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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 9-8

"Advisory Neighborhood Commission Election
Temporary Act of 1991".

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. 9-172 on first and second readings, April 9, 1991, and May 7, 1991, respectively. Following the signature of the Mayor on May 17, 1991, this legislation was assigned Act No. 9-26, published in the May 31, 1991, edition of the D.C. Register, (Vol. 38 page 3367) and transmitted to Congress on May 23, 1991 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 9-8, effective July 13, 1991.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May 23,24,29,30,31

June 3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28

July 8,9,10,11,12

AN ACT

D.C. ACT 9-26

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 17, 1991

To enact, on a temporary basis, procedures to fill vacancies on the Advisory Neighborhood Commissions, which postpone the applicability of new special election procedures in the Advisory Neighborhood Councils Act of 1975.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Advisory Neighborhood
Commission Election Temporary Act of 1991".

Note, Section
1-251

Sec. 2. Definition.

For the purposes of this act, the term "appointment procedure" means the process by which a vacancy on an Advisory Neighborhood Commission may be filled.

Sec. 3. Vacancies.

Notwithstanding any other provision of law, the following procedures shall apply to fill a vacancy on an Advisory Neighborhood Commission:

(1) Whenever any vacancy in office exists within an Advisory Neighborhood Commission, such vacancy shall be filled pursuant to paragraph (5) of this subsection.

(2) Within 90 days of the date that the Board of Elections and Ethics declares, by publication in the District of Columbia Register, that such a vacancy exists, the office of the Advisory Neighborhood Commission wherein the vacancy exists shall fill such vacancy by the appointment procedure of paragraph (5) of this subsection.

(3) Said individual shall meet the qualifications set forth in section 6(a) of the Advisory Neighborhood Councils Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Code, sec. 1-256(a)).

(4) Said individual shall fill such vacancy until a successor has been certified and sworn in pursuant to section 8(b) of the Advisory Neighborhood Councils Act of

1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Code, sec. 1-257(b)).

(5)(A) Within 5 days (excluding Saturdays, Sundays, and legal holidays) after the date that the Board declares such vacancy by publication in the District of Columbia Register, the Board shall make available petitions for the purpose of obtaining the signatures of registered qualified electors within the respective single-member district.

(B) In the event petitions are not obtained by any registered qualified electors within the respective single-member district, the Board shall republish the notice required by subparagraph (A) of this paragraph.

(C) Within 45 days of the date the Board makes the petitions available, individuals interested in filling such vacancy shall submit a petition to the Board containing the signatures of 25 registered qualified electors within the single-member district. The Board, after a 10-day challenge period, shall transmit said list of the names of individuals qualifying for appointment to the respective Advisory Neighborhood Commission. The Advisory Neighborhood Commission shall appoint, after a public hearing and any other efforts designed to elicit the preference of the voters of the affected single-member district, by majority vote of the remaining members, an individual from the said list to fill the vacancy at its next regular meeting.

(D) After a vacancy has been filled pursuant to subparagraph (C) of this paragraph, the Advisory Neighborhood Commission shall transmit to the Board a resolution signed by the Chairman and Secretary of the Advisory Neighborhood Commission to declare the vacancy filled. The resolution shall also be sent to:

- (i) The Council of the District of Columbia;
- (ii) The Mayor; and
- (iii) The individual appointed by the Commission.

(E) The Board shall certify the filling of the vacancy by publication in the District of Columbia Register.

Sec. 4. Rules.

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

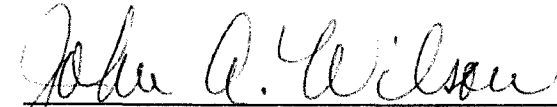
Sec. 5. Applicability.


This act shall not apply to any vacancy certified by the Board on or after July 22, 1991.

Sec. 6. Effective date.

(a) 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.

(b) This act shall expire on the 225th day of its having taken effect.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: May 17, 1991



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-172

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 4-9-91

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Lightfoot and Smith

☐ 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. WILSON					LIGHTFOOT					SMITH, JR.				
BRAZIL					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON									
CROPP					RAY									
JARVIS					ROLARK									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Shylin [unclear]
Secretary to the Council

May 10, 1991
Date

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 5-7-91

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: all present

☐ 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. WILSON					LIGHTFOOT					SMITH, JR.				
BRAZIL					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON									
CROPP					RAY									
JARVIS					ROLARK									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Shylin [unclear]
Secretary to the Council

May 10, 1991
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. WILSON					LIGHTFOOT					SMITH, JR.				
BRAZIL					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON									
CROPP					RAY									
JARVIS					ROLARK									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date