

# ENROLLMENT(S)

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# COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

### D.C. LAW 12-98

#### **"Make a Difference Selection Committee Establishment Act of 1998"**

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. 12-90, on first and second readings, November 4, 1997 and January 6, 1998, respectively. Following the signature of the Mayor on January 26, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-272, and published in the March 20, 1998, edition of the D.C. Register (Vol. 45 page1519) and transmitted to Congress on March 2, 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 12-98, effective April 30, 1998.



LINDA W. CROPP  
Chairman of the Council

#### Dates Counted During the 30-day Congressional Review Period:

Mar.	2,3,4,5,6,9,10,11,12,13,16,17,18,19,20,23,24,25,26 27,30,31
Apr.	1,21,22,23,24,27,28,29

AN ACT  
D.C. ACT 12-272

*Codification  
District of  
Columbia  
Code  
1998 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
JANUARY 26, 1998

To establish the Make a Difference Selection Committee to identify and recognize the humanitarian contributions and achievements of private United States citizens by installing commemorative markers on public space under District of Columbia control, and to grant the Make a Difference Foundation exclusive authority to install the commemorative markers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Make a Difference Selection Committee Establishment Act of 1998".

*New  
Subchapter  
II,  
Chapter 2,  
Title 7*

Sec. 2. Establishment of the Make a Difference Selection Committee.

*New Section  
7-231*

(a) There is established in the District of Columbia the Make a Difference Selection Committee ("Committee") constituted for the purpose of selecting nominees for recognition as humanitarians working in the public interest.

(b) The Committee shall consist of 9 members, with 3 ex-officio members and 6 members appointed by the Mayor with the advice and consent of the Council. A nomination shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays and days of Council recess. If the Council does not approve or disapprove the nomination by resolution within this 45-day review period, the nomination shall be deemed disapproved.

(c) Members of the Committee shall serve for as long as they continue to satisfy the qualifications for membership. The composition of the Committee shall be as follows:

- (1) The Director of the District of Columbia Office of Planning, or his or her designee;
- (2) The Director of the Department of Public Works, or his or her designee;
- (3) The Chairperson of the Board of Directors or the President of the Make a Difference Foundation;
- (4) Three members of the Board of Directors of the Make a Difference Foundation who reside or work in the District of Columbia; and
- (5) Three residents of the District of Columbia of which 2 shall be Mayoral appointees and the remaining member shall be appointed by the Council.

(d) The Mayor shall choose a chairperson of the Committee, and the members of the

**ENROLLED ORIGINAL**

Committee shall elect from their membership a vice-chairperson and other officers as deemed necessary.

(e) Members of the Committee shall serve without compensation and shall not be reimbursed for expenses incurred while carrying out their duties pursuant to this act.

(f) The Mayor shall submit the names of a majority of the nominees of the Committee to the Council within 60 days of the effective date of this act.

(g) Vacancies on the Committee shall be filled in the same manner as the original appointments were made.

(h) A majority of the Committee shall constitute a quorum for the purpose of conducting business.

**Sec. 3. Committee duties.**

**New Section  
7-232**

(a) The Committee shall accept nominations for honorees from the District of Columbia and any state or territory of the United States.

(b) The Committee shall select from the nominations received, persons to be recognized with commemorative markers in sidewalks designated in section 7.

**Sec. 4. Selection criteria.**

**New Section  
7-233**

(a) No person shall be selected by the Commission to be honored unless that person meets the following criteria:

(1) The person's contribution must have been made in the public interest, must have materially improved American society, or the environment and must have had a positive effect on a significant number of people in the United States.

(2) The person must have been acting as a private citizen and not as an appointed or elected government official for the acts for which the person is to be recognized.

(3) The person must have undertaken the achievement for which the person is to be recognized outside of his or her normal work assignment, and not for profit.

(4) The person must have been born in the United States or naturalized as a United States citizen.

(b) No person shall be selected for recognition until a minimum of 5 years after the achievement for which the individual is being nominated has elapsed.

(c) The Committee shall not consider the race, color, religion, national origin, sex, or political affiliation of any nominee in making its decision on whether to honor an individual's accomplishments.

(d) There shall be no limit on the number of annual nominees that the Committee may consider for recognition. However, no more than 10 persons may be selected for recognition with a marker in any calendar year.

(e) A nominee must receive a two-thirds majority vote of the Committee members present and voting at a meeting of the Committee.

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(f) Nominees approved by the Committee shall be submitted to the Mayor. The Mayor shall transmit the names of nominees by resolution to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays and days of Council recess. If the Council does not approve or disapprove the nominees, in whole or in part, by resolution within this 30-day review period, the nominees shall be deemed disapproved.

**Sec. 5. Special trust fund.**

**New Section  
7-234**

(a) There is established a special trust fund to be known as the Make a Difference Trust Fund ("Fund") to receive all money from whatever source derived to carry out the purposes of this act. The Fund shall be operated by the Committee in accordance with generally accepted accounting principles. At no time shall any amount credited to the Fund be transferred to, or lapse into, or be commingled with the General Fund of the District of Columbia, or any other funds or accounts of the District of Columbia.

(b) Monies in the fund may derive from any of the following sources:

- (1) Private donations;
- (2) Federal grants;
- (3) Other funds received by the Committee; and
- (4) Interest or investments earnings on monies deposited in the Fund

(c) An amount equal to 10 per cent of the cost of each installed marker shall be held in a separate account earmarked for the perpetual maintenance and repair of the commemorative markers.

(d) The Committee shall maintain liability insurance in the amount of \$1,000,000 for markers installed pursuant to this act. The District shall be held harmless for any acts or omissions in the performance of its duties pursuant to the provisions of this act.

**Sec. 6. Marker design and installation.**

**New Section  
7-235**

(a) Markers recognizing individuals pursuant to this act shall be made of granite or of another material approved by the Mayor.

(b) The markers shall be of consistent size, no larger than 4 feet by 4 feet and installed at approximately 50 foot intervals according to specifications of the Make a Difference Foundation and approved by the Department of Public Works.

(c) Markers shall be placed flush with the surface of the adjoining sidewalk and shall present no obstacle or danger to pedestrian traffic. The design shall comply with the requirements of 24 DCMR Chapter 11, Downtown Streetscape and shall be consistent with the Comprehensive Plan.

**Sec. 7. Marker locations.**

**New Section  
7-236**

Commemorative markers constructed pursuant to this act may be placed in, including, but not limited to, the following locations:

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(1) The North and South sidewalks of G Street, N.W., between 15th Street and 11th Street, N.W.;

(2) The North and South sidewalks of F Street, N.W., between 15th Street and 11th Street, N.W.;

(3) The North sidewalks of E Street, N.W., between 14th Street and 11th Street, N.W. and the South sidewalks of E Street, N.W., between 13th Street and 11th Street, N.W.;

(4) The East sidewalks of 15th Street, N.W., between Pennsylvania Avenue, N.W. and G Street, N.W.;

(5) The East and West sidewalks of 14th Street, N.W., between Pennsylvania Avenue, N.W., and G Street, N.W.;

(6) The East sidewalks of 13th Street, N.W., between Pennsylvania Avenue, N.W. and E Street, N.W. and the East and West sidewalks of 13th Street, N.W., between E Street, N.W., and G Street, N.W.;

(7) The East and West sidewalks of 12th Street, N.W., between Pennsylvania Avenue, N.W., and G Street, N.W.; and

(8) The East and West sidewalks of 11th Street, N.W., between Pennsylvania Avenue, N.W., and G Street, N.W.

**Sec. 8. Make a Difference Foundation.**

**New Section  
7-237**

(a) The Make a Difference Foundation ("Foundation") is a non-profit corporation founded in 1993, incorporated in the Commonwealth of Virginia. The purpose of the Make a Difference Foundation is to promote and encourage the practice of humanitarianism and public interest advocacy by recognizing the achievements of private citizens who work in the public interest.

(b) Notwithstanding the provisions of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Code § 7-451 *et seq.*), the Make a Difference Foundation is authorized to install markers of granite or some other suitable material approved by the Mayor in the sidewalks in the District of Columbia designated in section 7. The authority granted pursuant to this subsection is conditioned on the Make a Difference Foundation registering and maintaining registration as a foreign corporation in the District of Columbia.

(c) The Foundation shall pay all costs associated with constructing, installing, and maintaining the markers installed pursuant to this act.

(d) Markers shall be inscribed with a profile likeness of the individual, a description of the individual's achievements, the date of the individual's birth (and death if then deceased), and may include a quote attributed to the individual.

(e) The Make a Difference Foundation shall have the exclusive right to install markers in sidewalks designated in section 7.

(f) Nothing in this act shall be construed to limit the ability of the District of Columbia

government to install other monuments within any public space in the District including the region in which the Make a Difference Foundation has the exclusive right to install sidewalk markers.


Sec. 9. The Mayor, pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*), may issue rules to implement the provisions of this act.

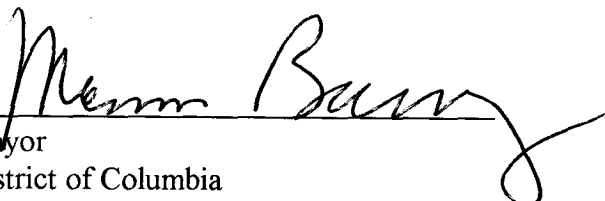
New Section  
7-238

Sec. 10. Fiscal impact.

The Council adopts the fiscal impact statement in the committee report on Bill 12-90 as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 11. 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.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia

APPROVED: January 26, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-90

Docket No. \_\_\_\_\_

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 11-4-97

VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

JARVIS

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

*Phyllis J.*  
Secretary to the Council

1-14-98  
Date

| | ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 1-6-98

VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

ALL PRESENT

ABSENT \_\_\_\_\_

| | ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

*Phyllis J.*  
Secretary to the Council

1-14-98  
Date

| | 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					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date