



Chairman Phil Mendelson

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson introduced the following bill, which was referred to the Committee on

_____.

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to remove the Council of the District of Columbia from the definition of independent agency.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Council Independent Authority Clarification Amendment Act of 2016”.

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act, effective March 3, 1979 (D.C. Law 2- 139; 25 DCR 5740), is amended as follows:

(a) Section 103(a)(2) (D.C. Official Code § 1-601.02(a)(2)) is amended by striking the phrase “independent agencies” and inserting the phrase “Council, independent agencies” in its place.

(b) Section 201(c) (D.C. Official Code § 1-602.01(c)) is amended by striking the phrase “all District agencies” and inserting the phrase “the Council and all District agencies” in its place.

36 (c) Section 301(13) (D.C. Official Code § 1-603.01(13)) is amended by striking the
37 sentence “For the purposes of this chapter, the Council of the District of Columbia shall be
38 considered an independent agency of the District of Columbia.”

39 (d) Section 407 (D.C. Official Code § 1-604.07) is amended by striking the phrase
40 “independent agencies” and inserting the phrase “Council or within the independent agencies” in
41 its place.

42 (e) Section 852 (D.C. Official Code § 1-608.52) is amended by striking the phrase
43 “independent and subordinate agencies” and inserting the phrase “the Council, independent
44 agencies, and subordinate agencies” in its place.

45 (f) Section 855 (D.C. Official Code § 1-608.55) is amended by adding a new subsection
46 (a-2) to read as follows:

47 “(a-2) Attorneys employed by the Council:

48 “(1) If employed in the office of a Councilmember, shall serve at the direction,
49 supervision, and control of the Councilmember;

50 “(2) If employed in the office of a Committee of the Council, shall serve at the
51 direction, supervision, and control of the Chair of the Committee; and

52 “(3) If employed in the office of a Council Officer, shall serve at the direction,
53 supervision, and control of the Council Officer.”

54 (g) Section 1119(b) (D.C. Official Code § 1-611.19(b)) is amended by striking the
55 phrase “personnel authority” and inserting the phrase “personnel authority as defined by section
56 406(b) (D.C. Official Code § 1-604.06(b))” in its place.

57 (h) Section 1232 (D.C. Official Code § 1-612.32) is amended as follows:

58 (1) Subsection (a) is amended by striking the phrase “Each agency or
59 independent agency” and inserting the phrase “The Council, each agency, and each independent
60 agency” in its place.

61 (2) Subsection (c) is amended by striking the phrase “Office of Personnel” and
62 inserting the phrase “the Office of the Secretary to the Council, if an employee of the Council, or
63 the Director of Human Resources, if an employee of an agency or independent agency” in its
64 place.

65 (i) Section 1233(a) (D.C. Official Code § 1-612.33(a)) is amended by striking the phrase
66 “agency head or designee” and inserting the phrase “agency head or designee, or in the case of
67 an employee of the Council to the Office of the Secretary to the Council,” in its place.

68 (j) Section 1234(a) (D.C. Official Code § 1-612.34(a)) is amended by striking the phrase
69 “agency head or designee” and inserting the phrase “agency head or designee, or in the case of
70 an employee of the Council to the Office of the Secretary to the Council,” in its place.

71 (k) Section 1235 (D.C. Official Code § 1-612.35) is amended as follows:

72 (1) Subsection (a) is amended by striking the phrase “agency head or designee”
73 and inserting the phrase “agency head or designee, or in the case of an employee of the Council
74 the Secretary to the Council,” in its place.

75 (2) Subsection (b) is amended as follows:

76 (A) By striking the phrase “agency head or designee” and inserting the
77 phrase “agency head or designee, or in the case of an employee of the Council the Secretary to
78 the Council,” in its place; and

79 (B) By striking the phrase “agency or independent agency” and inserting
80 the phrase “agency, independent agency, or, in the case of the Council, the relevant office” in its
81 place.

82 (3) Subsection (c) is amended by striking the phrase “agency head or designee”
83 and inserting the phrase “agency head or designee, or in the case of an employee of the Council
84 the Secretary to the Council,” in its place.

85 (l) Section 1236(a) (D.C. Official Code § 1-612.36(a)) is amended by striking the phrase
86 “Each agency or independent agency” and inserting the phrase “The Council, each agency, and
87 each independent agency” in its place.

88 Sec. 3. Fiscal impact statement.

89 The Council adopts the fiscal impact statement in the committee report as the fiscal
90 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
91 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

92 Sec. 4. Effective date.

93 This act shall take effect following approval by the Mayor (or in the event of veto by the
94 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
95 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
96 24, 1973 (87 Stat. 813; D.C. Official Code ' 1-206.02(c)(2)), and publication in the District of
97 Columbia Register.