

ACTIONS OF THE CITY COUNCIL

D. C. LAWS

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

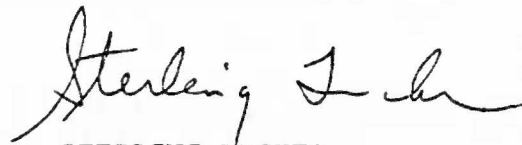
July 13, 1977

D.C LAW 2-12

"Volunteers Services Act of 1977"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act (PL 93-198), the Act, the Council of the District of Columbia adopted Bill No. 2-87 on first and second readings March 22, 1977, and April 5, 1977, respectively. Following the signature of the Mayor on April 26, 1977, this legislation was assigned Act No. 2-33, published in the May 13, 1977, edition of the D.C. Register, and transmitted to both Houses of Congress 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 the following legislation as D. C. Law 2-12, effective June 28, 1977.



STERLING TUCKER
Chairman of the Council

(Vol. 23, D.C. Register, 8985, May 13, 1977)

AN ACT

2-33

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 26, 1977

To provide for the use of volunteers by the District of Columbia government.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Volunteers Services Act of 1977".

Sec. 2. It shall be the policy of the District of Columbia government to utilize volunteer citizens in as many governmental programs as is practicable to serve the interests of the community. No volunteer person shall be used to fill any position or perform any service which is currently being performed by an employee of the District of Columbia government.

Sec. 3. The Mayor is directed to promulgate regulations governing the use of volunteers by agencies, departments, commissions, and instrumentalities of the District of Columbia: PROVIDED, That the District of Columbia Board of Education and the Council of the District of Columbia may promulgate regulations governing their respective use of volunteers.

Sec. 4. (a) Volunteer citizens may not assist governmental programs until regulations have been properly promulgated under the authority of this act. No volunteer may be placed in any position likely to constitute a conflict of interest or the appearance of a conflict of interest in violation of the provisions of chapter 29 of the act entitled "An Act to revise, codify, and enact into positive law, Title 18 of the United States Code, entitled 'Crimes and Criminal Procedure'", approved June 25, 1948 (62 Stat. 718), or title VI of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 465; D.C. Code, sec. 1-1131 et seq.).

(b) Persons engaged as volunteers by the District of Columbia government as authorized by this section shall not be eligible for benefits provided to employees of the District of Columbia government under chapters 81, 83, 85, 87, and 89 of the act entitled "An Act to enact title 5, United States Code, 'Government Organization and Employees', codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees", approved September 6, 1966 (80 Stat. 531).

(c) All volunteers shall be considered employees of the District of Columbia government for the purposes of the

District of Columbia Employee Non-Liability Act, approved July 14, 1960 (74 Stat. 519; D.C. Code, sec. 1-921 et seq.).

(d) The District of Columbia shall be liable to third parties for tortious injury caused by volunteers under its supervision and control.

Sec. 5. No provision of this act shall be deemed to apply to volunteers in the offices of the United States Marshal or the United States Attorney for the District of Columbia.

Sec. 6. (a) The provisions of the act entitled "An Act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety eight, and for prior years, and for other purposes", approved July 7, 1898 (30 Stat. 666; D.C. Code, sec. 1-215) prohibiting volunteer services to the District of Columbia government are hereby repealed.

(b) The provisions relating to the acceptance of voluntary aid by child caring institutions in the act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes", approved May 13, 1910 (36 Stat. 409; D.C. Code, sec. 3-119) are repealed.

(c) Section 3(b) of the act entitled "An Act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes", approved August 11, 1950 (64 Stat. 439; D.C. Code, sec. 6-1203(b)) is amended by striking the words "volunteer and other" and "volunteers and".

(d) The provisions of the act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes", approved March 3, 1917 (39 Stat. 1019; D.C. Code, sec. 8-132), concerning the use of volunteers for playgrounds are repealed.

(e) Section 2 of the act entitled "An Act to regulate the use of public school buildings and grounds in the District of Columbia", approved March 4, 1915 (38 Stat. 1190; D.C. Code, sec. 31-802) is repealed.

(f) The provisions of the act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes", approved May 18, 1910 (36 Stat. 409; D.C. Code, sec. 32-1006) relating to the acceptance of voluntary medical services are repealed.

(g) The provisions of the District of Columbia Appropriations Act of 1952, approved August 3, 1951 (65 Stat. 161; D.C. Code, sections 32-327--32-329) relating to the use of volunteers by the Health Department are repealed.

(h) Section 22 of the District of Columbia Public Assistance Act of 1962, approved October 15, 1962 (78 Stat. 919; D.C. Code, sec. 3-221) is repealed.

(i) Paragraph (6) of subsection (a) of section 302 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 455; D.C. Code, sec. 1-1152(a)(6)) is amended to read as follows:

"(6) to accept gifts."

(j) Section 1(7) of the act entitled "An Act to regulate the election of delegates representing the District of Columbia to national political conventions, and for other purposes", approved August 12, 1955 (69 Stat. 700; D.C. Code, sec. 1-1105(f)) is repealed.

(k) Any provision of any law affecting the use of volunteers by the District of Columbia government is repealed insofar as it is inconsistent with this act.

Sec. 7. Persons who are serving as volunteers for the District of Columbia government as provided for by law before the effective date of this act shall not be affected

by the provisions of subsection (a) of section 4 of this act until thirty days after the regulations mandated by section 3 of this act are adopted.

Sec. 8. For the purposes of this act --

(a) The term "employee" means a person who is paid by the District of Columbia government from grant or appropriated funds for his or her services.

(b) The term "volunteer" means a person who donates his or her services to a specific program or department of the District of Columbia government, by his or her free choice and without payment for the services rendered. The reimbursement of the actual expenditures by a volunteer on behalf of the District of Columbia government shall not make that person an employee of the District of Columbia for the purposes of this section.

(c) The term "agencies, departments, commissions and instrumentalities of the District of Columbia" means all governmental instrumentalities and bodies of the District of Columbia government, except the Superior Court of the District of Columbia and the District of Columbia Court of Appeals.

Sec. 9. This act shall become effective according to the provisions of section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.