

ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICED

D.C. LAW 12-60

"Fiscal Year 1998 Revised Budget Support Act of 1997"

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. 12-353 on first and second readings, September 8, 1997, and September 22, 1997, respectively. Following the signature of the Mayor on October 24, 1997, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-191 and published in the December 12, 1997, edition of the D.C. Register (Vol. 44 page 7482) and transmitted to Congress on January 9, 1998 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 12-60, effective March 20, 1998.



LINDA W. CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Jan.	27,28,29
Feb.	2,3,4,5,9,10,11,12,23,24,25,26,27
Mar.	2,3,4,5,6,9,10,11,12,13,16,17,18,19

AN ACT

D.C. ACT 12-191

*Codification
District of
Columbia
Code
1998 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 24, 1997

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to eliminate the cap on compensation of members of the Board of Real Property Assessments and Appeals; to amend the District of Columbia Procurement Practices Act of 1985 to provide the Chief Procurement Officer the authority to establish a certification program for individuals in District procurement; to amend the Community Residence Facilities Licensure Act of 1977 to abolish certain health-related duties and to transfer others to the Department of Health; to amend the District of Columbia Public School Nurse Assignment Act of 1987 to transfer certain functions from the Commissioner of Public Health to the Director, Department of Health; to establish within the District's General Fund a special account, consisting of a portion of the program fees and earnings derived from the sale of industrial revenue bonds, to be used for the industrial revenue bond program and for other purposes; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to mandate the direct deposit or mailing of payroll checks to employees; to amend the District of Columbia Public Assistance Act of 1982 to abolish General Public Assistance for adults; to amend the Health and Hospitals Public Benefit Corporation Act of 1996 to transfer to the Corporation's management and control the functions, assets, property, records, and obligations of the Bureau of School Nursing; to amend the BNA Washington, Inc., Real Property Tax Deferral Amendment Act of 1996 to change the date the Mayor is required to submit proposed legislation to establish comprehensive standards for the provision of incentives by the District government to maintain existing employers in the District and to attract new employers; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to eliminate shift differential and premium pay as negotiation issues subject to collective bargaining for all employees except uniformed members of the Fire and Emergency Medical Services Department and 24-hour health care workers employed at the Department of Human Services; to repeal the District of Columbia Government Employer-Assisted Housing Act of 1992; to amend the District of Columbia Unemployment Compensation Act to exclude persons who serve as Mayor, members of

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the Council of the District of Columbia, or members of the School Board from eligibility for unemployment benefits; to require the District of Columbia Public Schools to develop and submit for Council approval by November 1, 1997, written procedures outlining an ongoing process for evaluating facilities needs; to establish the 21st Century Public School Information Technology Program to provide a computer literacy and training project for teachers employed by the District of Columbia Public Schools; to amend An Act To authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks to authorize the Mayor to add the costs of collection to the amount due on any dishonored checks written to the District government in payment of any obligation owed to the District; to amend Title 47 of the District of Columbia Code to change the period of limitation upon assessment and collection of income and franchise taxes from 10 years to 3 years; to amend the Uniform Disposition of Unclaimed Property Act of 1980 to expedite compliance with the act; and to establish an Office of Banking and Financial Institutions Enterprise Fund to require the crediting to this Fund of all fees received under laws administered by the Office of Banking and Financial Institutions, and to reserve this Fund for the exclusive use of the Office of Banking and Financial Institutions, subject to appropriations by Congress.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 1998 Revised Budget Support Act of 1997".

TITLE I - ELIMINATION OF CAP ON COMPENSATION OF MEMBERS OF THE BOARD OF REAL PROPERTY ASSESSMENTS AND APPEALS

Sec. 101. Section 1108(c)(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 § 1-612.8(c)(2)), is amended as follows:

Section
1-612.8

(a) Subparagraph (E) is amended by striking the phrase ", not to exceed \$10,000 for each board member per year".

(b) Subparagraph (J) is amended by adding, after the word "maximum", the phrase ", except that no maximum shall apply to the compensation paid to the chairperson of the Board of Real Property Assessments and Appeals".

TITLE II - ESTABLISHMENT OF A CERTIFICATION PROGRAM FOR DISTRICT GOVERNMENT ASSET MANAGEMENT AND PROCUREMENT

PROFESSIONALS

Sec. 201. Section 1101(a) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code § 1-1191.1(a)), is amended to read as follows:

Section
1-1191.1

"(a) The Chief Procurement Officer shall establish a program for educating, training, and certifying individuals in District government, and for conducting research for improving and enhancing the District government's overall procurement process."

**TITLE III - DEPARTMENT OF HEALTH COMMUNITY RESIDENCE
FACILITIES REFERRAL SERVICES**

Sec. 301. Section 401 of the Community Residence Facilities Licensure Act of 1977, effective November 11, 1977 (D.C. Law 2-35; 22 DCMR 3020), is amended as follows:

DCMR

(a) By amending the caption by striking the phrase "Central Referral Bureau" and inserting the phrase "Referral Services" in its place;

(b) By striking the phrase "Central Referral Bureau" wherever it appears and inserting the phrase "Department of Health" in its place;

(c) By repealing subsection (a)(2) (22 DCMR 3020.3);

(d) By repealing subsection (a)(3)(E) (22 DCMR 3020.5(e));

(e) By amending subsection (a)(3)(F) (22 DCMR 3020.5(f)) by striking the phrase "a written summary of any";

(f) By amending subsection (a)(4)(A) (22 DCMR 3020.6) as follows:

(1) By striking the word "The" in the first sentence and inserting the phrase "Except for persons who seek placement in Commission on Mental Health Services facilities, the" in its place; and

(2) By striking the phrase "who are on convalescent leave from Saint Elizabeth's Hospital, if their hospitalization was paid for in part by the District;";

(g) By amending subsection (a)(6) (22 DCMR 3020.11 and 12) by striking the last two sentences;

(h) By repealing subsection (a)(7) (22 DCMR 3020.13); and

(i) By repealing subsection (a)(9) (22 DCMR 3020.16 and 3020.17).

TITLE IV - PROVISION OF HEALTH SERVICES IN PUBLIC SCHOOLS

Sec. 401. Section 2 of the District of Columbia Public School Nurse Assignment Act of 1987, effective December 10, 1987 (D.C. Law 7-45; D.C. Code § 31-2421), is amended as follows:

Section
31-2421

(a) Subsection (d) is amended by striking the phrase "Commissioner of Public Health" and inserting the phrase "Director, Department of Health" in its place.

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(b) Subsection (d)(5) is amended by striking the phrase "Commissioner of Public Health" and inserting the phrase "Director, Department of Health" in its place.

(c) Subsection (e)(1)(B) is amended by striking the phrase "Commissioner of Public Health" and inserting the phrase "Director, Department of Health" in its place.

(d) Subsection (e)(1)(C) is amended by striking the phrase "Commissioner of Public Health" and inserting the phrase "Director, Department of Health" in its place.

(e) Subsection (e)(1)(E) is amended by striking the phrase "Commissioner of Public Health" and inserting the phrase "Director, Department of Health" in its place.

TITLE V - GENERAL FUND ACCOUNT FOR INDUSTRIAL REVENUE BOND PROGRAM FEES

Sec. 501. Section 502 of this title may be cited as the "Industrial Revenue Bond Fees Act of 1997".

Note,
New Section
47-340.20

Sec. 502. Chapter 3 of Title 47 of the District of Columbia Code is amended as follows:

(a) The table of contents is amended by adding after the phrase "§ 47-340.16. Conflict of Laws." the following:

"Subchapter II-C. Industrial Revenue Bond Fees.

"47-340.20. Program fee.

"47-340.21. Deposit of proceeds.

"47-340.22. Allocation of funds.

"47-340.23. Use of funds allocated."

(b) A new subchapter II-C is added to read as follows:

"Subchapter II-C. Industrial Revenue Bond Fees.

"§ 47-340.20. Program fee.

New Section
47-340.20

"The Mayor may charge a program fee to each entity on whose behalf the District of Columbia issues industrial revenue bonds authorized pursuant to § 47-334 in an amount sufficient to cover costs and expenses incurred by the District, including those incurred in connection with the issuance, sale, and delivery of bonds, the District's participation in monitoring the use of bond proceeds and compliance with contracts and public benefit requirements, the maintenance of official records of transactions, the assistance in the redemption, repurchase, and remarketing of the bonds, and other activities related to the loan and disposition of revenue bond proceeds.

"§ 47-340.21. Deposit of proceeds.

New Section
47-340.21

"Program fees and the earnings thereon authorized under § 47-340.20 shall be deposited in an industrial revenue bond program fee account established pursuant to § 47-131(c)(4).

"§ 47-340.22. Allocation of funds.

New Section
47-340.22

"Subject to authorization in a Congressional appropriations act, funds credited to the

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Industrial Revenue Bond Program Fee Account shall be allocated annually to the office, agency, or department of the District government responsible for administering the industrial revenue bond program fees and earnings thereon in excess of \$1,000,000 collected during the immediately preceding fiscal year.

"§ 47-340.23. Use of funds allocated.

New Section
47-340.23

"Funds allocated to the office, agency, or department described in § 47-340.22 may be used to defray costs of operating and administering the industrial revenue bond program and to further the purposes of § 47-334."

Sec. 503. Section 47-131(c) of the District of Columbia Code is amended by adding a new paragraph (4) to read as follows:

Section
47-131

"(4) The administration, operation, and marketing of the industrial revenue bond program established pursuant to § 47-334."

TITLE VI - MANDATORY DIRECT DEPOSIT

Sec. 601. Title XI of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-612.1 *et seq.*), is amended by adding a new section 1120 to read as follows:

"Sec. 1120. Mandatory direct deposit.

New Section
1-612.20

"(a) Notwithstanding any other provision of law, the only method for the receipt of salary, wages, or any other compensation, and retirement payments by any District of Columbia employee or retiree, whether compensated by the District with District funds or federal funds, shall consist of one of the following:

"(1) Direct deposit through electronic funds transfer to a checking, savings, or account designated by the employee or retiree; or

"(2) The delivery of the check by U.S. mail to the employee's or retiree's place of residence.

"(b) The Mayor is authorized to issue rules to implement this section."

TITLE VII - GENERAL PUBLIC ASSISTANCE ABOLISHED

Sec. 701. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code § 3-201.1 *et seq.*), is amended as follows:

(a) Section 101(4) (D.C. Code § 3-201.1(4)) is repealed.

Sections
3-201.1,
3-202.1

(b) Section 201 (D.C. Code § 3-202.1) is amended as follows:

(1) Paragraph (1) is amended by inserting the word "and" immediately after the semi-colon; and

(2) Paragraph (3) is repealed.

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- (c) A new section 201a is added to read as follows:
"Sec. 201a. Termination of General Public Assistance. New Section
3-202.1a
"Effective May 1, 1997, the General Public Assistance ("GPA") program shall be terminated. No person shall be eligible to receive GPA benefits after May 1, 1997."
- (d) Section 401 (D.C. Code § 3-204.1) is amended by striking the phrase ", and GPA," and inserting the word "and" before the phrase "Aid to the Blind". Sections
3-204.1
- (e) Section 502 (D.C. Code § 3-205.2) is amended by striking the phrase "GPA,". 3-205.2,
- (f) Section 508 (D.C. Code § 3-205.8) is repealed. 3-205.8,
- (g) Section 513 (D.C. Code § 3-205.13) is amended by striking the phrase "except GPA". 3-205.13
- (h) Section 514 (D.C. Code § 3-205.14) is repealed. Section
3-206.14,
- (i) Section 533(a) (D.C. Code § 3-205.33(a)) is repealed. 3-205.33,
- (j) Section 534 (D.C. Code § 3-205.34) is repealed. 3-205.34,
- (k) Section 536 (D.C. Code § 3-205.36) is amended by striking the phrase "or GPA". 3-205.36
- (l) Section 542(2) (D.C. Code § 3-205.42(2)) is repealed. Sections
3-205.42,
- (m) Section 542a (D.C. Code § 3-205.42a) is repealed. 3-205.42a,
- (n) Section 549(c) (D.C. Code § 3-205.49(c)) is amended by striking the phrase "or General Public Assistance". 3-205.49
- (o) Section 549(d) (D.C. Code § 3-205.49(d)) is amended by striking the phrase "or GPA". Sections
3-205.49,
- (p) Section 550(c) (D.C. Code § 3-205.50(c)) is repealed. 3-205.50,
- (q) Section 553(b), (c), and (d) (D.C. Code § 3-205.53(b), (c), and (d)) is repealed. 3-205.53,
- (r) Section 801(a) (D.C. Code § 3-208.1(a)) is amended by striking the phrases "GPA or" and "of GPA or" in the second sentence. 3-208.1
- (s) Section 805(d) (D.C. Code § 3-208.5(d)) is repealed. Sections
3-208.5,
- (t) Section 1002(c) (D.C. Code § 3-210.2(c)) is amended by striking the phrase ", GPA,". 3-210.2
- (u) Section 1019(a) (D.C. Code § 3-210.19(a)) is repealed. Section
3-210.19,
- (v) Section 1101 (D.C. Code § 3-211.1) is amended by striking the phrase ", GPA,". 3-211.1,
- (w) Section 1103 (D.C. Code § 3-211.3) is amended by striking the second sentence. 3-211.3,
- (x) Section 1203(g) (D.C. Code § 3-212.3(g)) is amended by striking the second sentence. 3-212.3,
- (y) Section 1705(a)(1) (D.C. Code § 3-217.5(a)(1)) is repealed. 3-217.5
- Sec. 702. Section 3a(3)(G) of the District of Columbia Right to Overnight Shelter Initiative of 1984, effective March 6, 1991 (D.C. Law 8-197; D.C. Code § 3-602.1(c)(7)), is amended by striking the phrase "General Public Assistance,". Section
3-602.1

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Sec. 703. Section 15-712(b) of the District of Columbia Code is amended by striking the phrase "General Public Assistance" and inserting the phrase "General Assistance for Children Program" in its place.

Section
15-712

Sec. 704. Section 7 of the Medical and Geriatric Parole Act of 1992, effective May 15, 1993 (D.C. Law 9-271; D.C. Code § 24-266), is amended as follows:

Section
24-266

- (a) Subsection (a) is amended by striking the phrase "general or".
- (b) Subsection (c) is repealed.

TITLE VIII - HEALTH AND HOSPITALS PUBLIC BENEFIT CORPORATION

Sec. 801. Section 207(a)(4)(B) of the Health and Hospitals Public Benefit Corporation Act of 1996, effective April 9, 1997 (D.C. Law 11-212; D.C. Code §32-262.7(a)(4)(B)), is amended by inserting the phrase "the Bureau of School Nursing," after the phrase "Bureau of Laboratories of the Ambulatory Health Care Administration,".

Section
32-262.7

TITLE IX - BNA WASHINGTON, INC., REAL PROPERTY TAX DEFERRAL

Sec. 901. Sections 4 and 5 of the BNA Washington, Inc., Real Property Tax Deferral Amendment Act of 1996, effective April 9, 1997 (D.C. Law 11-250; D.C. Code § 47-845.1, note), is amended as follows:

Note, Section
47-845.1

- (a) Section 4 is amended by striking the phrase "March 25" and inserting the phrase "September 16" in its place.
- (b) Section 5 is amended by striking the phrases "March 25" and "May 26" wherever they appear and inserting the phrases "September 16" and "November 17" respectively, in their places.

TITLE X - ELIMINATION OF SHIFT DIFFERENTIAL AND PREMIUM PAY

Sec. 1001. Section 1113(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-618.17(b)), is amended as follows:

Section
1-618.17

- (a) By striking the phrase "shift differential, premium pay, hours, and any other compensation matters" and inserting the phrase "hours, and any other compensation matters, except shift differential and premium pay" in its place; and
- (b) By adding a new sentence at the end to read as follows:
"With respect to labor organizations representing uniformed members and Emergency Medical Technicians of the Fire and Emergency Medical Services Department or 24-hour health care workers of the Department of Human Services, shift differential and premium pay shall

continue to be subject to negotiation."

TITLE XI - DISTRICT GOVERNMENT EMPLOYER-ASSISTED HOUSING PROGRAM ABOLISHED

Sec. 1101. The District of Columbia Employer-Assisted Housing Act of 1992, effective June 11, 1992 (D.C. Law 9-118; D.C. Code § 45-2221 *et seq.*), is repealed.

Sections
45-2221 -
45-2226

TITLE XII - UNEMPLOYMENT COMPENSATION ELIGIBILITY

Sec. 1201. Section 1(b) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-101(2)(E)), is amended as follows:

Section
46-101

(a) By striking the period at the end of paragraph (17) and inserting the phrase "; or" in its place; and

(b) By adding a new paragraph (18) to read as follows:

"(18) Service performed by the Mayor, a member of the Council of the District of Columbia, or a member of the District of Columbia Board of Education."

TITLE XIII - PUBLIC SCHOOLS REPORTING REQUIREMENT

Sec. 1301. The District of Columbia Public Schools shall develop and submit for Council approval by November 1, 1997, written procedures outlining an ongoing process for evaluating facilities needs, to include:

New Section
31-2218

(1) Annual community input and deliberations; and

(2) Annual demographic projections based on census, economic development (which shall include housing starts), and other factors.

Sec. 1302. The District of Columbia Public Schools shall submit annually with its capital request a report that details how the capital request reflects the required community input and demographic analysis.

New Section
31-2219

TITLE XIV - 21ST CENTURY PUBLIC SCHOOL INFORMATION TECHNOLOGY PROGRAM.

New
Subchapter
II,
Chapter 25,
Title 31
Note,
New Section
31-2521

Sec. 1401. This title may be cited as the "21st Century Public School Information Technology Program Act of 1997".

Sec. 1402. Establishment of the 21st Century Public School Information Technology Program.

New Section
31-2521

There is established the 21st Century Public School Information Technology Program

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("Program") to be comprised of a computer literacy and training project for teachers employed by the District of Columbia Public School ("DCPS") as of the effective date of this act. The Program shall provide grants to all teachers for computer training and the purchase of personal computer equipment, programs, or updates, so long as the grant is used only for these purposes, and the establishment of a state-of-the-art computer center with links to the internet, in a middle school, as a model technology center.

Sec. 1403. Computer literacy requirement for teachers.

**New Section
31-2522**

(a) Beginning on the effective date of this act, any person hired as a school teacher with the DCPS shall be required at the time of employment to have basic computer skills with the ability to access the Internet.

(b) All teachers employed by the DCPS prior to the effective date of this act shall be required to acquire, by the year 2001, basic computer skills with the ability to access the Internet.

Sec. 1404. Establishment of the 21st Century Public School Information Technology Program Fund.

**New Section
31-2523**

There is established the 21st Century Public School Information and Technology Program Fund to receive the real property tax assessed against George Washington University on the real property known as the George Washington University Hospital located at 901 23rd Street, N.W., Square 0054, Lot 0030.

Sec. 1405. Eligibility for funding.

Any eligibility for funds in this program shall be subject to the availability of appropriations as set forth in section 1404.

**New Section
31-2524**

Sec. 1406. Sunset provision.

This title shall expire in 4 years after the effective date of this act unless extended by the Council.

**New Section
31-2525**

TITLE XV - COLLECTION AUTHORITY

Sec. 1501. Section 1 of An Act To authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks, approved September 28, 1965 (79 Stat. 844; D.C. Code § 1-357), is amended by adding new subsections (c), (d), (e), and (f) to read as follows:

**Section
1-357**

"(c) In addition to any other penalties prescribed by law, the Mayor may contract for the collection of the amount represented by any dishonored or unpaid check that is given, or caused to be given, to the Mayor in payment of any liability or obligation owed to the District of

Columbia government.

"(d) In addition to the dishonored check fee provided for in subsection (b) of this section when collection of a dishonored or unpaid check is made pursuant to a contract authorized by subsection (c) of this section, the Mayor shall collect any costs or expenses incurred to recover and collect the amount represented by a dishonored or unpaid check from any such person who gives, or causes to be given, in payment of any obligation or liability due the District of Columbia government a check which is subsequently dishonored or not duly paid. In cases where collection is made by action at law or suit in equity, such costs and expenses shall include litigation expenses and attorneys fees.

"(e) The Corporation Counsel is authorized to institute actions at law or in equity for the recovery of all amounts owed to the District as set forth in subsection (d) of this section, including the Corporation Counsel's own litigation expenses and attorneys fees. In the event the Corporation Counsel elects not to exercise his or her authority under this subsection, any person who, or entity that, renders the collection services provided for in subsection (c) of this section shall have the authority to institute actions at law or suits in equity for the recovery of the amounts represented by any dishonored or unpaid check, in addition to any amounts charged by the collector for collecting a dishonored or unpaid check and any litigation expenses and attorneys fees incurred by the collector for such collection.

"(f) Notwithstanding the Mayor entering into a collection contract pursuant to subsection (c) of this section, the Mayor retains exclusive authority with respect to all District obligations and liabilities, including, but not limited to, the authority to resolve a dispute, comprise a claim, end collection activity, or establish a schedule of fees and expenses."

TITLE XVI - LIMITATION UPON ASSESSMENT AND COLLECTION OF INCOME AND FRANCHISE TAXES

Sec. 1601. Section 47-1812.10(a)(1) and (2) of the District of Columbia Code is amended by striking the phrase "10 years" and inserting the phrase "3 years" in its place.

Section
47-1812.10

TITLE XVII - UNCLAIMED PROPERTY

Sec. 1701. The Uniform Disposition of Unclaimed Property Act of 1980, effective March 7, 1992 (D.C. Law 3-160; D.C. Code §42-201 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Code § 42-202) is amended as follows:

(1) Paragraph (4) is amended to read as follows:

"(4) "Business association" means a corporation, joint stock company, investment company, partnership, unincorporated association, joint venture, limited liability company, business trust, trust company, financial organization, insurance company, mutual fund, utility, or other business entity consisting of one or more persons, whether or not for profit."

Section
42-202

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(2) New paragraphs (16A) and (16B) are added to read as follows:

"(16A) "Property" means a fixed and certain interest in or right in an intangible property that is held, issued, or owed in the course of a holder's business, or by a government or governmental entity, and all income or increments therefrom, including that which is referred to as or evidenced by any of the following:

"(A) Money, check, draft, deposit, interest, dividend, or income;

"(B) Credit balance, customer overpayment, gift certificate, security deposit, refund, credit memorandum, unpaid wage, unused airline ticket, unused ticket, mineral proceed, or unidentified remittance and electronic fund transfer;

"(C) Stock or other evidence of ownership or an interest in a business association;

"(D) Bond, debenture, note, or other evidence of indebtedness;

"(E) Money deposited to redeem stocks, bonds, coupons, or other securities or to make distributions;

"(F) An amount due and payable under the terms of an insurance policy, including policies providing life insurance, property and casualty insurance, workers compensation insurance, or health and disability benefits insurance; or

"(G) An amount distributable from a trust or custodial fund established under a plan to provide health, welfare, pension, vacation, severance, retirement, death, stock purchase, profit sharing, employee savings, supplemental unemployment insurance, or similar benefits.

"(16B) "Record" means information that is inscribed on a tangible medium or that is sorted in an electronic or other medium and is retrievable in perceivable form."

(b) Section 103 (D.C. Code § 42-203) is amended as follows:

(1) Subsection (a) is amended by striking the number "5" and inserting the number "3" in its place.

**Section
42-203**

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

"(d) A record of the issuance of a check, draft, or similar instrument is prima facie evidence of an obligation. In claiming property from a holder who is also the issuer, the administrator's burden of proof as to the existence and amount of the property and its abandonment is satisfied by showing issuance of the instrument and passage of the requisite period of abandonment. Defenses of payment, satisfaction, discharge, and want of consideration are affirmative defenses that must be established by the holder."

(c) Section 106 (D.C. Code §42-206) is amended as follows:

**Section
42-206**

(1) Subsection (a) is amended by striking the number "5" and inserting the number "3" in its place.

(2) Subsection (d) is amended by striking the number "5" and inserting the number "3" in its place.

(3) Subsection (e) is amended by adding a new paragraph (4) to read as follows:

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"(4) The amount of the deduction is limited to an amount that is not unconscionable."

(d) Section 107(a) (D.C. Code § 42-207(a)) is amended by striking the number "5" and inserting the number "3" in its place.

Section
42-207

(e) Section 108 (D.C. Code § 42-208) is amended by striking the phrase "5 years" wherever it appears and inserting the phrase "1 year" in its place.

Section
42-208

(f) Section 109 (D.C. Code § 42-209) is amended as follows:

Section
42-209

(1) Subsection (a) is amended by striking the number "5" and inserting the number "3" in its place.

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

(A) Paragraph (1) is amended by striking the number "5" and inserting the number "3" in its place.

(B) Paragraph (2) is amended by striking the phrase "5-year" and inserting the phrase "3-year" in its place.

(C) A new paragraph (4) is added to read as follows:

"(4) The return of official shareholder notifications or communications by the postal service as undeliverable shall be evidence that the association does not know the location of the owner."

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

"(d) This act does not apply to any stock or other intangible ownership interest enrolled in a plan that provided for the automatic reinvestment of dividends, distribution, or other sums payable as a result of the interest unless one or more of the following applies:

"(1) The records available to the administrator of the plan show, with respect to any intangible ownership interest not enrolled in the reinvestment plan, that the owner has not, within 3 years, communicated in any manner described in subsection (a) of this section.

"(2) Three years have elapsed since the location of the owner became unknown to the association, as evidenced by the return of official shareholder notifications or by the postal service as undeliverable, and the owner has not within those 3 years communicated in any manner described in subsection (a) of this section. The 3-year period from the return of official shareholder notifications or communications shall commence from the earlier of the return of the second such mailing or the time the holder discontinues mailings to the shareholder."

(g) Section 111(a) (D.C. Code § 42-211(a)) is amended by striking the number "5" and inserting the number "3" in its place.

Section
42-211

(h) Section 112 (D.C. Code § 42-212) is amended by striking the phrase "2 years" and inserting the phrase "1 year" in its place.

Section
42-212

(i) Section 113 (D.C. Code § 42-213) is amended by striking the number "5" and inserting the number "3" in its place.

Section
42-213

(j) Section 115 (D.C. Code § 42-215) is amended by striking the number "5" and inserting the number "3" in its place.

Section
42-215

ENROLLED ORIGINAL

(k) Section 116 (D.C. Code § 42-216) is amended to read as follows:

Section
42-216

"Sec. 116. Unpaid wages or other compensation.

"Wages or other compensation for personal services held or owing in the ordinary course of the holder's business that have remained unclaimed by the owner for more than 1 year after the compensation becomes payable or distributable are presumed abandoned."

(l) Section 117 (D.C. Code § 42-217) is amended as follows:

Section
42-217

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

"(d) The report as of the prior June 30th must be filed before November 1st of each year, but a report with respect to a life insurance company must be filed before May 1st of each year as of December 31 next preceding. The Mayor may postpone the reporting date upon written request by any person required to file a report. The holder, upon receipt of the extension, may make an interim payment on the amount the holder estimates will ultimately be due, which terminated the accrual or additional interest on the amount paid."

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

"(e)(1) The holder of property presumed abandoned shall send written notice to the owner, not more than 120 days or less than 60 days before filing the report, stating that the holder is in possession of property subject to this act, if:

"(A) The holder has in its records an address for the apparent owner which the holder's records do not disclose to be inaccurate; and

"(B) The value of the property is \$50 or more.

"(2) In calendar year 1998, a report concerning all property presumed to be abandoned as of October 21, 1997, must be filed no later than January 2, 1998."

(m) Section 118 (D.C. Code § 42-218) is amended as follows:

Section
42-218

(1) Subsection (b)(3) is amended to read as follows:

"(3) A statement explaining that property of the owner is presumed to be abandoned and has been taken into the protective custody of the Mayor."

(2) Subsection (e)(3) is amended to read as follows:

"(3) A statement explaining that property of the owner is presumed to be abandoned and has been taken into the protective custody of the Mayor and a statement that information about the property and its return to the owner is available to a person having a legal or beneficial interest in the property, upon request to the Mayor."

(3) Subsection (g) is amended to read as follows:

"(g) With respect to property reported and delivered on or before January 2, 1998, pursuant to section 117(e), the Mayor shall cause the newspaper notice required by subsection (a) of this section to be completed no later than May 1, 1998."

(n) Section 119 (D.C. Code § 42-219) is amended as follows:

Section
42-219

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

"(a) Except for property held in a safe deposit box or other safekeeping depository, upon filing a report required by section 117, the holder of property presumed abandoned shall pay,

ENROLLED ORIGINAL

deliver, or cause to be paid or delivered to the Mayor the property described in the report as unclaimed, but if the property is an automatically renewable deposit, and a penalty or forfeiture in the payment of interest would result, the time for compliance is extended until a penalty or forfeiture would no longer result. Tangible property held in a safe deposit box or other safekeeping depository shall not be delivered to the Mayor until 120 days after filing the report required in section 117."

(2) Subsections (b) and (c) are repealed.

(o) Section 122 (D.C. Code § 42-222) is amended as follows:

Section
42-222

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

"(a) All abandoned property other than money delivered to the Mayor under this act which remains unclaimed 1 year after the delivery to the Mayor may be sold to the highest bidder at public sale. The Mayor may decline the highest bid and re-offer the property for sale if the Mayor considers the price bid insufficient. The Mayor need not offer any property for sale if, in the Mayor's opinion, the probable cost of sale exceeds the value of the property."

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

"(d) Unless the Mayor considers it to be in the best interest of the District to do otherwise, all securities abandoned under section 109 must be held for at least 3 years before the Mayor may sell them. If the Mayor sells any securities delivered pursuant to section 109 before the expiration of the 3-year period, any person making a claim pursuant to this act before the end of 3 years is entitled to either the proceeds of the sale of the securities or the market value of the securities at the time the claim is made, whichever is greater, less any deduction for fees pursuant to section 123(c). A person making a claim under this act after the expiration of this period is entitled to receive either the securities delivered to the Mayor by the holder, if they still remain in the hands of the Mayor, or the proceeds received from the sale, less any amounts deducted pursuant to section 123(c); but no person has any claim under this act against the District, the holder, any transfer agent, registrar, or other person acting for or on behalf of a holder for any appreciation in the value of the property occurring after delivery by the holder to the Mayor."

(p) Section 129(b) (D.C. Code §42-229(b)) is amended to read as follows:

Section
42-229

"(b) No action or proceeding may be commenced by the Mayor to enforce any provision of this act in regard to the reporting, delivery, or payment of property more than 10 years after the holder specifically identified the property in a report filed with the Mayor or gave express notice to the Mayor of a dispute regarding the property. In the absence of such a report or other express notice, the period of limitation is tolled. The period of limitation is also tolled by the filing of a report that is fraudulent."

(q) Section 135 (D.C. Code § 42-235) is amended as follows:

Section
42-235

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

"(b) Except as otherwise provided in subsection (c) of this section, a holder who fails to report, pay, or deliver property within the time prescribed under this act, or fails to perform other duties imposed by this act, shall pay to the Mayor, in addition to the interest as provided in

subsection (a) of this section, a civil penalty of \$200 for each day the report, payment, or delivery is withheld, or the duty is not performed, up to a maximum of \$10,000."

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

"(c) A holder who willfully fails to report, pay, or deliver property within the time prescribed under this act, or fails to perform other duties imposed by this act, shall pay to the Mayor, in addition to the interest as provided in subsection (a) of this section, a civil penalty of \$1,000 for each day the report, payment, or delivery is withheld, or the duty is not performed, up to a maximum of \$25,000, plus 25% of the value of any property that should have been paid or delivered."

(3) Subsection (d) is amended to read as follows:

"(d) The interest or penalty or any part of the interest or penalty as imposed in subsection (b) or (c) of this section may be waived by the Mayor if the person's failure to pay or deliver property is satisfactorily explained to the Mayor and if the failure has resulted from a mistake by the person in understanding or applying the law or the facts which require that person to pay or deliver property as provided in this act."

(4) A new subsection (f) is added to read as follows:

"(f) A holder who fails to exercise due diligence as provided in section 117 will be assessed a \$10 penalty per item."

TITLE XVIII - OFFICE OF BANKING AND FINANCIAL INSTITUTIONS ENTERPRISE FUND

Sec. 1801. Sections 1802 through 1804 of this title may be cited as the "Office of Banking and Financial Institutions Enterprise Fund Establishment Act of 1997".

Note,
New Section
26-802.2

Sec. 1802. Definitions.

For the purposes of this act, the term:

New Section
26-802.2

(1) "Office of Banking and Financial Institutions" means the District government agency established pursuant to 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).

(2) "Office of Banking and Financial Institutions Enterprise Fund", or "Fund", means the enterprise fund established pursuant to section 1803.

Sec. 1803. Establishment of enterprise fund.

(a) There is hereby established the Office of Banking and Financial Institutions Enterprise Fund, which shall be classified as a proprietary fund and a type of enterprise fund for purposes of § 47-373(1). The Fund shall be credited with the fees that are identified in section 1804.

New Section
26-802.3

(b) Revenue credited to the Office of Banking and Financial Institutions Enterprise Fund

ENROLLED ORIGINAL

is specifically designated to be expended by the Office of Banking and Financial Institutions for the purpose of carrying out the laws that it administers. The Fund shall not be used by any other District government agency.

(c) The Office of Banking and Financial Institutions Enterprise Fund shall not be continuing. Revenue credited to the Fund shall revert to the District's General Fund at the end of any fiscal year.

Sec. 1804. Fees credited to the Fund.

All fees received pursuant to the following statutory provisions shall be credited to the Office of Banking and Financial Institutions Enterprise Fund:

(1) Sections 5(b)(2) and 5(c)(1)(A) of the District of Columbia Regional Interstate Banking Act of 1985, effective November 23, 1985 (D.C. Law 6-63; D.C. Code §§ 26-804(b)(2) and 26-804(c)(1)(A));

**New Section
26-802.4**

**Note, Section
26-804**

(2) Sections 3a(b)(13) and 7a(a)(2) of the District of Columbia Regional Interstate Banking Act of 1985, effective April 11, 1986 (D.C. Law 6-107; D.C. Code §§ 26-802.1(b)(13) and 26-806.1(a)(2));

**Note, Sections
26-802.1,
26-806.1**

(3) Sections 4(b), 7(b), and 8(a)(2) of the Banking and Branching Act of 1996, effective June 13, 1996 (D.C. Law 11-142; D.C. Code §§ 26-853(b), 26-856(b), and 26-857(a)(2));

**Note, Sections
26-853,
26-856,
26-857**

(4) Sections 4(f), 6(a)(3), and 8(d) of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C. Law 11-155; D.C. Code §§ 26-1003(f), 26-1005(a)(3), and 26-1007(d)); and

**Note, Sections
26-1003,
26-1005,
26-1007**

(5) Any other statutory provision that requires the payment of a fee and that is a part of a law administered by the Office of Banking and Financial Institutions.

TITLE XIX - FISCAL IMPACT STATEMENT

Sec. 1901. The Council adopts the following fiscal impact statement as required by section 602(c)(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)):

Title I - Elimination of Cap on Compensation of Members of the Board of Real Property Assessments and Appeals

The proposed legislation eliminates the compensation cap of \$10,000 to board members and also eliminates the maximum compensation paid to the chairperson of the Board of Real Property Assessments and Appeals.

FISCAL IMPACT: While the legislation eliminates the cap, it does not add any dollars to the budget. The budget remains as approved for compensation to board members as prior to the passage of this legislation. Therefore, there is no FY 1998 Budget impact due

to this legislation.

Title II- Establishment of a Certification Program for District Government Asset Management and Procurement Professionals

The proposed legislation authorizes the Chief Procurement Officer to establish a program for education, training, and certification of District employees and other individuals in District government asset management and procurement. It also allows for conducting research for improving and enhancing the District's overall asset management and procurement process.

FISCAL IMPACT: The cost of this program in FY 1998 is estimated at \$80,000. There is an unquantifiable amount of savings which will come from having a procurement staff of trained professionals, all working under the same rules and regulations.

Title III - Department of Health Community Residence Facilities Referral Services

The proposed legislation eliminates the Central Referral Bureau as one offering referral services and assigns those services and related duties and responsibilities to the Department of Health. The legislation also makes changes with regard to the type of patients who would be eligible for the referral service and eliminates the fees charged patients which are based on affordability.

FISCAL IMPACT: The implementation of this amendment will not impact the FY 1998 Budget.

Title IV - Provision of Health Services in Public Schools

This amendment transfers certain functions from the Commissioner of Public Health to the Director of the newly created Department of Public Health. There is no fiscal impact.

FISCAL IMPACT: The implementation of this legislation should not impact the FY 1998 Budget.

Title V - General Fund Account for Industrial Revenue Bond Program Fees

The proposed legislation authorizes the Mayor to charge a program fee to any entity on whose behalf the District issues revenue bonds. The fee should cover costs of issuance and management of the bond portfolio after issuance, including the issuance of bond refundings and repurchase or redemption of the bonds.

The fees are to be deposited in the General Fund in the Industrial Revenue Bond Program Fee Account. The legislation provides for a portion of the growth in IRB fees in excess of one million dollars to go to the agency which will administer the industrial bond issuing program.

FISCAL IMPACT: All funds to be used to pay for the implementation of this legislation will be forthcoming from the beneficiaries of the IRBs. Currently all revenues attributed to IRBs are accounted for in the General Fund, but are not anticipated in the Budget

document. Such fees are appropriated to the Office of the Chief Financial Officer in the amount of \$2,500,000. Therefore, if the legislation is enacted, revenues to be placed into the dedicated fund will not impact the Budget or the operations of the Office of the Chief Financial Officer.

Title VI - Mandatory Direct Deposit

The legislation calls for all payroll checks to District government employees and retirees to be directly deposited through electronic fund transfers. The amendment does not address those payments made through income maintenance and other DHS functions.

FISCAL IMPACT: Initial figures compiled by OTR, project that the savings for a full mandatory direct deposit program will be approximately \$400,000 in FY 1998. This, however, is a program which will not be fully implemented immediately; therefore, the actual savings would be phased in during the budget year.

Title VII - General Public Assistance Abolished

The proposed legislation will eliminate the payment of General Public Assistance to adult recipients. As it reads, the legislation takes all references to GPA out of the governing legislation, with exception of those references to children and youth payments.

FISCAL IMPACT: The difference between the FY 1997 budget and the FY 1998 Budget already reflects the changes anticipated in the legislation. (This is a reduction from \$12.8 million to the proposed Council amount of \$8.6 million). The estimated cost for the GPA children and youth portion is approximately \$2.4 million. The difference between this and the \$8.6 million in the budget is presumed to be the phasing-out funds for persons already in the system. The average GPA caseload for Fiscal Year 1997 is projected to be 1,536 cases. Elimination of the GPA program effective May 1, 1997, would result in projected saving of \$1.9 million in FY 97 and \$4.5 million annually in District funding.

Title VIII- Health and Hospitals Public Benefit Corporation Amendment

The purpose of this proposed legislation is to transfer to the Public Benefit Corporation the control of the functions, assets, property, records and obligations of the Bureau of School Nursing.

FISCAL IMPACT: This amendment should have no impact on the District's FY 1998 Budget. There could be some additional costs to the PBC, but these cannot now be identified until the scope of schooling to be continued is identified.

Title IX - BNA Washington, Inc., Real Property Tax Deferral Amendment

The intent of the initial legislation was to defer real property taxes for the BNA Washington, Inc. The implementation has already been reflected in the revenue estimates. This amendment merely changes the due date for submission of proposed legislation to the Council

for standards for this type of legislation, and also changes the date at which time and penalty will be imposed for failure to meet the deadline for submitting proposed legislation to the Council.

FISCAL IMPACT: Implementation of this amendment will not impact the FY 1998 Budget.

Title X - Elimination of Shift Differential and Premium Pay

The proposed legislation eliminates shift differential and premium pay as negotiable items subject to collective bargaining for all employees except uniformed members and EMTs of the Fire and Emergency Medical Services Department or 24-hour health care workers employed at the DHS.

FISCAL IMPACT: Actual dollars spent in FY 1996 was \$9.8 million. F&EMS accounted for \$423,000, and DHS accounted for \$1,275,000. Eliminating those totals from the total spent in 1996, leaves the amount of shift differential pay paid to those agencies in which it is to be abolished at approximately \$8,102,000. This is also the estimated savings which can be expected in the FY 1998 Budget, as patterns have remained the same. The cost of any of these benefits negotiated at a later date must be accounted for in the agency's budget.

Title XI - District Government Employer-Assisted Housing Program Abolished

This amendment will eliminate the District's Employer-Assisted Housing Program. The original purpose of this program was to aid District employees in purchasing a home in the District.

FISCAL IMPACT: Funding for this program was eliminated in FY 1996. The legislation will confirm action already taken.

Title XII - Unemployment Compensation Eligibility Amendment

The purpose of this legislation is to exclude service provided by the Mayor, a member of the Council of the District, or a member of the District Board of Education from the definition of the term "employment" for the purposes of receiving unemployment benefits.

FISCAL IMPACT: The implementation of this legislation will have no impact on the FY 1998 Budget.

Title XIII - Public Schools Reporting Requirement

The proposed legislation will require the District Schools to develop and submit to the Council for approval, written procedures outlining an ongoing process for evaluating facilities needs and a report detailing how the capital request reflects the required community input and demographic analysis.

FISCAL IMPACT: The implementation of this legislation will have no impact on the FY 1998 Budget. The implementation was already included in primary assumptions.

Title XIV - 21st Century Public School Information Technology Program

The legislation establishes the 21st Century Public School Information Technology Program and establishes a computer literacy and training project for teachers employed by the District of Columbia Public Schools ("DCPS"), consisting of the following:

- grants to teachers who demonstrate certifiable basic computer skills to be used toward the purchase of computer equipment, software applications, or upgrades;
- grants to teachers unable to demonstrate certifiable basic computer skills to be used for obtaining computer skills and purchase of computer equipment, software applications, or upgrades;
- the establishment of a state-of-the-art computer center with links to the internet, in a middle school, as a model technology center;
- computer literacy requirements for teachers;
- establish the 21st Century Public School Information and Technology Fund which will receive the real property tax assessed against George Washington University on the real property known as the George Washington University Hospital; and,
- sunset in four years, unless extended.

FISCAL IMPACT: The George Washington Hospital, up to now, has been a tax-exempt organization, exempt from paying District of Columbia real property taxes. Had the hospital paid taxes, the amount to be paid in FY 1997 and in FY 1998 is approximately \$1.110 million. Since this new source of property tax revenue will not be used in the General Fund, this legislation is revenue neutral to that extent. However, the DCPS will now have access to \$1.110 million it did not previously have access to in order to implement the technology program described in the legislation.

Title XV - Collection Authority

The legislation is assumed to take effect on October 1, 1997. Given the calculations presented above, the ability to pass the costs of dishonored check collection to the writers of dishonored checks will increase new dishonored check receipts to the District government, as estimated below:

FISCAL IMPACT					
By Fiscal Year	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001
Increase in New Revenue	\$0	\$509,604	\$509,604	\$509,604	\$509,604

Title XVI - Limitation upon Assessment and Collection of Income and Franchise Taxes

ENROLLED ORIGINAL

The proposed legislation changes the period in which income and franchise taxes may be assessed from 10 years to 3 years. The implementation of this legislation will have no negative impact on the FY 1998 Budget.

Title XVII - Unclaimed Property

The legislation is assumed to take effect on October 1, 1997. Given this effective date and the calculations attendant thereto, the reduction in the unclaimed property dormancy period will increase revenue to the District government, as estimated below:

FISCAL IMPACT					
(Dollars in Millions)					
By fiscal year	FY 1997	FY 1998	FY 1999	FY 2001	FY 2001
Increase in Net Revenue	\$0.0	\$5.4	\$3.8	\$2.2	\$2.2

Enactment of this legislation will create non-recurring reporting adjustments for unclaimed property holders, as they adapt to a shortened dormancy period. However, these adjustments will be minimal since the legislation does not create additional duties for holders. In fact, the legislation relieves the holders of the expense of maintaining the unclaimed property for long periods.

Title XVIII - Office of Banking and Financial Institutions Enterprise Fund

The legislation establishes a separate lapsing fund that would receive all fees paid under the statute administered by the Office of Banking and Financial Institutions ("OBFI"). The OBFI will use the funds to support its administration of the statutes referred to in the legislation establishing the fund. The fund would retain all money on hand and any balances would revert to the General Fund at the end of the fiscal year. It is the understanding of the Superintendent that once the Enterprise fund is formally created, all General Fund advances will be returned to the General Fund as designated revenues are received by OBFI.

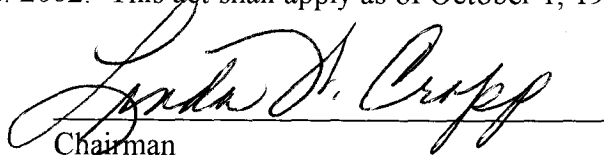
FISCAL IMPACT: The approved FY 1998 budget for OBFI is \$600,000. One half million of this comes from fees expected to be collected by the agency. The remaining \$100,000 are local funds advanced from the General Fund. The entire budget is already under the designation of an Enterprise Fund, therefore, the adoption of this legislation is limited to future advanced funding for OBFI from the General Fund. The FY 1998 advance is already in place, therefore, the implementation of this legislation will have no

net impact on the FY 1998 Financial Plan and Budget. It is understood that as the designated enterprise funds are received and accounted for by OBFI, the General Fund monies will be repaid. In future years as the dedicated funds are more certain, there should be less and less need for any advancement from the General Fund and eventually, a self-sustaining enterprise operation will be in place. However, in order to guard against the General Fund having to make up shortages in future uncollected revenues for this and any other enterprise fund agency, this and future enterprise fund legislation should be revised to reflect a new policy of the District which will not allow General Fund monies to be advanced to these types of agencies to cover "receivables" which may or may not materialize, thus potentially leaving the General Fund to cover the agency's cash flow shortage.

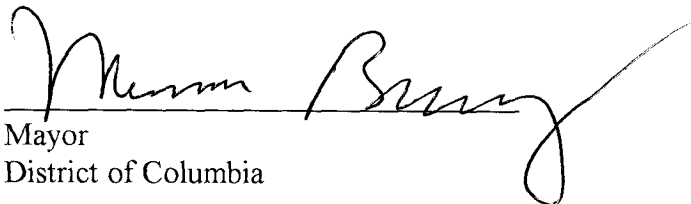
TITLE XX - EFFECTIVE DATE; APPLICABILITY

Sec. 2001. 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.

Sec. 2002. This act shall apply as of October 1, 1997.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: October 24, 1997



COUNCIL OF THE DISTRICT OF COLUMBIA
 COUNCIL PERIOD TWELVE
 RECORD OF OFFICIAL COUNCIL VOTE

B12-353

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FIRST READING, 09-22-97
 VOICE VOTE APPROVED, THOMAS VOTED NO
 RECORDED VOTE ON REQUEST SMITH
 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									

[Signature]
 Secretary to the Council

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

[Signature]
 Date October 10, 1997

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FINAL READING, 10-07-97
 VOICE VOTE APPROVED
 RECORDED VOTE ON REQUEST ALL PRESENT
 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									

[Signature]
 Secretary to the Council

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

[Signature]
 Date October 10, 1997

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