

COUNCIL OF THE DISTRICT OF COLUMBIA

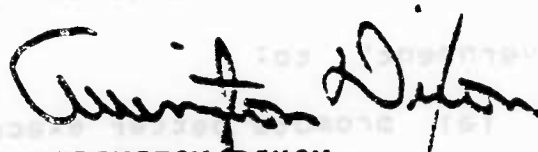
NOTICE

D.C. LAW 4-42

"Governmental Reorganization Procedures Act
of 1981".

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. 4-197 on first and second readings, June 16, 1981 and June 30, 1981, respectively. Following the signature of the Mayor on July 23, 1981, this legislation was assigned Act No. 4-71, published in the July 31, 1981 edition of the D.C. Register, (Vol. 28 page 3425) and transmitted to Congress on July 29, 1981 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 4-42, effective October 17, 1981.


ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July — 29,30,31

August 3,4

September 9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30

October 1,2,5,6,7,13,14,15,16

D.C. LAW 4-42

EFFECTIVE DATE OCT 17 1981

AN ACT

D.C. ACT 4-71

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 23 1981

To establish a procedure for consideration or reorganizations of the District of Columbia government, and for other purposes.

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

That this act may be cited as the "Governmental Reorganization Procedures Act of 1981".

Sec. 2. Purpose

The Council of the District of Columbia ("Council") declares that it is the policy of the District of Columbia government ("District government") to:

(a) promote better execution of laws, more effective management of the District government and of its agencies and functions, and promote the expeditious administration of public business;

(b) reduce expenditures, promote economy, and increase efficiency to the fullest extent

CODIFICATION
D.C. Code,
title 1,
chapter 1A,
subchapter VIII
(1973 ed.)

D.C. Code,
sec. 1-199.1
(1973 ed.)

-2-

practicable with respect to the District government operations; and

(c) eliminate overlapping and duplication of effort by means of grouping, consolidating, or coordinating agencies and functions to the fullest extent consistent with the efficient operation of the District government.

Sec. 3. Definitions

For the purposes of this act the term:

D.C. Code,
sec. 1-199.2
(1973 ed.)

(1) "agency" means any office, department, division, board, commission, or other agency of the District government, required by law or by the Mayor or Council to administer any law or any rule adopted under the authority of a law. The term "agency" does not include: the Superior Court of the District of Columbia, the District of Columbia Court of Appeals, those agencies identified in sections 491 through 495 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (37 Stat. 809; D.C. Code, secs. 1-1103, 2-1702, 5-412, 31-101, & 43-201), or the Executive Office of the Mayor as defined in this act.

-3-

(2) "reorganization" is the process described in section 4.

(3) "Executive Office of the Mayor" means those offices or agencies expressly established to provide managerial, budgetary, personnel, secretarial, planning, informational, and special assistance to the Mayor in carrying out the Mayor's administrative functions in the management of the District government. The term "Executive Office of the Mayor" does not include the Office of Personnel, established by section 401 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-341.1).

(4) "rule" means the whole or any part of any Mayor's, Council's, or agency's statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy, or to describe the organization, procedure, or practice requirement of the Mayor, Council, or of any agency.

(5) "boards and commissions" means bodies established by law or by order of the Mayor

-4-

consisting of appointed members to perform a trust or execute official functions on behalf of the District government.

Sec. 4. Reorganization

D.C. Code,
sec. 1-199.3
(1973 ed.)

For the purposes of carrying out the objectives of section 2, the process of reorganization means that action which results in the transfer, consolidation, abolition, or authorization with respect to functions and hierarchy, between or among agencies, and which affects the structure or structures thereof, at the control or responsibility center level(s), including but not limited to:

(a) the transfer of the whole or part of an agency, or the whole or part of the functions thereof to the jurisdiction and control of another agency;

(b) the consolidation of the whole or part of an agency, or the whole or part of the functions thereof with the whole or part of another agency or the functions thereof;

(c) the abolition of the whole or part of an agency wherein such agency or part

-5-

thereof does not have or will not have any functions; or

(d) the authorization of an officer or agency head to delegate functions vested in specific officers or agency heads not presently authorized to be delegated: EXCEPT, as provided in section 422(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 790; D.C. Code, sec. 1-162(b)).

Sec. 5. Transmittal, contents, and publication of reorganization plans

(a) When, after investigation, the Mayor finds that it is necessary to accomplish one (1) or more purposes of section 4, he or she shall prepare a detailed reorganization plan consistent with such findings, which are included in the plan, and shall transmit the plan bearing an identification number to the Council.

(b) Upon transmittal of the proposed reorganization plan, the Mayor shall cause the same to be published in the District of Columbia Register.

D.C. Code,
sec. 1-199.4
(1973 ed.)

-6-

(c) The reorganization plan shall become effective on the sixtieth day following receipt by the Council, excluding Saturdays, Sundays, and holidays: PROVIDED, That the Council does not adopt within such sixty (60) days, a resolution disapproving such reorganization plan.

Sec. 6. Additional contents and format of reorganization plans

D.C. Code,
sec. 1-199.5
(1973 ed.)

(a) A reorganization plan transmitted by the Mayor pursuant to section 5 shall:

(1) In such cases as the Mayor deems necessary, change the name of an agency or part of an agency affected by reorganization and the title of its head, designate the name of the agency resulting from the reorganization, and the title of its head;

(2) Provide for the transfer or other disposition of the records, property, and personnel affected by the reorganization;

(3) Provide for the transfer of such unexpended balances of appropriations and other funds available for use in connection with a function or agency affected by a reorganization as the Mayor deems necessary by reason of such

-7-

reorganization for use by the agency which shall be responsible for the function after the reorganization plan become effective: PROVIDED, HOWEVER, That all such unexpended balances so transferred may be used only for the purposes for which the appropriation was originally made;

(4) Provide for the termination of the affairs of an agency abolished as a result of the reorganization;

(5) Provide a timetable for the implementation of the reorganization;

(6) Provide for reporting and evaluation systems that will allow for the results of the plan to be measured; and

(7) Be in the following format:

(A) Mayor's Statement;

(B) Reorganization Plan;

(C) Section-by-Section Analysis;

(D) Rationale for the

Reorganization Plan;

(i) Problems with the present organization;

-3-

(ii) Recent reorganization studies and recommendations, if any;

(iii) Expected benefits and improvements;

(E) Functional Organization Chart of each affected agency;

(i) Existing;

(ii) Proposed;

(F) Staffing organizational chart indicating grade and source of funding for each position;

(i) Existing;

(ii) Proposed;

(G) Budget data relevant to present and proposed operations of entities to be reorganized;

(i) Impact on Financial Management System Budget structure;

(a) Control centers;

(b) Responsibility

centers;

-9-

(ii) Impact on Budget

Organization;

(a) Total budget

comparisons;

(b) Changes in budget

organization (grants and

appropriated funds

combined);

(c) Changes detailed by

grant and appropriated

funds by responsibility

center;

(H) Transition Planning and

employee protection; and

(I) Training needs.

(b) The Mayor shall include in his or her transmittal message to accompany the plan, the statutory authority for the exercise of the function(s) affected, and an itemization, to the extent practicable, of the reduction of expenditures as a probable result of the reorganization.

(c) May provide for appointment with the advice and consent of the Council, and an

-10-

of the agency head (including an agency resulting from a consolidation or other type of reorganization) if the Mayor finds, and his or her transmittal message declares, that by reason of a reorganization made pursuant to the plan, such provisions are necessary.

Sec. 7. Transmittal of District of Columbia Government Organization Chart

D.C. Code,
sec. 1-199.6
(1973 ed.)

The Mayor shall, within sixty (60) days of the effective date of this act, submit to the Council a detailed chart of the organization, structure, and hierarchy of the District government, including every entity, identified in conformity with the definitions contained in section 3. The Council, within sixty (60) days after the receipt of the chart from the Mayor, shall, by act, adopt the organizational structure, which shall be deemed the official organizational structure of the District government. Thereafter, any changes in the structure of the District government shall be by reorganization plan in accordance with this act, or by act of the Council. The Mayor shall transmit to the Council annually, on February 1, a revised chart reflecting any reorganization plans

or legislated changes made during the previous year.

Sec. 8. Study on District Boards and Commissions

D.C.Code, sec. 1-199.7 (1973 ed.)

(a) The Mayor shall, within sixty (60) days of the effective date of this act, transmit to the Council a report on all boards and commissions in existence during the preceding twelve (12) month period by major categories by one (1) of the following functions:

- (1) Institutional Governance Boards;
- (2) Independent Regulatory Boards;
- (3) Judicial Boards;
- (4) Appeals Boards;
- (5) Procedural Boards;
- (6) Institutional Licensure Boards;
- (7) Occupational and Professional Licensure Boards;
- (8) State Planning Boards; or
- (9) Advisory Boards.

The report shall include the name, functions, status, composition, date and authority for its creation, the total estimated annual cost to the District government to fund, service, supply, and

-12-

maintain such board or commission, and the agency responsible for providing the necessary support for the board or commission.

(b) The Mayor shall, within ninety (90) days after the effective date of this act, issue in accordance with title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.), rules and regulations establishing criteria for evaluating all boards and commissions to determine whether such board or commission should be abolished or merged with any other board or commission, and whether the responsibility of such board or commission performs a necessary function not already being performed.

(c) The Mayor shall, immediately after February 1, 1982, institute a comprehensive review of the activities and responsibilities of each board and commission to determine:

(1) whether such board or commission is carrying out its purpose;

-13-

(2) whether, consistent with the provisions of applicable statutes, the responsibilities assigned to it should be revised;

(3) whether it should be merged with another board or commission; or

(4) whether it should be abolished.

Upon completion of the review, the Mayor shall make recommendations to either the agency head or the Council with respect to action he or she believes should be taken. Thereafter, the Mayor shall carry out a similar review annually, and transmit to the Council no later than February 1 of each year, a report on the activities, status, and composition of all boards and commissions. The report shall contain the name of every board and commission, the date of and authority for its creation, its termination date or the date it is to make a report, its functions, a reference to the reports it has submitted, a statement of whether it is an ad hoc or continuing body, and the total estimated annual cost to the District Government to fund, service, supply, and maintain such board or commission.

-14-

(a) Section 3 of the District of Columbia Business and Economic Development Act of 1976, effective March 29, 1977 (D.C. Law 1-97; D.C. Code, sec. 1-1352) is amended by striking the phrase "within the Executive Office of the Mayor".

D.C. Code,
sec. 1-1352
(1973 ed.)

(b) The District of Columbia Act on the Aging, effective October 29, 1975 (D.C. Law 1-24; D.C. Code, sec. 6-1701 et seq.) is amended as follows:

(1) Section 301 (D.C. Code, sec. 6-1711) is amended by striking the phrase "within the Executive Office of the Mayor of the District of Columbia"; and

D.C. Code,
sec. 6-1711
(1973 ed.)

(2) Section 401 (D.C. Code, sec. 6-1721) is amended by striking the phrase "in the Executive Office of the Mayor of the District of Columbia".

D.C. Code,
sec. 6-1721
(1973 ed.)

(c) The District of Columbia Latino Community Development Act, effective September 29, 1976 (D.C. Law 1-86; D.C. Code, sec. 6-1911 et seq.) is amended as follows:

(1) Section 301 (D.C. Code, sec. 6-1911) is amended by striking the phrase "within the

D.C. Code,
sec. 6-1911
(1973 ed.)

-15-

executive office of the Mayor of the District of Columbia"; and

(2) Section 401 (D.C. Code, sec. 6-1921)

is amended by striking the phrase "within the executive office of the Mayor of the District of Columbia".

D.C. Code,
sec. 6-1921
(1973 ed.)

(d) Part I of C.O. 74-264, dated December 31, 1974 (D.O. 50 (Supplement No. 1); D.C. Code, title 1, appendix) is amended by striking the phrase ", in the Executive Office," and inserting the phrase ", in the Executive Office of the Mayor," in lieu thereof.

D.C. Code,
title 1,
appendix
(1973 ed.)

(e) Section 1 of Part I of C.O. 74-199, dated September 25, 1974 (D.O. 48; D.C. Code, title 1, appendix) is amended by striking the phrase ", Executive Office of the Commissioner,".

D.C. Code,
title 1,
appendix
(1973 ed.)

(f) Section 1 of Part A of C.O. 71-224, dated July 8, 1971 (D.C. Code, title 1, appendix) is amended by striking the phrase ", in the Executive Office of the Mayor-Commissioner,".

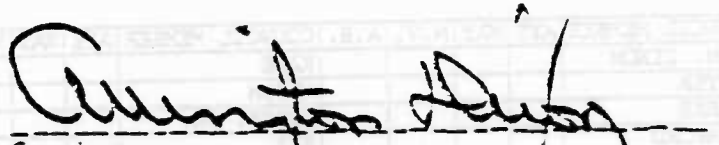
D.C. Code,
title 1,
appendix
(1973 ed.)

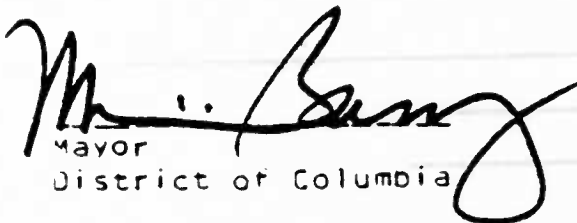
(g) Section 1 of C.O. 74-267, dated December 27, 1974 (D.O. 51; D.C. Code, title 1, appendix) is amended by striking the phrase ", in the Executive Office of the Commissioner,".

D.C. Code,
title 1,
appendix
(1973 ed.)

Sec. 10. Effective Date

This act shall take effect after a thirty (30)-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-147(c)(1)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: July 23, 1981



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Four
First Session

DOCKET NO: B 4-197

Item on Consent Calendar

ACTION: Adopted First Reading, 6/16/81

VOICE VOTE: Unanimous

Absent: Ray and Wilson

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

[Signature]
Secretary to the Council

7/9/81
Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 6/30/81

VOICE VOTE: Unanimous

Absent: Ray and Moore

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

[Signature]
Secretary to the Council

7/9/81
Date

Item on Consent Calendar

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD