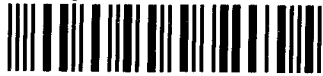


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COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 12-179

"Board of Elections and Ethics Subpoena Authority Temporary Amendment Act of 1998"

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. 12-686, on first and second readings, June 16, 1998 and July 7, 1998, respectively. Following the signature of the Mayor on July 20, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-422 and published in the August 14, 1998, edition of the D.C. Register (Vol. 45 page 6576) and transmitted to Congress on January 25, 1999 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 12-179, effective March 26, 1999.



LINDA W CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb. 2,3,4,8,9,10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

AN ACT
D.C. ACT 12-422

*Codification
District of
Columbia
Code
1999 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JULY 20, 1998

To amend, on a temporary basis, the District of Columbia Election Code of 1955 to grant subpoena authority to the Board of Elections and Ethics.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Board of Elections and Ethics Subpoena Authority Temporary Amendment Act of 1998".

Sec. 2. Section 5 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Code § 1-1306), is amended by adding a new subsection (h) to read as follows:

*Note, Section
1-1306*

"(h)(1) The Board, pursuant to regulations of general applicability, shall have the power to:

"(A) Require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of the Board's duties; and

"(B) Order that testimony in any proceeding or investigation be taken by deposition before any person who is designated by the Board and has the power to administer oaths and, in these instances, to compel testimony and the production of evidence in the same manner as authorized pursuant to subparagraph (A) of this paragraph.

"(2) In the case of a refusal to obey a subpoena or order of the Board issued pursuant to this subsection, the Board may petition the Superior Court of the District of Columbia to enforce the subpoena or order. Any person failing to obey the Court's order may be held in contempt of court."

Sec. 3. Fiscal impact statement.

The Council projects that this legislation will have a small but positive fiscal impact. By allowing the Board of Elections and Ethics to compel the presence of witnesses and the production of evidence, subpoena authority will increase both the efficiency and effectiveness of the Board's administrative and legal proceedings. The Board should therefore be able to

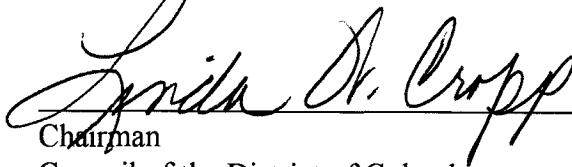
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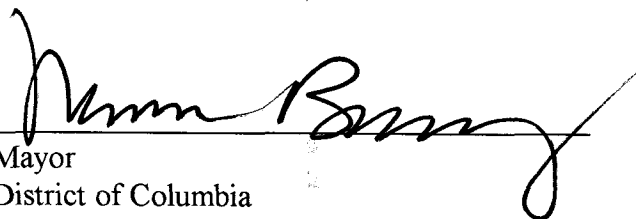
conserve budget and staff resources by using this authority.

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect or on the effective date of the District of Columbia Board of Elections and Ethics Subpoena Authority Amendment Act of 1998, whichever occurs first.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: July 20, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

Docket No.

B12-686

☐ ITEM ON CONSENT CALENDAR☒ ACTION & DATE

ADOPTED FIRST READING, 6-16-98

☒ VOICE VOTE
☐ RECORDED VOTE ON REQUEST

APPROVED

CHAVOUS, CATANIA AND THOMAS

ABSENT

☐ ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

☒ ITEM ON CONSENT CALENDAR☒ ACTION & DATE

ADOPTED FINAL READING, 7-7-98

☒ VOICE VOTE
☐ RECORDED VOTE ON REQUEST

APPROVED

ALL PRESENT

ABSENT

☐ ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

☐ ITEM ON CONSENT CALENDAR☐ ACTION & DATE☐ VOICE VOTE
☐ RECORDED VOTE ON REQUEST

ABSENT

☐ ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date