

ENROLLMENT(S)



COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20004

I. TRANSMITTAL OF ENROLLED LEGISLATION

Short Title: Representative and Senators Terms of Office,
Duties, and Use of Private Funds for Public Purposes
Amendment Act of 1990

Bill #8-488

RECEIVED

Act #

'90 MAR 29 P5:27

Date Transmitted to LSD:

Received by LSD:

LEGISLATIVE S...

cc: Councilmember Kane
cc: Codification Counsel

(with attachment)
(with attachment)

Please notify me of any error/comment within 24 hours.

II. CLEARANCE OF ENROLLED LEGISLATION

Stephanie M. Jones
Legislative Counsel

3-29-90
Date

Richard Gladstein
Codification Counsel

3-29-90
Date

Roseanna J. ...
Office of the Secretary

3-30-90
Date

III. CLEARANCE OF CORRESPONDENCE BY LSU

Letter(s) to the Mayor

Date

Letter(s) to Congress

Date

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 8-135

"Representative and Senators Term of Office,
Duties, and Use of Private Funds for Public
Purposes Amendment Act of 1990".

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. 8-488 on first and second readings, February 27, 1990, and March 27, 1990, respectively. Following the signature of the Mayor on April 13, 1990, this legislation was assigned Act No. 8-191, published in the April 27, 1990, edition of the D.C. Register, (Vol. 37 page 2616) and transmitted to Congress on April 18, 1990 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 8-135, effective June 8, 1990.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

April 18,19,20,23,24,25,26,27,30

May 1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24

June 5,6,7

JUN 08 1990

Codification,
District of Columbia Code
(1991 Supplement)

AN ACT

D.C. ACT 8 - 191

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APR 13 1990

To amend the District of Columbia Statehood Constitutional Convention Initiative of 1979 to provide that the term of a Representative or Senator elected pursuant to the Initiative shall begin on January 2nd of the year that immediately follows his or her election, to describe the duties and responsibilities of the Representative and Senators, and to allow the use of private funds for public purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Representative and Senators Term of Office, Duties, and Use of Private Funds for Public Purposes Amendment Act of 1990".

Sec. 2. Section 4 of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-113), is amended as follows:

Section
1-113

(a) Subsection (d)(2) is amended as follows:

(1) By striking the phrase "10 days after his or her certification by the District of Columbia Board of Elections and Ethics and shall expire on January 3, 1992" and inserting the phrase "on January 2, 1991, and shall expire on January 2, 1993" in its place; and

(2) By striking the phrase "10 days after their certification by the District of Columbia Board of Elections and Ethics and shall expire on January 3, 1996, and January 3, 1994" and inserting the phrase "on January 2, 1991, and shall expire on January 2, 1997 and January 2, 1995" in its place.

(b) The following new subsections are added to read as follows:

"(e) A Representative or Senator elected pursuant to this act shall be a public official as defined in section 602(a) of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88

Stat. 467; D.C. Code, sec. 1-1462(a)), and subscribe to the oath or affirmation of office provided for in the District of Columbia Government Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-604.8).

"(f) A Representative or Senator:

"(1) Shall inform the Congress and individual members of Congress that the District of Columbia residents meet the standards traditionally required by Congress for the admission of a United States territory as a State of the United States;

"(2) Shall monitor the progress of the petition for admission of New Columbia to statehood pending before the Congress and report on the progress to the District of Columbia residents;

"(3) May advise the District of Columbia on matters of public policy that bear on the achievement of statehood;

"(4) In accordance with subsection (g) of this section, may employ staff and expend funds donated by private sources for public purposes related to the achievement of statehood; and

"(5) Shall have any other powers or duties as may be provided by law.

"(g)(1) A Representative or Senator may solicit and receive contributions to support the purposes and operations of the Representative's or Senator's public office. A Representative or Senator may accept services, monies, gifts, endowments, donations, or bequests. A Representative or Senator shall establish a District of Columbia statehood fund in 1 or more financial institutions in the District of Columbia. There shall be deposited in each fund any gift or contribution in whatever form, and any monies not included in annual Congressional appropriations. A Representative or Senator is authorized to administer the Representative's or Senator's respective fund in any manner the Representative or Senator deems wise and prudent, provided that the administration is lawful, in accordance with the fiduciary responsibilities of public office, and does not impose any financial burden on the District of Columbia.

"(2) Contributions may be expended for the salary, office, or other expenses necessary to support the purposes and operations of the public office of a Representative or Senator, however, each Representative or Senator shall receive compensation no greater than the compensation of the Chairman of the Council of the District of Columbia, as provided in section 403 of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 787; D.C. Code, sec. 1-226), and section 1109 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. 1-612.9).

"(3) Each Representative or Senator shall file with the Director of Campaign Finance a quarterly report of all contributions received and expenditures made in accordance with paragraph (1) of this subsection. No campaign activities related to election or re-election to the office of Representative or Senator shall be conducted nor shall expenditures for campaign literature or paraphernalia be authorized under paragraph (1) of this subsection.

"(4) The recordkeeping requirements of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 447; D.C. Code, sec. 1-1401 et seq.), shall apply to contributions and expenditures made under paragraph (1) of this subsection.

"(5) Upon expiration of a Representative's or Senator's term of office and where the Representative or Senator has not been re-elected, the Representative's or Senator's statehood fund, established in accordance with paragraph (1) of this subsection, shall be dissolved and any excess funds shall be used to retire the Representative's or Senator's debts for salary, office, or other expenses necessary to support the purposes and operation of the public office of the Representative or Senator. Any remaining funds shall be donated to an organization operating in the District of Columbia as a not-for-profit organization within the meaning of section 501(c) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. 501(c)).

"(h) A Representative or Senator elected pursuant to section 4(d) of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-113(d)), shall be subject to recall pursuant to section 17 of an Act To regulate the election of delegates representing the District of Columbia to national political conventions, approved August 12, 1955 (69 Stat. 704; D.C. Code, sec. 1-1321), as added by section 2(d) of the Initiative, Referendum and Recall Procedures Act of 1979, effective June 7, 1979 (D.C. Law 3-1; D.C. Code, sec. 1-1321), during the period of the Representative's or Senator's service prior to the admission of the proposed new state into the union."

Sec. 3. Section 602(a) of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 467; D.C. Code, sec. 1-1462(a)), is amended by adding the phrase "a Representative or Senator elected pursuant to section 4 of

Section
1-1462

the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-113)," before the phrase "the President and each member of the Board of Education."

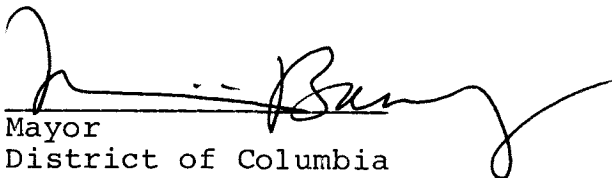
Sec. 4. Notwithstanding the provisions of section 3 of the Statehood Convention Procedural Amendments Act of 1982, effective August 4, 1982 (D.C. Law 4-138; D.C. Code, sec. 1-119), the honoraria limitations imposed by title VIII of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 4, 1974 (88 Stat. 447; D.C. Code, sec. 1-1481 et seq.), shall apply to a Senator or Representative elected pursuant to section 4(d)(2) of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1979 (D.C. Law 3-171; D.C. Code, sec. 1-113(d)(1)), only if the salary of the Senator or Representative is supported by public revenues.

New,
Section
1-113a
Note,
Section
1-119

Sec. 5. This act shall take effect after a 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. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: April 13, 1990



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-488

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 2-27-90

VOICE VOTE: _____

Recorded vote on request

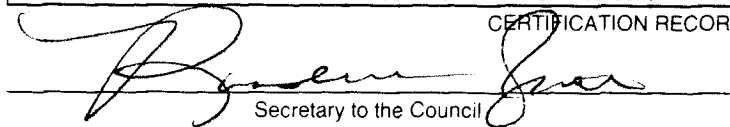
Absent: _____

ROLL CALL VOTE: — RESULT Approved (10 / 3 / 0 / 0)

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	X				MASON	X				THOMAS, SR.	X			
CRAWFORD	X				NATHANSON	X				WILSON		X		
JARVIS	X				RAY	X				WINTER		X		
KANE		X			ROLARK	X								
LIGHTFOOT	X				SMITH, JR.	X								

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

CERTIFICATION RECORD


 Secretary to the Council

3-30-90
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 3-27-90

VOICE VOTE: Approved

Recorded vote on request

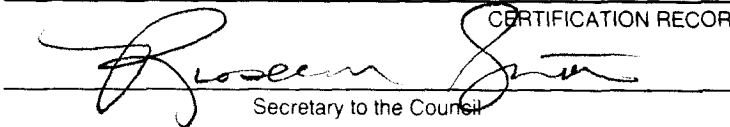
Absent: Thomas

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					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

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

CERTIFICATION RECORD


 Secretary to the Council

3-30-90
 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					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

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

CERTIFICATION RECORD

 Secretary to the Council

 Date