## ENROLLMENT(S)

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Codification

AN ACT

District of Columbia Code

1994 Supplement)

D.C. ACT 10-38

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

## JUNE 8, 1993

To amend, on an emergency basis, the Confirmation Act of 1978, to ensure the timely nomination of appointments to boards, commissions, independent agencies, and other positions requiring confirmation by the Council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Confirmation Holdover Emergency Amendment Act of 1993".

- Sec. 2. Section 2 of the Confirmation Act of 1978, effective March Note, Section 3, 1979 (D.C. Law 2-142; D.C. Code § 1-633.7), is amended by adding 1-633.7 a new subsection (d-1) to read as follows:
- "(d-1) Unless otherwise provided by law, including the other provisions of this section, no person shall hold a position by appointment in the District government if: (1) the person is serving in an acting capacity or as a holdover appointment; and (2) the position is required by law to be filled by Mayoral appointment with confirmation, approval, advice and consent, or other form of approval by the Council ("Council review"); except as follows:
- "(1) A person may serve in an acting capacity for not longer than 90 days or the period for Council review, if a finite period for Council review is statutorily prescribed, whichever is longer;
- "(2) A person may serve in a holdover capacity for no longer than 180 days after the expiration of the term to which he or she was appointed: and
- appointed; and
  "(3) A person who has been serving as of March 22, 1993,
  in either an acting capacity or a holdover capacity may continue serving
  in such capacity for not more than 210 days after March 22, 1993.".
- Sec. 3. Section 2 of the Confirmation Temporary Amendment Act of 1993, deemed approved without signature of the Mayor on April 30, 1993 (D.C. Act 10-22; 40 DCR 2866), is amended to read as follows:

"Sec. 2. Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Code § 1-633.7), is amended by adding a new subsection (d-1) to read as follows:

""(d-1) Unless otherwise provided by law, including the other provisions of this section, no person shall hold a position by appointment in the District government if: (1) the person is serving in an acting capacity or as a holdover appointment; and (2) the position is required

Note, Section 1-633.7

by law to be filled by Mayoral appointment with confirmation, approval, advice and consent, or other form of approval by the Council ("Council review"); except as follows:

""(1) A person may serve in an acting capacity for not longer than 90 days or the period for Council review, if a finite period for Council review is statutorily prescribed, whichever is longer;

""(2) A person may serve in a holdover capacity for no longer than 180 days after the expiration of the term to which he or she was

appointed; and

""(3) A person who has been serving as of March 22, 1993, in either an acting capacity or a holdover capacity may continue serving in such capacity for not more than 210 days after March 22, 1993."."

Sec. 4. This act shall take effect upon its enactment (approval by the Mayor, or in the event of veto by the Mayor, override of the veto by the Council) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 788; D.C. Code § 1-229(a)).

ting Chairman

ouncil of the District of Columbia

- Kelle

Mayor District of Columbia

APPROVED: June 8, 1993



## COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TEN

## RECORD OF OFFICIAL COUNCIL VOTE B10-288

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X COTION & DATE  X VOICE VOTE: Approved  Recorded vote on request  Absent: Chavous and Lightfoot  Are Chavous and Lightfoot  Are Chavous and Lightfoot  Chavous and Lightfoot  Are Chavous and Lightfoot  Chavous and Lightfoot  Are Chavous and Lightfoot  Are Chavous and Lightfoot  Chavous and Lightfoot  Are Chavous and Lightf	☐ Item on	Conse	ent Ca	alenda	r	Adonted F	inal	Po	a dii	. cr	6-1-93				
Recorded vote on request Absent  Chavous and Lightfoot  Absent  ROLL CALL VOTE - RESULT  COUNCIL MEMBER AYE NAY N.V. A.B. COUNCIL ME	⊠ ACTION	1 & DA	ATE: .			Adopted Fi	LIIAI	Red		19,	0-1-93				
Chavous and Lightfoot  Absent   Chavous and Lightfoot    ROLL CALL VOTE   RESULT	▼ VOICE	VOTE:				Approved								_	
ASSENT    ROLL CALL VOTE - RESULT	Recorded	vote o	n req	uest											
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EVANS   SMITH	□ ROLL C	CALL V	OTE:	- R	ESUL	Γ					(			. )	
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RAZIL LIGHTFOOT HAVOUS   MASON   N Present, not voting   N Present, n	CHMN. RAY					EVANS					SMITH, JR.				
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ACTION 8 DATE     VOICE VOITE     Recorded vote on request   Absent		Sec	retary t	o the C	Council	•			l	/	Date				
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BARRY JARVIS THOMAS, SR.  BRAZIL LIGHTFOOT DATE  CERTIFICATION RECORD  Secretary to the Council 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. RAY SARY JARVIS SMITH, JR.  BARRY JARVIS THOMAS, SR.  BARRY JARVIS THOMAS, SR.  CHAVOUS MASON THOMASON NATHANSON NATHANSO		AYE	NAY	N.V.	A.B.		ATE	NAT	14. V.	A.D.		1715	INA	14.4.	7.5.
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Secretary to the Council   Date		X	— Indi	cates V	ote			– Presi	ent, no	t voting					
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Absent:  ROLL CALL VOTE: — RESULT.  COUNCIL MEMBER   AYE   NAY   N.V.   A.B.   CHAYOUS   THOMAS   SR.   SMITH   JR.   SMITH	□ VOICE \	OTE:													
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CHMN. RAY  EVANS  BARRY  JARVIS  THOMAS, SR.  BRAZIL  CHAVOUS  CROPP  X - Indicates Vote  A.B Absent  N.V Present, not voting	COUNCIL MEMBER	AYE	NAY	ΝV	AB	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
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