not satisfied with a decision of the Mayor or his or her designee under subsection (a) of this section is entitled, on request made within 30 days after the date of the issuance of the decision, to a hearing on the claim before a representative of the Mayor. At the hearing, the claimant and the Corporation Counsel are entitled to present evidence. Within 30 days after the hearing, the Mayor or his or her designee shall notify the claimant, the Corporation Counsel, and the Benefits Administration Office of the Department of Employment Services in writing of his or her decision and any modifications of the award he or she may make and the basis of the decision."

(3) A new subsection (d) is added to read as follows:

"(d) If the Mayor or his or her designee has reason to believe a change of condition has occurred, the Mayor or his or her designee may modify the award of compensation under the procedures of subsection (a) of this section. Where the Mayor or his or her designee has modified an award of compensation, the claimant shall have the right to a hearing under subsection (b) of this section. Within 30 days after the hearing, the Mayor or his or her designee shall notify the claimant, the Corporation Counsel, and the Benefits Administration Office of the Department of Employment Services in writing of his or her decision and the basis of the decision. The claimant and the Office of Corporation Counsel shall have the right to seek review of the decision under section 2328 within 30 days of the issuance of the decision."

(d) Section 2327(b) (D.C. Code § 1-624.27(b)) is amended by adding the phrase "on behalf of a claimant" after the phrase "or other services furnished".

Section  
1-624.27

(e) Section 2328 (D.C. Code § 1-624.28) is amended to read as follows:

Section  
1-624.28

"(a) The Director may review an award for or against payment of compensation on application by either the claimant or the Office of the Corporation Counsel. An application for review pursuant to this subsection must be filed within 30 days after the date of the issuance of the decision of the Mayor or his or her designee pursuant to section 2324(b)(1). The decision of the Mayor or his or her designee pursuant to section 2324(b)(1) may be affirmed, modified, revised, or remanded in the discretion of the Director. The decision of the Mayor or his or her designee pursuant to section 2324 shall be affirmed if supported by substantial competent evidence on the record. The Director shall notify the claimant, the Corporation Counsel, and the Benefits Administration Office of the Department of Employment Services in writing of his or her decision.

"(b) The action of the Director in allowing or denying a payment under this title may be reviewed by the District of Columbia Court of Appeals. An application for review to the District of Columbia Court of Appeals shall be filed within 30 days of the date of the issuance of the decision by the Director. The decision of the Director may be affirmed, modified, revised or remanded in the discretion of the Court. The decision of the Director shall be affirmed if supported by substantial competent evidence on the record. Credit shall be allowed in the accounts of a certifying or disbursing official for payment in accordance with that action.

**ENROLLED ORIGINAL**

"(c) Notwithstanding subsection (b) of this section, an action in which the United States Department of Labor (or other federal authority) participated at any stage of the adjudication allowing or denying payment under this title pursuant to an agreement with the District of Columbia is:

"(1) Final and conclusive for all purposes and with respect to all questions of law or fact; and

"(2) Not subject to review by a court by mandamus or otherwise."

(f) Section 2329(a) and (b) (D.C. Code § 1-624.29(a) and (b)) is amended to read as follows:

Section  
1-624.29

"(a) When an overpayment has been made to an individual under this title because of an error of fact or law, under rules and regulations prescribed by the Mayor, either recovery of the overpayments shall be required of the individual or adjustment shall be made by decreasing later payments to which the individual is entitled. If the individual dies before the adjustment is completed, an adjustment shall be made by decreasing later benefits payable under this title with respect to the individual's death.

"(b) Adjustment or recovery by the District of Columbia government may be waived when incorrect payment has been made to an individual who is without fault and when recovery would defeat the purpose of this title or would be against equity and good conscience."

(g) Section 2335 (D.C. Code § 1-624.35) is amended to read as follows:

Section  
1-624.35

"Sec. 2335. Lump-sum settlements.

"(a) The claimant may enter into an agreement with the Mayor or his or her designee for a lump-sum settlement. Such settlements must be in writing and signed by the Mayor or his or her designee and the claimant. If the claimant is represented by counsel, the settlement documents must also be signed by the attorney for the claimant. Such settlements are to be the complete and final dispositions of a case and once approved require no further action by the Mayor or his or her designee.

"(b) In reaching an agreement for a lump-sum settlement pursuant to this section, the probability of the death of the beneficiary before the expiration of the period during which he or she is entitled to compensation shall be determined according to the most current available United States Life Tables, as developed by the United States Department of Health and Human Services, but the lump-sum payment to a widow or widower of the deceased employee may not exceed 60 months' compensation. The probability of the occurrence of any other contingency affecting the amount or duration of compensation shall be disregarded.

"(c) On remarriage before reaching age 60, a widow or widower entitled to compensation under section 2333 shall be paid a lump-sum equal to 24 times the monthly compensation payment (excluding compensation on account of another individual) to which he or she was entitled immediately before the remarriage.

"(d) Lump-sum settlements may not be reviewed or modified under section 2324 or section 2328, except in case of fraud or misrepresentation by any party."

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(h) Section 2342 (D.C. Code § 1-624.42) is amended by designating the existing text as subsection (a) and by adding a new subsection (b) to read as follows: Section  
1-624.42

"(b) The costs and expenses of the representation of the Mayor or his or her designee by the Corporation Counsel in proceedings under sections 2324 and 2428 shall be paid out of the Employees' Compensation Fund established by this section."

Sec. 2103. Fiscal impact statement.

The disability compensation amendments are designed to make the disability compensation procedures more efficient and to make it easier for the District to reduce the number of claims unsupported by sufficient evidence, to halt compensation payments to claimants who are no longer disabled, and to recover overpayments. Although the amendments will most likely result in an increased amount of legal work for the Office of Corporation Counsel, the costs of this work should be more than outweighed by the savings expected from the legal representation. Accordingly, the disability compensation amendments will have a positive impact on the budget.

**TITLE XXII - AUTHORIZATION FOR SUBMISSION OF PAY  
ADJUSTMENTS**

Sec. 2201. Section 1105(d) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-612.5(d)), is amended by striking the phrase "on September 30, 1980, and on the 1st day in September that the Council is in session, of each year thereafter". Section  
1-612.5

Sec. 2202. This title has no fiscal impact.

**TITLE XXIII - PERSONNEL REFORM TECHNICAL CLARIFYING  
AMENDMENTS**

Sec. 2301. Section 1061 of Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, signed by the Mayor on April 1, 1998 (D.C. Act 12-326; 45 DCR 2464), is amended as follows: Section  
1-611.61

(a) Paragraph (6) is amended by striking the phrase "at the time this section becomes effective" and inserting the phrase "on the last day of the last pay period of the leave year" in its place.

(b) Paragraph (7) is amended by inserting the phrase "on or after the first day of the first pay period after enactment of this section" before the phrase "shall have his or her annual leave balance."

(c) A new paragraph (10) is added to read as follows:

"(10) The Mayor shall establish a disability income protection program for Executive Service employees to include short and long-term disability insurance which shall provide coverage for non-job related illness or injury."

**Sec. 2302. Applicability.**

**Note, Section  
1-611.61**

Section 2301(a) and (b) of this act shall apply upon the enactment by the United States Congress of legislation adopting section 101(m) of the Omnibus Personnel Reform Amendment Act of 1998, signed by the Mayor on April 1, 1998 (D.C. Act 12-326; 45 DCR 2464).

**Sec. 2303. Fiscal impact statement.**

This title shall have no fiscal impact.

**TITLE XXIV - NATIONAL CAPITAL REVITALIZATION CORPORATION  
ACT OF 1998 TECHNICAL AMENDMENTS**

**Sec. 2401.** The National Capital Revitalization Corporation Act of 1998, signed by the Mayor on May 5, 1998 (D.C. Act 12-355; 45 DCR \_\_\_), is amended as follows:

**(a) Section 2 is amended as follows:**

**Section  
1-2295.1**

(1) Paragraph (1) is amended by inserting the phrase "limited liability partnership," after the phrase "limited liability company,".

(2) Paragraph (2) is amended by inserting the phrase "improvement," after the phrase "construction, expansion,".

(3) Paragraph (2)(B) is amended by inserting the phrase "purchase/sale/leaseback," after the phrase "purchase/lease/leaseback,".

(4) Paragraph (11) is amended by striking the period at the end and inserting the phrase ", as in effect from time to time and any successor thereto." in its place.

**(5) Paragraph (21) is amended as follows:**

(A) Add the phrase "financing," after the phrase "acquisition, protection,".

(B) Add the phrase "or liquidity," after the phrase "surety bonds or similar credit,".

(6) Paragraph (25) is amended by striking the phrase "any other laws of the District of Columbia" and inserting the phrase "the Tax Increment Financing Authorization Act of 1998, signed by the Mayor on May 4, 1998 (D.C. Act 12-354; 45 DCR \_\_\_)" in its place.

**(7) Add a new paragraph (29A) to read as follows:**

"(29A) "Property tax increment revenues" means the amount by which the tax receipts in any subsequent tax year exceed the tax receipts in the real property tax increment

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base year from the real property tax levied under D.C. Code § 47-812 derived from properties within 1 or more redevelopment districts excluding any special real property taxes."

(8) Paragraph (32) is amended by striking the word "includes" in the last sentence and inserting the phrase "may contain" in its place.

(9) Paragraph (33)(G) is amended by striking the word "such".

(b) Section 8(c) is amended by inserting the phrase "and personal" after the word "Real".

Section  
1-2295.7

(c) Section 13 is amended as follows:

Section  
1-2295.12

(1) Subsection (a) is amended by striking the sentences "If the Council does not adopt a resolution within the 45-day period, the Revitalization Plan shall be deemed disapproved, except for nongovernmental project based revenue bonds. The Revitalization Plan may be amended subject to Council approval by act." and inserting new sentences in their place to read as follows: "If the Council does not adopt a resolution within the 45-day period, the Revitalization Plan shall be deemed disapproved. The Corporation may, from time to time, amend the Revitalization Plan, subject to Council approval by resolution."

(2) Subsection (c) is amended by striking the phrase "more extensive" and inserting the phrase "proposed within an area subject to a small area plan, pursuant to section 4 of the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Code § 1-247)," in its place.

(d) Section 15 is amended as follows:

Section  
1-2295.14

(1) Subsection (a) is amended by striking the sentence "The criteria for assistance may be amended by act of the Council." and inserting the sentence "The Corporation may, from time to time, amend the criteria for assistance, subject to Council approval by resolution." in its place.

(2) Subsection (c) is amended as follows:

(A) Strike the word "shall" and insert the word "may" in its place.

(B) Strike the phrase ", the annual determination of employees" and insert the phrase ", any annual determination required of employees" in its place.

(e) Section 22(a)(2) is amended by striking the word "projects" and inserting the word "purposes" in its place.

Section  
1-2295.21

(f) Section 28(b) is amended by adding a new paragraph (5A) to read as follows:

"(5A) Greater Washington Ibero American Chamber of Commerce;"

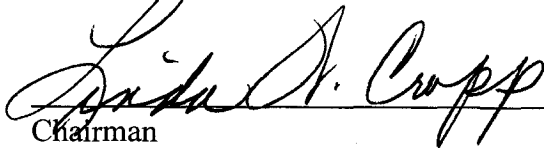
Section  
1-2295.27

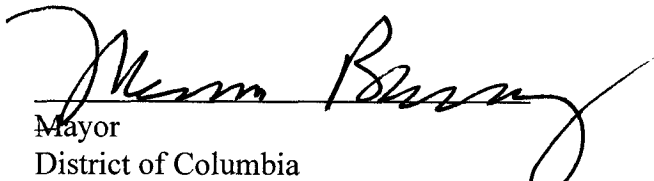
**TITLE XXV - EFFECTIVE DATE**

Sec. 2501. 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

**ENROLLED ORIGINAL**

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.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia

APPROVED: June 23, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-618

Docket No. \_\_\_\_\_

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FIRST READING, 5-5-98

VOICE VOTE APPROVED  
RECORDED VOTE ON REQUEST

ABSENT ALL PRESENT

ROLL CALL VOTE - Result \_\_\_\_\_

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

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*June 9, 1998*  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FINAL READING, 6-2-98

VOICE VOTE APPROVED  
RECORDED VOTE ON REQUEST

ABSENT CATANIA

ROLL CALL VOTE - Result \_\_\_\_\_

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

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*June 9, 1998*  
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					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date