

COUNCIL OF THE DISTRICT OF COLUMBIA

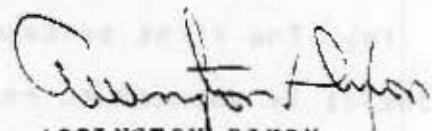
NOTICE

D.C. LAW 3-109

"Independent Personnel Systems Implementation Act
of 1980".

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. 3-291, on first and second readings, July 15, 1980 and July 29, 1980, respectively. Following the signature of the Mayor on July 31, 1980, this legislation was assigned Act No. 3-234, published in the August 29, 1980, edition of the D.C. Register, (Vol. 27 page 3785) and transmitted to Congress on August 1, 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 3-109 effective September 26, 1980.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

August 1,4,5,6,18,19,20,21,22,25,26,27,28

September 3,4,5,8,9,10,11,12,15,16,17,18,19,22,23,24,25

D.C. LAW 3-109

EFFECTIVE
DATE SEP 26 1980

AN ACT

D.C. ACT 3-23 1/2

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 31 1980

To authorize the Mayor to set rates of pay for certain employees of the District of Columbia government, to grant to the Mayor the power to subpoena witnesses, to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 regarding furloughs, and for other purposes.

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

That this act may be cited as the "Independent Personnel Systems Implementation Act of 1980".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-331 et seq.) is amended as follows:

(a) The first sentence of section 3202 (D.C. Code, sec. 1-362.2) is amended to read as follows:

"The following provisions of Title 5 of the United States Code are superceded for all employees of the District of Columbia Government.":

CODIFICATION
D.C. Code,
sec. 1-362.2

-2-

(b) The following paragraph is added at the end of section 3202 (D.C. Code, sec. 1-362.2) to read as follows:

"Notwithstanding the provisions of Title xxxii of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Code, sec. 1-362.1 et seq.) or Title 5 of the United States Code, the Mayor is authorized to establish rates of pay for employees in the Career, Excepted and Executive Services of the District of Columbia Government. Such rates of pay shall be established in accordance with the provisions of Title xi of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Code, sec. 1-341.1 et seq.)."

D.C. Code,
sec. 1-362.2

Sec. 3 (a). The Mayor of the District of Columbia shall have the power to issue subpoenas witnesses to appear and testify and/or to produce all books, records, papers or documents in any investigation or examination of any municipal matter with respect to functions transferred to the Mayor by Reorganization Plan No. 3 of 1957 or by the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 777; D.C. Code, sec. 1-121 et seq.): PROVIDED, That witnesses other than those employed by the District of

D.C. Code,
sec. 1-244.1

Columbia subpoenaed to appear before the Mayor shall be entitled to reasonable fees as established by regulations issued by the Mayor of the District of Columbia, but said fees need not be tendered said witness in advance of their appearing and testifying and/or producing books, records, papers or documents.

(b) Any willful false swearing on the part of any witness before the Mayor of the District of Columbia as to any material fact shall be deemed perjury and shall be punished in the manner prescribed by law for such offense.

(c) If any witness having been personally summoned shall neglect or refuse to obey the subpoena issued pursuant to subsection (a) then in that event, the Mayor of the District of Columbia may report that fact to the Superior Court of the District of Columbia or one of the judges thereof and said court, or any judge thereof, is empowered to compel obedience to said subpoena to the same extent as witnesses may be compelled to obey the subpoenas of that court.

(d) The Mayor of the District of Columbia is authorized to administer oaths to witnesses summoned in any investigation or examination as set out in subsection (a).

Sec. 4. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March

3. 1979 (D.C. Law 2-139; D.C. Code, sec. 1-331 et seq.) is amended as follows:

(a) Section 1501(b) (D.C. Code, sec. 1-345.1(b)) is amended by deleting the phrase "furloughed without pay".

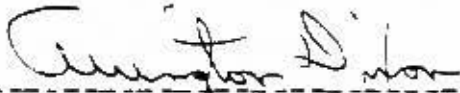
D.C. Code,
sec. 1-346.1

(b) The first sentence of section 2401 (D.C. Code, sec. 1-354.1) is amended to read as follows: "The Mayor and the District of Columbia Board of Education shall issue rules and regulations establishing a procedure for the orderly furloughing or termination of employees, taking full account of non-discrimination provisions and appointments objectives of this act."

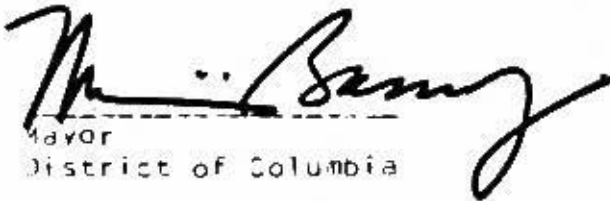
D.C. Code,
sec. 1-354.1


1979
District of Columbia
OFFICE OF THE CLERK OF THE DISTRICT OF COLUMBIA

Sec. 5. 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 502(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 31, 1980

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: B 3-291

ACTION: Adopted First Reading 7-15-79

VOICE VOTE: Majority (Rolark Voted No)

Absent: Moore

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARUTS					ROLARK									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: Adopted Final Reading 7-29-80

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARUTS					ROLARK									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARUTS					ROLARK									

CERTIFICATION OF RECORD

Secretary to the Council