

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 4-167

"Minority Contracting Act of 1976 Amendments Act of 1982".

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. 4-437 on first, amended first and second readings, July 20, 1982, September 21, 1982 and October 5, 1982, respectively. Following the signature of the Mayor on October 22, 1982, this legislation was assigned Act No. 4-242, published in the November 12, 1982, edition of the D.C. Register, (Vol. 29 page 4983). This act was originally transmitted to Congress on October 28, 1982, and resubmitted on January 6, 1983 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 4-167, effective March 9, 1983.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January	6,25,26,27,28,31
February	1,2,3,4,7,8,9,10,11,14,15,16,17,22,23,24,25,28
March	1,2,3,4,7,8

EFFECTIVE DATE MAR 09 1983

D.C. ACT 4-242

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCT 22 1982

To amend the Minority Contracting Act of 1976, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Minority Contracting Act of 1976 Amendments Act of 1982".

Sec. 2. The Minority Contracting Act of 1976, effective March 29, 1977 (D.C. Law 1-95; D.C. Code, sec. 1-1142 et seq.) is amended as follows:

(a) Section 3(a) (D.C. Code, sec. 1-1142(1)) is amended to read as follows:

CODIFICATION  
D.C. Code,  
sec. 1-1142  
(1981 ed.)

"(a) The term 'minority' means Black Americans, Native Americans, Asian Americans, Pacific Islander Americans, and Hispanic Americans, who by virtue of being members of the foregoing groups, are economically and socially disadvantaged because of historical discrimination practiced against these groups by institutions within the United States of America."

(b) Section 7(a)(1) and (2) (D.C. Code, sec. 1-1146(a)(1) & (2)) is amended by striking the phrase "25 percent" and inserting the phrase "35 percent" in lieu thereof.

D.C. Code,  
sec. 1-1146  
(1981 ed.)

(c) Section 10(b) (D.C. Code, sec. 1-1149(2)) is

D.C. Code,  
sec. 1-1149  
(1981 ed.)

"(b) determine which minority business enterprises and joint ventures will be eligible for certification under this act and establish criteria to identify those minority business enterprises and joint ventures which will be given priority consideration for government contracts. In establishing priority criteria, precedence shall be given to those minority businesses with principal offices located in the District of Columbia and licensed pursuant to section 7 of 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 three, and for other purposes, approved July 1, 1902 (32 Stat. 622; D.C. Code, sec. 47-2801 et seq.) or subject to taxes levied under title X of the District of Columbia Income and Franchise Tax Act of 1947, approved July 16, 1947 (61 Stat. 349; D.C. Code, sec. 47-1810.1 et seq.)."

(d) Section 10(m) (D.C. Code, sec. 1-1149(13)) is amended to read as follows:

D.C.Code,  
sec. 1-1149  
(1981 ed.)

"(m) may determine according to regulations adopted by the Commission that a minority business enterprise without a principal office physically located in the District of Columbia is a local business enterprise.

"(1) These regulations shall include, but not be limited to, the following factors:

"(A) Whether the applicant's principal place of business is located in the Washington Standard Metropolitan Statistical Area ('SMSA');

"(B) The location(s) of the assets of the business enterprise;

"(C) The number and percentage of the applicant's employees who reside in the District of Columbia;

"(D) The place of residence of the owners of the business enterprise; and

"(E) The percentage of total sales or other revenues derived from the transaction of business in the District of Columbia.

"(2) In addition, these regulations shall require that each minority business enterprise, in order to be a local business enterprise according to this section, be licensed pursuant to section 7 of 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 three, and for other purposes, approved July 1, 1902 (32 Stat. 622; D.C. Code, secs. 47-2801 et seq.) or subject to the tax levied under title X of the District of Columbia Income and Franchise Tax Act of 1947, approved July 16, 1947 (61 Stat. 349; D.C. Code, sec. 47-1810.1 et seq.)".


(e) By adding a new section 12a to read as follows:

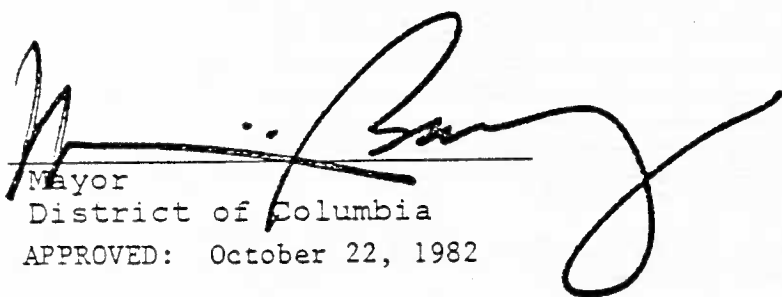
"Sec. 12a. The rules proposed by the Commission shall be transmitted to the Chairman of the Council and shall become effective after a 45-day (excluding Saturdays, Sundays, holidays, and days on which the Council is in recess according to its rules) period of review by the

New  
D.C. Code,  
sec. 1-1150  
(1981 ed.)

Council of the District of Columbia. During the 45-day period of review the Council may approve or disapprove, in whole, the rules by resolution."

Sec. 3. 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. 1-223(c)(1)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED: October 22, 1982



COUNCIL OF THE DISTRICT OF COLUMBIA  
Council Period Four  
Second Session

DOCKET NO: B 4-437

Item on Consent Calendar

ACTION: Adopted First Reading, 7-20-82

VOICE VOTE: By Majority, Members Mason, Shackleton and Rolark abstained

Absent: Crawford

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

*Vivian B. Cunningham*  
Secretary to the Council

Oct 6, 1982  
Date

Item on Consent Calendar

ACTION: Adopted Amended First Reading, 9-21-82

VOICE VOTE: Unanimous

Absent: Ray, Spaulding and Moore

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

*Vivian B. Cunningham*  
Secretary to the Council

Oct 6, 1982  
Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 10-5-82

VOICE VOTE: \_\_\_\_\_

Absent: \_\_\_\_\_

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON	X				KANE	X				SHACKLETON	X			
WINTER		X			MASON	X				SPALDING			X	
CLARKE	X				MOORE, JR.				X	WILSON	X			
CRAWFORD		X			RAY	X								
JARVIS	X				ROLARK		X							

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

*Vivian B. Cunningham*  
Secretary to the Council

Oct 10, 1982  
Date