

ENROLLMENT(S)

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ENROLLED ORIGINAL

AN ACT
D.C. ACT 11-129

*Codification
District of
Columbia
Code
1996 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUGUST 9, 1995

To amend the Advisory Neighborhood Commissions Act of 1975 to eliminate the requirement for the Board of Elections and Ethics to conduct special elections to fill Commissioner vacancies, to allow Commissioner slots to remain vacant where vacancies occur within 6 months prior to a general election, to allow vacancies in single-member districts to be filled by an open vote of the members of the single-member districts, and to allow area Advisory Neighborhood Commissions to appoint persons to fill vacancies under certain circumstances.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Advisory Neighborhood Commission Vacancy Amendment Act of 1995".

Sec. 2. Section 8(d) of the Advisory Neighborhood Commissions Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Code § 1-257(d)), is amended to read as follows:

Section
1-257

"(d)(1) Whenever a vacancy exists in the office of a Commissioner, and the vacancy does not occur within the 6-month period prior to a general election, the vacancy shall be filled pursuant to paragraph (6) of this subsection. No vacancy shall be filled if it occurs within the 6-month period prior to a general election.

"(2) For purposes of this section, a vacancy is deemed to exist upon the publication of a notice of the vacancy in the District of Columbia Register.

"(3) Within 90 days of the date that the Board declares a vacancy, the members of the Advisory Neighborhood Commission area where the vacancy exists shall fill the vacancy pursuant to paragraph (6) of this subsection.

"(4) Each person appointed or elected to fill a vacancy shall meet the qualifications set forth in section 6(a).

"(5) Each person appointed or elected to fill a vacancy shall serve until a successor has been certified and sworn in pursuant to subsection (b) of this section.

"(6)(A) Within 5 days (excluding Saturdays, Sundays, and legal holidays) after

ENROLLED ORIGINAL

the date that the Board declares a vacancy, the Board shall make available petitions for the purpose of obtaining the signatures of registered qualified electors within the affected single-member district.

"(B) In the event petitions are not obtained by any registered qualified elector within the affected single-member district within 7 working days after the petitions have been made available, the Board shall recertify the vacancy by republishing the notice required by paragraph (2) of this subsection.

"(C) Within 21 days of the date the Board makes the petitions available, persons interested in filling the vacancy shall submit a petition to the Board that contains the signatures of at least 25 registered qualified electors within the affected single-member district. The Board, after a 5-working-day challenge period, shall transmit a list of the names of persons who qualify for appointment to the affected Advisory Neighborhood Commission area.

"(D) If there is only 1 person qualified to fill the vacancy within the affected single-member district, the area Advisory Neighborhood Commissioners shall appoint the qualified person to the vacant Advisory Neighborhood Commissioner position at its next regularly scheduled meeting.

"(E) If the Board transmits a list of qualified candidates containing more than 1 name, the affected area Advisory Neighborhood Commission shall give notice at a public meeting that at the next regularly scheduled meeting there shall be an open vote of the members of the affected single-member district to elect the new commissioner. All registered qualified electors shall display their voter identification card or, alternatively, be listed on the voter registration list (provided by the Board) as a voter in the affected single-member district. The ballots shall be counted by at least two impartial vote counters. The results shall be read aloud by the Chair of the Advisory Neighborhood Commission, or alternatively, by such commissioners as the Chair shall designate.

"(F) After a vacancy has been filled pursuant to this subsection, the affected area Advisory Neighborhood Commission shall transmit to the Board a resolution signed by the Chairman and Secretary of the Advisory Neighborhood Commission that states the winner of the Advisory Neighborhood Commissioner SMD election and requests that the Board declare the vacancy filled. The resolution shall also be sent to the following:

"(i) The Council of the District of Columbia;

"(ii) The Mayor; and

"(iii) The person appointed or elected by the Commission.

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

Sec. 3. (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,

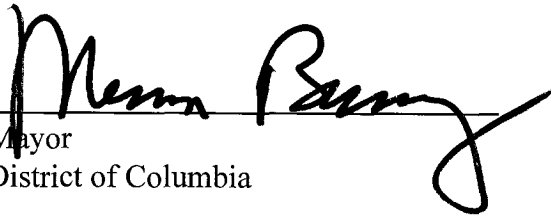
ENROLLED ORIGINAL

1973 (87 Stat. 813; D.C. Code § 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 September 30, 1999.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: August 9, 1995



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No.

B11-113

[] ITEM ON CONSENT CALENDAR

[X] ACTION & DATE ADOPTED FIRST READING, 07-11-95

[X] VOICE VOTE APPROVED

RECORDED VOTE ON REQUEST CHAVOUS AND JARVIS

ABSENT

[] ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

August 1, 1995
Date

[X] ITEM ON CONSENT CALENDAR

[X] ACTION & DATE ADOPTED FINAL READING, 07-29-95

[X] VOICE VOTE APPROVED

RECORDED VOTE ON REQUEST LIGHTFOOT

ABSENT

[] ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
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Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

August 1, 1995
Date

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Date

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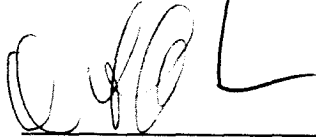
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Council of the District of Columbia

Mayor
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-113

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FIRST READING, 07-11-95

VOICE VOTE APPROVED
RECORDED VOTE ON REQUEST

ABSENT CHAVOUS AND JARVIS

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

[Signature] August 1, 1995
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FINAL READING, 07-29-95

VOICE VOTE APPROVED
RECORDED VOTE ON REQUEST

ABSENT LIGHTFOOT

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X indicates no

AB - Absent

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CERTIFICATION RECORD

[Signature]
Secretary to the Council

[Signature] August 1, 1995
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
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