

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D. C. LAW 3-58

"Public Officials' Disclosure Amendments Act of 1979"

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. 3-158, on first and second readings, January 22, 1980 and February 5, 1980 respectively. Following the signature of the Mayor on February 26, 1980, this legislation was assigned Act No. 3-154, published in the March 7, 1980, edition of the D.C. Register, (Vol. 27 page 963) and transmitted to Congress on March 3, 1980 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 3-58 effective April 23, 1980.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

March	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20 21, 24, 25, 26, 27, 28, 31
April	1, 2, 3, 15, 16, 17, 18, 21, 22

D.C. LAW 3-58
EFFECTIVE APR 23 1980

Enrolled Original

AN ACT

D.C. ACT 3-154

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEB 26 1980

To amend the District of Columbia Campaign Finance Reform and Conflict of Interest Act, to clarify provisions with respect to the filing and retention of financial statements, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Public Officials' Disclosure Amendments Act of 1979".

Sec. 2. The District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 447; D.C. Code, sec. 1-1121 ~~et seq.~~) as amended by section 3235(w) of the District of Columbia Government Comprehensive Merit Personnel Act of 1979, effective March 3, 1979 (D.C. Law 2-139; 25 DCR 6055) is amended as follows:

(a) section 501 (D.C. Code, sec. 1-1171) is amended as follows: (1) subsection (h) is amended to read as follows:

CODIFICATION
D.C. Code,
sec. 1-1171

"(h) The term 'official in the executive branch' means the Mayor, any officer or employee in the Executive Service, persons employed under the authority of sections 901 through 903 (except section 903(a)(3)) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, paid at a rate of GS-13 or above in the General Schedule or equivalent compensation under the provisions of title XI of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, or designated in section 908 (except subsections (i), (j), and (k)) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, or members of boards and commissions designated in section 602(a) and (2) subsection (i) is amended by adding immediately following the phrase "member-elect of the Council", the word "officers" and after the word "employees" the phrase "of the Council".

(b) section 601 (D.C. Code, sec. 1-1181) is amended as follows: (1) subsections (q)(4) and (5) (D.C. Code, sec. 1-1181(q)(4) and (5)) are amended by adding after the phrase "if he or she is not" the phrase "the Mayor or" and adding after

D.C. Code,
sec. 1-1181

the phrase "immediate superior" the phrase "except the Mayor," and (2) subsection (i)(1) (D.C. Code, sec. 1-1181(i)(1)) is amended to read as follows:

"(i)(1) As used in this section, the term 'public official' means any person required to file a Financial Statement under section 602 (D.C. Code, sec. 1-1182):

(c) section 602(a) (D.C. Code, sec. 1-1182(a)) is amended as follows: (1) by inserting immediately following the phrase "sections 901 - 903" the phrase "(and paid at a rate of a GS-13 or above in the General Schedule or comparable compensation under title XI of the District of Columbia Government Comprehensive Merit Personnel Act 1978)" by striking the phrase "a board or commission who makes field decisions as provided in subsection (b)(1) of this section regardless of compensation," and inserting:

"the District of Columbia Board of Accountancy, established by section 4 of the District of Columbia Public Accountancy Act of

D.C. Code,
sec. 1-1182(a)

1977, effective March 16, 1978 (D.C. Law 2-59;
D.C. Code, sec. 2-943);

"the Board of Examiners and Registrars of
architects, established by section 1 of the
architects' Registration Act, approved December
13, 1924 (43 Stat. 713; D.C. Code, sec. 2-1001);

"the Board of Barber Examiners for the
District of Columbia, established by section 3 of
the District of Columbia Barber Act, approved June
7, 1938 (52 Stat. 520; D.C. Code, sec. 2-1103);

"the District of Columbia Boxing and
wrestling Commission, established by section 5 of
the District of Columbia Boxing and Wrestling
Commission Act, effective October 8, 1975 (D.C.
Law 1-20; D.C. Code, sec. 2-1234);

"the Board of Dental Examiners,
established by section 1 of An act for the
regulation of the practice of dentistry in the
District of Columbia, and for the protection of
the people from empiricism in relation thereto,
approved June 5, 1892 (27 Stat. 42; D.C. Code,
sec. 2-301);

"the District of Columbia Board of
Cosmetology, established by section 2 of An Act To

provide for the examination and licensing of those engaging in the practice of cosmetology in the District of Columbia, approved June 7, 1938 (52 Stat. 512; D.C. Code, sec. 2-1302);

"the Educational Institution Licensure Commission, established by section 3 of the Educational Licensure Commission Act of 1976, effective April 5, 1977 (D.C. Law 1-104; D.C. Code, sec. 31-2003);

"the Electrical Board, established by Commissioners' Order No. 54-1301, dated June 17, 1954 (Reorganization Order No. 59);

"the Funeral Directors and Embalmers Board, established by Commissioner's Order No. 70-12, effective January 13, 1970;

"the Hacker's License Appeal Board, established by Commissioner's Order No. 68-59, dated August 15, 1968 (Organization Order No. 13; D.C. Code, title 1, appendix);

"the Commission on Licensure to Practice the Healing Art in the District of Columbia, established by section 4 of An Act To regulate the practice of the healing art to protect the public health in the District of Columbia, approved

February 27, 1929 (45 Stat. 1327; D.C. Code, sec. 2-103);

"the Board of Examiners for Nursing Home Administrators, established by Commissioner's Order No. 70-37, effective October 15, 1970;

"the Board of Occupational Therapy Practice, established by section 6 of the District of Columbia Occupational Therapy Practice Act of 1977, effective April 6, 1978 (D.C. Law 2-67; D.C. Code, sec. 2-499.4);

"the Board of Optometry, established by section 3 of An Act To regulate the practice of optometry in the District of Columbia, approved May 28, 1924 (43 Stat. 178; D.C. Code, sec. 2-503);

"the Board of Pharmacy, established by section 9 of An Act To regulate the practice of pharmacy and the sale of poison in the District of Columbia, and for other purposes, approved May 7, 1926 (34 Stat. 177; D.C. Code, sec. 2-507);

"the Practical Nurses' Examining Board, established by section 7 of the District of Columbia Practical Nurses' License Act, approved

September 6, 1960 (74 Stat. 803; D.C. Code, sec. 2-426);

"the physical therapists examining board, established by section 6 of the Physical Therapists Practice Act, approved September 22, 1951 (75 Stat. 579; D.C. Code, sec. 2-455);

"the Board of Psychologist Examiners, established by section 6 of the Practice of Psychology Act, approved January 8, 1971 (84 Stat. 1958; D.C. Code, sec. 2-485);

"the plumbing board, established by section 1 of An Act To regulate plumbing and gas fitting in the District of Columbia, approved June 18, 1898 (30 Stat. 477; D.C. Code, sec. 2-1401);

"the Board of Podiatry Examiners, established by An Act To regulate the practice of podiatry in the District of Columbia, approved May 23, 1918 (40 Stat. 560; D.C. Code, sec. 2-701);

"the District of Columbia Board of Registration for Professional Engineers, established by section 5 of the Professional Engineers' Registration Act, approved September 19, 1950 (64 Stat. 855; D.C. Code, sec. 2-1805);

"the Real Estate Commission of the District of Columbia, established by section 3 of an Act to define, regulate, and license real-estate brokers, business chance brokers, and real-estate salesmen; to create a Real Estate Commission in the District of Columbia; to protect the public against fraud in real-estate transactions, and for other purposes, approved August 25, 1937 (50 Stat. 788; D.C. Code, sec. 45-1403);

"the Refrigeration and Air Conditioning Board, established by Commissioners' Order No. 55-2028, effective October 18, 1955 (Organization Order No. 115);

"the Nurses Examining Board, established by section 2 of An Act To define the term of 'registered nurse' and to provide for the registration of nurses in the District of Columbia, approved February 9, 1907 (34 Stat. 887; D.C. Code, sec. 2-402);

"the Board of examiners of steam and other operating engineers, established by section 2 of An Act to regulate steam-engineers in the

District of Columbia, approved February 28, 1887
(24 Stat. 427; D.C. Code, sec. 2-1502);

"the Board of Examiners in Veterinary
Medicine, established by section 1 of An Act To
regulate the practice of veterinary medicine in
the District of Columbia, approved February 1,
1907 (34 Stat. 870; D.C. Code, sec. 2-801);

"the Alcoholic Beverage Control Board,
established by section 4 of the District of
Columbia Alcoholic Beverage Control Act, approved
January 24, 1934 (48 Stat. 321; D.C. Code, sec.
25-104);

"the Board of Appeals and Review,
established by Part I of Commissioners' Order 55-
1500, effective August 11, 1955 (Organization
Order No. 112; D.C. Code, title 1, appendix);

"the District of Columbia Armory Board,
established by section 2 of An Act To establish a
District of Columbia Armory Board, and for other
purposes, approved June 4, 1948 (62 Stat. 339;
D.C. Code, sec. 2-1702);

"the Commission on the Arts and
Humanities, established by section 4 of the
Commission on Arts and Humanities Act, effective

October 21, 1975 (D.C. Law 1-22; D.C. Code, sec. 31-1903);

"the Condemnation Review Board, established by Commissioners' Order No. 54-2305, dated September 27, 1954 (Organization Order No. 102; D.C. Code, sec. 5-617 note);

"the Contract Appeals Board, D.C., established by Part VI of Commissioner's Order No. 58-399, dated June 6, 1968 (Organization Order No. 9; D.C. Code, title 1, appendix);

"the Criminal Justice Supervisory Board, established by Section 4 of the Criminal Justice Board Act of 1978, effective September 13, 1978 (D.C. Law 2-107; D.C. Code, sec. 2-2503);

"the D.C. General Hospital Commission, established by title II of the D.C. General Hospital Commission Act, effective May 13, 1977 (D.C. Law 1-134; D.C. Code, sec. 32-1311 et seq.);

"the District of Columbia Developmental Disabilities Planning Council, established by Mayor's Order No. 77-51a, dated March 30, 1977 (Organization Order No. 211; D.C. Code, title 1, appendix);

"the District of Columbia Board of Elections and Ethics, established by section 3 of the District of Columbia Election Act, approved August 12, 1955 (69 Stat. 699; D.C. Code, sec. 1-1103);

"the Office of Employee Appeals, established by title VI of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-137);

"the Board of Equalization and Review for the District established by section 425 of the Real Property Tax Reform Act of 1974, approved September 3, 1974 (88 Stat. 1955; D.C. Code, sec. 47-646);

"the board of library trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1895 (29 Stat. 244; D.C. Code, sec. 37-104);

"the Minority Business Opportunity Commission, established by section 4 of the

Minority Contracting Act of 1976, effective March 29, 1977 (D.C. Law 1-95; D.C. Code, sec. 1-853);

*the District of Columbia Occupational Safety and Health Board, established by Reorganization Plan No. 1 of 1978, effective June 27, 1978;

*the Public Employee Relations Board, established by title V of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139);

*the Committee for the Purchase of Products and Services of the Blind and other Severely Handicapped, established by section 4 of the Employment Opportunities Act of 1978, effective March 3, 1979 (D.C. Law 2-128);

*the District of Columbia Rental Accommodations Commission, established by section 201 of the Rental Housing Act of 1977, effective March 16, 1978 (D.C. Law 2-54; D.C. Code, sec. 45-1632);

*the Statewide Health Coordinating Commission, established by Mayor's Order No. 72-43, dated March 15, 1977 (Organization Order No. 21); D.C. Code, title 1, appendix);

"the Board of Trustees of the University of the District of Columbia, established by title II of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 25, 1974 (88 Stat. 1424; D.C. Code, sec. 31-1711 et seq.);

"the Board of Zoning Adjustment, established by section 8 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and use of buildings and other structured and of the uses of land in the District of Columbia, and for other purposes, approved June 20, 1938 (52 Stat. 799; D.C. Code, sec. 5-420);

"the Zoning Commission, established by section 1 of an Act To regulate the height area, and use of buildings in the District of Columbia and to create a Zoning Commission, and for other purposes, approved March 1, 1920 (41 Stat. 500; D.C. Code, sec. 5-412);

"the District of Columbia Commission on Postsecondary Education, established by Mayor's Order No. 75-23a, dated February 1, 1975;

"the District of Columbia Redevelopment Land Agency, established by section 4 of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; D.C. Code, sec. 5-703);

"the District of Columbia Housing Finance Agency, established by title II of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135), and any board or commission created after the effective date of the "Public Officials" Disclosure Amendments Act of 1979, which makes decisions in areas of contracting, procurement, administration of grants or subsidies, planning or developing policies, inspecting, licensing, regulating, auditing or acting in areas of responsibility involving any potential conflict of interest", in lieu thereof;

(3) subsection (a)(2) (D.C. Code, sec. 1-1192(a)(2)) is amended by adding immediately following the phrase "insured or regulated financial institution" the phrase "(including any revolving credit and installment accounts from any business enterprise regularly engaged in the

business of providing revolving credit or installment accounts)".

(d) section 602(b) (D.C. Code, sec. 1-1182(b)) is amended as follows:

D.C. Code,
sec. 1-1182(b)

(1) paragraphs (1) and (2) (D.C. Code, sec. 1-1182(b)(1) and (2)) are repealed;

(2)(A) the first sentence of paragraph (3) (D.C. Code, sec. 1-1182(b)(3)) is amended by striking the phrase "the chief executive of the Executive Branch of the District of Columbia government, the District of Columbia Court of Appeals, the District of Columbia Superior Court, the Council of the District of Columbia, the Board of Education, and any independent agency or instrumentality of the District of Columbia" and inserting the phrase "the Mayor of the District of Columbia for persons appointed under the authority of title X or sections 901 through 903 (and paid at a rate of a GS-13 or above in the General Schedule or comparable compensation under title XI) of the District of Columbia Government Comprehensive Merit Personnel Act of 1979 or designated in section 908 (and appointed by the Mayor) of the District of Columbia Government

Comprehensive Merit Personnel Act of 1978 and members of boards and commissions listed in section 502(a) (D.C. Code, sec. 1-1182(a)); the Chairman of the Council of the District of Columbia for persons appointed under the authority of sections 901 through 903 (and paid at a rate of a GS-13 or above in the General Schedule or comparable compensation under title XI) or designated in section 908 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and employed by the Council; and the chief executive officer of the Board of Education, the University of the District of Columbia, or any independent agency or instrumentality by whom a person designated in section 908 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 is employed" in lieu thereof; and

(3) by adding a sentence at the end of paragraph (3) (D.C. Code, sec. 1-1182(b)(3)) which reads as follows:

"During April of each year, the Board shall publish, in the District of Columbia Register, a list of names of

candidates, officers, and employees required to file under this section as of the last day of the preceeding March."

(e) section 602(c) (D.C. Code, sec. 1-1132(c), is amended ss follows:

D.C. Code,
sec. 1-1182(c)

(1) by deleting the phrase "seven years, and while so kept shall remain sealed." and inserting the phrase "four years." in lieu thereof;

(2) by deleting the sentence "When any sealed envelope containing any such report is received by the Director such envelope may be opened and the contents thereof may be examined only by members of the Board in executive session.";

(3) by deleting the phrase "it may make the contents of any such envelope available for any use by any member of the Board.";

(4) by deleting the phrase "official duties. The" and inserting the phrase "official duties, the" in lieu thereof;

(5) by deleting the phrase "seven years, in accordance" and inserting the phrase "four years, in accordance" in lieu thereof;

(6) by deleting the word "Chairman" after "District of Columbia or" and inserting the word "President" in lieu thereof; and

(7) by deleting immediately following the word "unopened" the phrase "shall be returned".

(f) section 602(d)(1) (D.C. Code, sec. 1-1132(d)(1)), is amended as follows:

D.C. Code,
sec. 1-1182(d)(1)

(1) by deleting the phrase "seven years" and inserting the phrase "four years" in lieu thereof;

(2) by deleting the word "Chairman" after the phrase "District of Columbia, or" and inserting the word "President" in lieu thereof;

(3) by deleting the word "unopened" after the phrase "shall be returned"; and

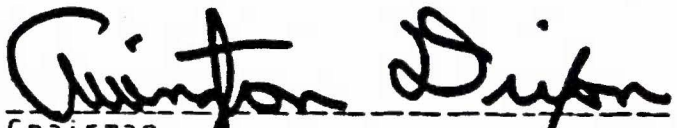
(4) by deleting the phrase "; the name of the candidates officers, and employees who have filed a report under this section." and inserting the following phrase "the name of each candidate, officer, and employee who has filed a report under this section; the name of each candidate, officer, and employee who has sought and received an extension of the deadline filing requirement and


the reason therefor; and the name of each candidate, officer, and employee published in the District of Columbia Register under subsection (c) who has not filed a report and the reason for not filing, if known." in lieu thereof.

Sec. 3. Section 1803(e) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-137) is amended as follows: (1) by striking the phrase "subsection (b)" and inserting the phrase "subsection (a)" in lieu thereof; (2) by striking the section designation "-1182(b)" and inserting the section designation "-1182(a)" in lieu thereof; and (3) adding immediately following the phrase "sections 901 through 903 of this act" the phrase "(and paid at a rate of GS-13 or above in the General Schedule or comparable compensation under title XI of this act)".

D.C. Code,
sec. 1-348.3

Sec. 4. This act shall take effect as provided for acts of the Council of the District of Columbia in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: February 26, 1980