

COUNCIL OF THE DISTRICT OF COLUMBIA

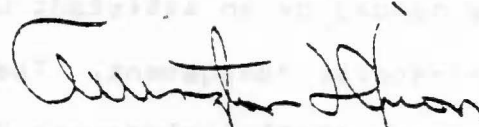
NOTICE

D.C. Law 3-138

"Financial Management Responsibility 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. 3-303 on first and second readings, July 29, 1980 and September 16, 1980, respectively. Following the signature of the Mayor on October 2, 1980, this legislation was assigned Act No. 3-259, published in the October 17, 1980 edition of the D.C. Register, (Vol. 27 page 4540). This act was originally transmitted to Congress on October 3, 1980, and resubmitted on January 14, 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 3-138, effective March 5, 1981.


ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January	14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 17, 18, 19, 20, 23, 24, 25, 26, 27,
March	2, 3, 4

D.C. LAW 3-138

EFFECTIVE DATE MAR 05 1991

AN ACT

D.C. ACT 3-259

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCT 02 1980

To establish in the Executive Office of the Mayor, the Office of Financial Management and the Office of the District of Columbia Treasurer; to authorize the performance of financial management functions by the Office of Financial Management and the Office of the Treasurer; and for other purposes.

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

That this act may be cited as the "Financial Management Responsibility Act of 1980".

Sec. 2. (a) Establishment. There is established in the Executive Office of the Mayor under the direction and control of the City Administrator, the Office of Financial Management, to be headed by an Assistant City Administrator for Financial Management. The Office of Financial Management shall include the Office of the Treasurer which shall be headed by a District of Columbia Treasurer (hereafter referred to as the "Treasurer") who shall be subject to the direction

CODIFICATION
D.C. Code,
sec. 47-229

and control of the Assistant City Administrator for Financial Management.

(D) Purposes.

(1) The purpose of the Office of Financial Management is to assist the Mayor and the City Administrator in the performance of the financial management functions of the District of Columbia.

(2) The purpose of the Office of the Treasurer is to be responsible for the functions of collection of District of Columbia funds, cash management, disbursement, and the investment of surplus funds. All such District of Columbia government functions shall be centralized within the Office of Financial Management under the control of the Treasurer.

Sec. 3. (a) Duties and Responsibilities. The Assistant City Administrator for Financial Management shall be responsible for the administration and supervision of the Office of Financial Management, and may delegate and redelegate such powers as are warranted in the interest of efficiency and good administration, and shall:

D.C. Code,
sec. 47-230

(1) Administer all borrowing programs for the issuance of long-term and short-term indebtedness;

(2) Administer the cash management program of the District of Columbia government including the investment of surplus funds in governmental and non-governmental interest-bearing securities and accounts;

(3) Administer the centralized District of Columbia government payroll and retirement system;

(4) Govern the accounting policies and systems applying to District of Columbia government agencies and certain other agencies specified in the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 802; D.C. Code, sec. 1-121 et seq.); and

(5) Prepare appropriate annual, quarterly, and monthly financial reports of accounting and financial operations of the District of Columbia government.

(b) The Treasurer shall be subject to the administrative control of the Assistant City Administrator for Financial Management. The Treasurer shall: (1) Be responsible for the

administration and supervision of the Office of the Treasurer;

(2) Oversee and be responsible for the collection and deposit of all taxes, license and permit fees, fines and forfeitures, refunds, and other fees, charges, and miscellaneous revenues as required by the District of Columbia government, from the public, the federal government or from any court, agency or instrumentality of the District of Columbia government. Such collection and deposit function includes all activities occurring from the time receipts are initially received by the District of Columbia government until they are deposited in such depositories as may be designated by law. Receipts include any coins, other cash, checks, or other method of payment which pass into the custody of the District of Columbia government. The Treasurer shall also specify operation procedures and standards to be used for all collection points, including the staffing with employees of the Office of the Treasurer of any collection point which uses automated cashiering terminals;

(3) Have custody of all public funds belonging to or under the control of the District of Columbia government or its agencies and deposit all funds in such depositories as may be designated by law;

(4) Administer all District of Columbia government imprest funds;

(5) Perform all other functions previously delegated to the D.C. Treasurer, except accounts receivable processing, functions relating to the receipt and processing of tax documents, the preparation of tax documents for data processing, the billing of delinquent tax accounts, and the enforcement of collection of delinquent taxes; and

(6) Be responsible for assisting the Assistant City Administrator for Financial Management in reporting revenues received by the Treasurer to the Mayor including, but not limited to, annual and quarterly reports concerning the cash position of the District of Columbia government. The annual report shall be included as a part of the Annual Financial Report of the District of Columbia government as required by section 448(4) of the District of Columbia Self-Government and

Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 801; D.C. Code, sec. 47-224)).

The Mayor shall provide the reports required by this paragraph to the Council of the District of Columbia. The quarterly reports shall be submitted not later than the sixtieth day after the quarter for which such report is being submitted. The first such quarterly report shall be submitted for the first quarter of fiscal year 1981. The monthly reports shall be submitted not later than the twentieth day after the month for which such report is being submitted. The first such monthly report shall be submitted for the first month of fiscal year 1981. The reports required by this paragraph shall include:

(A) Quarterly comparative reports of revenue and other receipts by source including, but not limited to, tax, nontax, and federal revenues, grants and reimbursements, capital program loans, and advances. Each source shall be broken down into specific components;

(B) Quarterly statements of the cash flow including receipts, disbursements, net change in cash inclusive of the beginning balance, cash and

investments, and the ending balance, inclusive of cash and investments. Such statements shall reflect the actual, planned, better or worse dollar amounts and the percentage change with respect to the current quarter, year-to-date, and fiscal year;

(C) Quarterly cash flow forecast

reflecting receipts, disbursements, net change in cash inclusive of the beginning balance, cash and investments, and the ending balance, inclusive of cash and investments with respect to the actual dollar amounts for the quarter for which the report is being submitted, and projected dollar amounts for each of the next succeeding three (3) quarters;

(D) Monthly reports reflecting a detailed summary analysis of all District of Columbia government investments including, but not limited to:

(i) The total of long-term and short-term investments;

(ii) A detailed summary analysis of investments by type and amount, including purchases, sales (maturities), and interest;

(iii) An analysis of investment portfolio mix by type and amount including liquidity, quality/risk of each security, and similar information;

(iv) An analysis of investment strategy, including near term strategic plans and projects of investment activity, as well as forecasts of future investment strategies based on anticipated market conditions, and similar information;

(v) An analysis of cash utilization, including:

1. Comparisons of budgeted percentages of total cash to be invested with actual percentages of cash invested and the dollar amounts;

2. Comparisons of the next return on invested cash expressed in percentages (yield) with comparable market indicators and established District of Columbia government yield objectives; and

3. Comparisons of estimated dollar return against actual dollar yield; and

(E) Monthly reports reflecting a detailed summary analysis of long-term and short-term borrowings inclusive of debt as authorized by section 503(b)(1) of the District of Columbia Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 814; D.C. Code, sec. 47-228), in the current fiscal year and the amount of debt for each succeeding fiscal year not to exceed five (5) years. All such reports shall reflect:

- 1. The amount of debt outstanding by type of instrument;
- 2. The amount of authorized and unissued debt, including availability of short-term lines of credit, United States Treasury borrowings, and similar information;
- 3. A maturity schedule of the debt;
- 4. The rate of interest payable upon the debt; and
- 5. The amount of debt service requirements and related debt service reserves.

Sec. 4. Transfer of Functions. The following powers and duties and functions are transferred to the District of Columbia Treasurer:

D.C.Code,
sec. 47-231

(a) Those duties and functions of the Director of the Department of Finance and Revenue as established in Commissioner's Order No. 69-96, March 7, 1969 and as set forth in:

(1) Organization Order No. 3 of 1967, Amendment No. 1, December 13, 1967, Part IV.C2(e) (entitled Treasury Division), including:

(A) Collecting revenues of the District of Columbia, accounting for and distributing all collections into appropriate revenue accounts, and depositing collections.

(B) Making and being accountable for disbursements in accordance with applicable law and regulations, in cash or by checks, based on vouchers and payrolls duly certified by a designated certifying officer.

(C) Being responsible for all balances in accounts held pursuant to the District of Columbia Depository Act of 1977, effective October 26, 1977 (D.C. Law 2-32; D.C. Code, sec. 47-271 et seq.).

(D) Dispensing and accounting for tax stamps.

(E) Being responsible for the custody of trust fund securities;

(2) Mayor's Order No. 78-62, March 16, 1978, Part I.B. relating to the implementation of the District of Columbia Depository Act of 1977, effective October 26, 1977 (D.C. Law 2-32; D.C. Code, sec. 47-271 et seq.) (hereafter in this paragraph referred to as "the act") and concerning the following functions:

(A) Demand deposits, pursuant to section 4(c) of the act (D.C. Code, sec. 47-273(c));

(B) Evaluation criteria, pursuant to section 5 of the act (D.C. Code, sec. 47-274);

(C) Limitation restrictions on amounts of public funds on deposit, pursuant to section 6 of the act (D.C. Code, sec. 47-275);

(D) Collateral requirements upon deposit of public funds, pursuant to section 7 of the act (D.C. Code, sec. 47-276);

(E) Public disclosure relative to demand deposits, pursuant to section 8 of the act (D.C. Code, sec. 47-277);

(F) Termination of depositories, pursuant to section 9 of the act (D.C. Code, sec. 47-278); and

(G) Powers of the Mayor relative to the making and enforcement of necessary regulations and the inspection and reproduction of depository compliance, pursuant to section 10 of the act (D.C. Code, sec. 47-279); and

(3) Mayor's Order No. 79-73, April 19, 1979, concerning the following activities:

(A) Functional and procedural authority over all collection and deposit points;

(B) Authority to approve the establishment of new collection points and to consolidate, abolish, or otherwise modify the overall configuration of collection points;

(C) Authority to specify operating procedures and standards to be used for all collections and collection points; and

(D) Authority to establish the mode of collections, for example, lockbox, mail, over-the-counter, and other methods after discussions and in collaboration with the agency involved.

(b) Those duties and functions of the Director of the Department of Transportation, relating to the payment and collection of parking fines and penalties pursuant to the District of Columbia Traffic Adjudication Act of 1977, effective September 12, 1978 (D.C. Law 2-104; D.C. Code, sec. 40-1101 et seq.), including:

(1) Approval of the use of credit cards for payment of fines and penalties, pursuant to Section 105(b).

(2) Collection of fines, penalties, and fees, pursuant to sections 206(i), 306(n), and 503(c).

(c) Any other functions which are now delegated to, or vested in the D.C. Treasurer through the Director of the Department of Finance and Revenue, except those functions relating to the processing of tax documents, the preparation of tax documents for data processing, and the billing of delinquent taxes, which shall remain delegated to the Director of the Department of Finance and Revenue.


Sec. 5. Transfer of Resources. All positions, including the position of D.C. Treasurer,

D.C. Code,
sec. 47-232


property, records and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the functions assigned by this act are transferred to the Office of Financial Management. These resources include those currently in the Department of Finance and Revenue, including the District of Columbia Treasurer, and the Department of Transportation, which are currently available and which relate to the functions assigned by this act. Excluded from transfer are existing positions and other resources of the Accounts Receivable and Processing Division of the Department of Finance and Revenue.

Sec. 6. Effective Date Provision. 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: October 2, 1980

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: B 3-303

ACTION: Adopted First Reading (7-29-80)

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	PRE	AB	NO	YEA	COUNCIL MEMBER	PRE	AB	NO	YEA	COUNCIL MEMBER	PRE	AB	NO	YEA
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MCCOY					WILSON				
EDDY					RAY									
EDMOND					ROBERTS									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: Adopted Final Reading (9-16-80)

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	PRE	AB	NO	YEA	COUNCIL MEMBER	PRE	AB	NO	YEA	COUNCIL MEMBER	PRE	AB	NO	YEA
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MCCOY					WILSON				
EDDY					RAY									
EDMOND					ROBERTS									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	PRE	AB	NO	YEA	COUNCIL MEMBER	PRE	AB	NO	YEA	COUNCIL MEMBER	PRE	AB	NO	YEA
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MCCOY					WILSON				
EDDY					RAY									
EDMOND					ROBERTS									

CERTIFICATION OF RECORD

Secretary to the Council