

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 5-24

"Technical and Clarifying Amendments Act of 1983".

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. 5-169 on first and second readings, May 10, 1983 and May 24, 1983, respectively. Following the signature of the Mayor on June 9, 1983, this legislation was assigned Act No. 5-41, published in the July 8, 1983 edition of the D.C. Register, (Vol. 30 page 3341) and transmitted to Congress June 13, 1983 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 5-24, effective August 2, 1983.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30

July 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29

August 1

AN ACT

D.C. ACT 5 - 41

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUN 09 1983

To make technical and clarifying amendments to D.C Code, secs. 16-710(a) and 23-581 to clarify provisions relating to sentencing and to arrests by law enforcement officers for shoplifting; to amend D.C. Code, sec. 20-109 to clarify its date of application; to correct a reference to the health regulations contained in the Veterinary Practice Act of 1982; to correct section and cross references in the District of Columbia Theft and White Collar Crimes Act of 1982; to amend the Motor Vehicle Safety Responsibility Act of the District of Columbia; to correct a reference in the District of Columbia Unemployment Compensation Act; to amend the Governmental Reorganization Procedures Act of 1981 to conform to a provision in the District of Columbia Self-Government and Governmental Reorganization Act; to amend the District of Columbia Traffic Act, 1925; to amend the District of Columbia Office of Energy Act of 1980 to correct a reference; ~~amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to reflect Period V of organization of the Council of the District of Columbia~~ to conform references in the Firearms Control Regulations Act of 1975 to reflect other amendatory acts; to amend the provisions of the Uniform Narcotic Drug Act relating to search warrants; to correct cross references in the Life Insurance Act; to repeal an obsolete provision of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes; to amend a cross reference in An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes; and to repeal arcane provisions of law to conform with provisions of title III of the District of Columbia Administrative Procedure Act.

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

That this act may be cited as the "Technical and Clarifying Amendments Act of 1983".

Sec. 2. D.C. Code, sec. 16-710(a) is amended by striking the phrase "control and suspension of a probation officer" and inserting the phrase "control and supervision of a probation officer" in lieu thereof.

CODIFICATION
D.C. Code,
sec. 16-710

Sec. 3. D.C. Code, sec. 20-109 is amended by adding a new sentence at the end thereof to read as follows:

D.C. Code,
sec. 20-109

"Title 20 of the D.C. Code enacted by virtue of An Act To enact Part III of the District of Columbia Code, entitled 'Decedents' Estates and Fiduciary Relations', codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia, approved September 14, 1965 (79 Stat. 703), and An Act To amend chapter 19 of title 20 of the District of Columbia Code to provide for distribution of a minor's share in a decedent's personal estate where the share does not exceed the value of \$1,000, approved August 11, 1971 (85 Stat. 307), shall apply to an estate of a decedent who died before January 1, 1981."

Sec. 4. D.C. Code, sec. 23-581(a)(2)(C) is amended by adding the following phrase to the end thereof:

D.C. Code,
sec. 23-581

"Shoplifting.....section 113."

Sec. 5. Section 20(b) of the Veterinary Practice Act of 1982, effective March 9, 1983 (D.C. Law 4-171; D.C. Code, sec. 2-2721 note), is amended to read as follows:

D.C. Municipal
Regulations
(DCMR)
Note,
D.C. Code,
sec. 2-2721
(1981 ed.)

"(b) Commissioners' Order 66-1843, adopted December 8, 1966 (13 DCR 131) is repealed upon the rules issued by the Mayor pursuant to section 6(1) becoming effective."

Sec. 6. Section 102 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Code, sec. 22-3802), is amended by striking the section reference "112" and inserting the section reference "111" in lieu thereof.

D.C. Code,
sec. 22-3802
(1981 ed.)

Sec. 7. Section 3(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia, effective September 18, 1982 (D.C. Law 4-155; D.C. Code, sec. 40-403(a)), is amended by striking the word "section" and inserting the word "chapter" in lieu thereof.

D.C. Code,
sec. 40-403
(1981 ed.)

Sec. 8. Section 7(g)(1)(F) of the District of Columbia Unemployment Compensation Act, effective September 17, 1982 (D.C. Law 4-147; D.C. Code, sec. 46-108(g)(1)(F)), is amended by striking the phrase "85, United" and inserting the phrase "85 of Title 5, United" in lieu thereof.

D.C. Code,
sec. 46-108
(1981 ed.)

Sec. 9. Section 3(e)-(i) of the District of Columbia Traffic Act, 1925, effective March 16, 1982 (D.C. Law 4-80; D.C. Code, sec. 40-303(e)-(i)), is amended to read as follows:

D.C. Code,
sec. 40-303
(1981 ed.)

"(e) Persons enrolled as full-time students engaged in higher education (as defined by the respective institutions of higher education in the District of Columbia) in an institution of higher education licensed to operate in the District of Columbia, and who are not residents of the District of Columbia, shall, if they have complied with the motor vehicle registration and licensing laws of the State, Territory, or possession of the United States of which they are a legal resident, be exempt during their respective

tenure as full-time students engaged in higher education from compliance with section 2 of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Code, sec. 40-102), section 7 of this Act (D.C. Code, sec. 40-301), and all applicable provisions of the District of Columbia Municipal Regulations requiring the registration of motor vehicles, the display of identification tags, and the licensing of owners or operators of motor vehicles in the District of Columbia: PROVIDED, That the full-time student shall be required to obtain and display a valid reciprocity sticker.

"(1) A full-time student shall be required to submit proof, as required by the Mayor, that the student is a full-time student and is in compliance with this subsection.

"(2) The Mayor shall issue, upon application and for a twenty-five dollar fee, a reciprocity sticker to full-time students who comply with this section. Such sticker shall be valid for one year. A full-time student while enrolled in an institution of higher education in the District of Columbia and while in compliance with this subsection shall be able to obtain successive reciprocity stickers, each valid for one year and each for a fee of twenty-five dollars.

"(3) A full-time student who is a resident of the District of Columbia, who is registered to vote in the District of Columbia, who is employed for more than twenty hours a week, whose address for the purpose of paying

tuition for higher education is in the District of Columbia, whose parent or parents domicile in the District of Columbia or whose parents are divorced or separated and the custodial parent domiciles in the District of Columbia, whose student loan is from a bank or savings and loan in the District of Columbia, or who fulfills any criteria promulgated by the Mayor of the District of Columbia shall be required to comply with section 2 of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Code, sec. 40-102), section 7 of this Act (D.C. Code, sec. 40-301), and all applicable provisions of the District of Columbia Municipal Regulations requiring the registration of motor vehicles, the display of identification tags, and the licensing of owners or operators of motor vehicles in the District of Columbia.

"(f) Any owner of a commercial vehicle must comply with section 2 of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Code, sec. 40-102), section 7 of this Act (D.C. Code, sec. 40-301), and all applicable provisions of the District of Columbia Municipal Regulations requiring the registration of motor vehicles, the display of identification tags, and the licensing of owners or operators of motor vehicles in the District of Columbia if:

"(1) the owner or operator maintains a place of business or terminal in the District of Columbia and the vehicles are principally housed in the District of Columbia;

"(2) the vehicle, irrespective of where it is housed, is regularly operated in the conduct of business in the District of Columbia.

"(g) The Mayor or his designated agent is authorized to enter into reciprocal agreements or arrangements with the duly authorized representatives of a State, Territory, or possession of the United States or a foreign country or political subdivision thereof, to vary the conditions under which the validity of motor vehicle registration and identification tags of any category of vehicles such as dealer tags, handicapped tags, and rental vehicle tags of such State, Territory, or possession of the United States or foreign country or political subdivision thereof, shall be recognized in the District of Columbia.

"(h) The Mayor of the District of Columbia shall promulgate such rules and regulations as are necessary to implement and enforce this section. Such rules and regulations shall include, but not be limited to, a determination of how many times during the 30 day exemption period an agent or employee of the Mayor of the District of Columbia must observe a motor vehicle for purposes of the enforcement of this section and a method of enforcing the provisions of this section applicable to commercial vehicles.

"(i) Any operator of a motor vehicle who is not a legal resident of the District of Columbia and who does not have in his immediate possession an operator's permit issued by a State, Territory, or possession of the United States, or

foreign country or political subdivision thereof, having motor vehicle reciprocity relations with the District, shall not operate a motor vehicle in the District unless:

"(1) the laws of the State, Territory, or possession of the United States, or foreign country or political subdivision thereof, under which the motor vehicle is registered do not require the issuance of a motor vehicle operator's permit or

"(2) has submitted to examination within 72 hours after entering the District and obtained an operator's permit in accordance with the provisions of section 7 of this Act. Any individual who violates any provision of this subdivision shall, upon conviction thereof, be fined not less than \$5 nor more than \$50 or imprisoned not less than 30 days, or both."

Sec. 10. Section 5(c) of the Governmental Reorganization Procedures Act of 1981, effective October 17, 1981 (D.C. Law 4-42; D.C. Code, sec. 1-299.4(c)), is amended by striking the word "sixteenth" and inserting the word "sixty-first" in lieu thereof.

D.C. Code, sec. 1-29 (1981 ed.)

Sec. 11. Section 7(d)(1) of the District of Columbia Office of Energy Act of 1980, effective March 4, 1981 (D.C. Law 3-132; D.C. Code, sec. 1-1906(d)(1)), is amended by striking the phrase "Consumer Affairs" and inserting the phrase "Cable Television" in lieu thereof.

D.C. Code, sec. 1-19 (1981 ed.)

~~Section 2 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 1979 (D.C. Law 2-139, D.C. Code, sec. 1-601, D.C. Code, sec. 1-601)~~

[REDACTED]

[REDACTED] Section 106(b)(3) (D.C. Code, sec. 1-604) [REDACTED]
[REDACTED] by striking the phrase "General Counsel and
[REDACTED] Counsel" and inserting the phrase "and General
[REDACTED] Counsel" in lieu thereof.

D.C. Code,
sec. 1-604.
(1981 ed.)

(b) Section 503(a)(3) (D.C. Code, sec. 1-610, 3(a)(3))
[REDACTED] phrase "General Counsel and
[REDACTED] Counsel" and inserting the phrase "and General
[REDACTED] Counsel" in lieu thereof, and

D.C. Code,
sec. 1-610.
(1981 ed.)

(c) Section 508 [REDACTED]
[REDACTED] phrase "General Counsel and
[REDACTED] Counsel" in lieu thereof.

D.C. Code,
sec. 1-610.
(1981 ed.)

Sec. 13. Sections 211 and 409 of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Code, secs. 6-2321 & -2349), are amended by striking the phrase "858 of the Act of March 3, 1901 (D.C. Code, sec. 22-2501)" and inserting the phrase "401 of the District of Columbia Theft and White Collar Crimes Act of 1982 (D.C. Code, sec. 22-2511)" in lieu thereof.

D.C. Code,
secs. 6-232
& -2349
(1981 ed.)

Sec. 14. Section 14(a) of the Uniform Narcotic Drug Act, approved June 20, 1938 (52 Stat. 792; D.C. Code, sec. 33-565(a)), is amended by striking the phrase "this Act" and inserting the phrase "the District of Columbia Uniform Controlled Substances Act of 1981" in lieu thereof.

D.C. Code,
sec. 33-565
(1981 ed.)

Sec. 15. Section 30 of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1142; D.C. Code, sec.

~~35-429~~), is amended by striking the words "EMBEZZLEMENT" and "embezzlement" and inserting the words "THEFT" and "theft",

D.C. Code,
sec. 35-429
(1981 ed.)

respectively, in lieu thereof.

Sec. 16. The part entitled "BRIDGES" in the section entitled "IMPROVEMENTS AND REPAIRS" in An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 950; D.C. Code, sec. 7-201), is amended by striking the phrase "benefits: And provided further, That the costs and expenses of the".

D.C. Code,
sec. 7-201
(1981 ed.)

Sec. 17. Section 6(1) of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes, approved July 1, 1902 (32 Stat. 618; D.C. Code, sec. 47-1503), is amended by striking the phrase "eight hundred and fifty-eight of the Code of the District of Columbia" and inserting the phrase "401 of the District of Columbia Theft and White Collar Crimes Act of 1982" in lieu thereof.

D.C. Code,
sec. 47-1503
(1981 ed.)

Sec. 18. The "CONTINGENT AND MISCELLANEOUS EXPENSES." paragraph of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes, approved March 1, 1901 (31 Stat. 826; D.C. Code, sec. 49-101), is amended by striking the following paragraph:

D.C. Code,
sec. 49-101
(1981 ed.)
repealed

"Hereafter the Commissioners of the District of Columbia, after supplying each of the heads of the

several departments and offices of the government and the judiciary of said District with the necessary copies of the bound editions of the laws affecting said District, which are prepared in the office of the secretary of the Board at the close of each session of Congress, may sell the surplus volumes at a rate per volume to be fixed by them, approximating but not less than the pro rata cost of compilation, and deposit all money so received to the credit of the appropriation out of which such cost is paid."

Sec. 19. Section 2 of An act to authorize the

Commissioners of the District of Columbia to make police regulations for the government of said District, approved January 26, 1887 (24 Stat. 369; D.C. Code, sec. 1-318), is repealed.

D.C. Code,
sec. 1-318
(1981 ed.)
repealed

Sec. 20. Section 12 of An act providing a permanent form of government for the District of Columbia, approved June 11, 1878 (20 Stat. 108; D.C. Code, sec. 1-332), is repealed.

D.C. Code,
sec. 1-332
(1981 ed.)
repealed

Sec. 21. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of a veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code,

sec. i-233(c)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED: June 9, 1983

NAME	ADDRESS	PHONE	DATE	INITIALS
WILLIAMS, M. ANTHONY				
DALE, PAUL				
...				

NAME	ADDRESS	PHONE	DATE	INITIALS
...				
...				



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Five - First Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B 5-169

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 5-10-83

VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

ROLL CALL VOTE - RESULT

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

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 5-24-83

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Crawford and Moore

ROLL CALL VOTE - RESULT

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

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date

Item on Consent Calendar

ACTION & DATE

VOICE VOTE

Recorded vote on request

Absent:

ROLL CALL VOTE - RESULT

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

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD