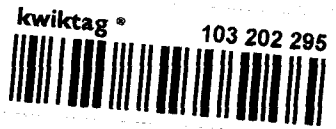# ENROLLMENT(S)

5

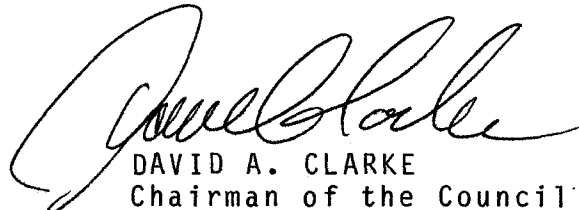COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 8-98

"Comprehensive Merit Personnel Act Adverse
Actions Amendment Act of 1989".

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. 8-268 on first and second readings, January 2, 1990, and
January 16, 1990, respectively. Following the signature of the
Mayor on January 26, 1990, this legislation was assigned Act No.
8-150, published in the February 9, 1990, edition of the D.C.
Register, (Vol. 37 page 1058) and transmitted to Congress on
February 1, 1990 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 8-98, effective
March 24, 1990.

DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

February   1,2,5,6,7,8,20,21,22,23,26,27,28

March   1,2,5,6,7,8,9,12,13,14,15,16,19,20,21,22,23

Codification,
District of Columbia Code
(1990 Supplement)

AN ACT

D.C. ACT 8 - 150

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 26 1990

To amend the provision of the District of Columbia
Government Comprehensive Merit Personnel Act of 1978
relating to adverse actions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Comprehensive Merit
Personnel Act Adverse Actions Amendment Act of 1989".

Sec. 2. Section 1601(d) of the District of Columbia
Government Comprehensive Merit Personnel Act of 1978,
effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec.
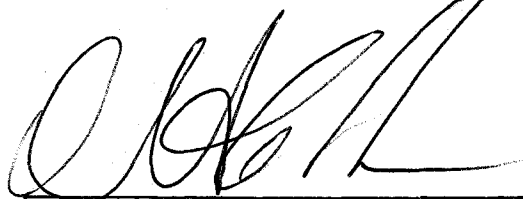1-617.1(d)), is amended as follows:

> Section
> 1-617.1

(a) Paragraph (16) is amended to read as follows:
"(16) Other conduct during and outside of duty
hours that would affect adversely the employee's or the
agency's ability to perform effectively."; and
(b) A new paragraph (22) is added to read as follows:
"(22) Conviction of a misdemeanor, when the
conviction is based on conduct that would affect adversely
the employee's or the agency's ability to perform
effectively. A plea of guilty, or a conviction following a
plea of nolo contendere, to a charge of a misdemeanor
involving the specified conduct, shall constitute prima
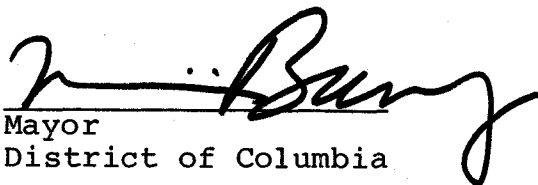facie evidence of the elements of the misdemeanor.".

Sec. 3. Within 60 days of the effective date of this
act, the Mayor shall, pursuant to title 1 of the District of
Columbia Administrative Procedure Act, approved October 21,
1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.), issue
proposed rules to implement the provisions of this act. The
proposed rules shall be submitted to the Council for a
45-day period of review, excluding Saturdays, Sundays, legal
holidays, and days of Council recess. If the Council does
not approve or disapprove the proposed rules, in whole or in
part, by resolution within this 45-day review period, the
proposed rules shall be deemed approved.

> Note,
> Section
> 1-617.1

Sec. 4.   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. 1-233(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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia

January 26, 1990

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COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: ___ Bill 8-268 ___

☐ Item on Consent Calendar

☒ ACTION & DATE: ___ Adopted First Reading, 1-2-90 ___
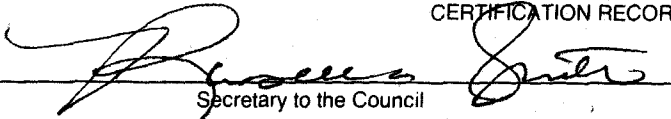
☐ VOICE VOTE: _____
Recorded vote on request

Absent: _____

☒ ROLL CALL VOTE: — RESULT ___ Approved ___ (9 / 4 / 0 / 0)

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. CLARKE	X				MASON	X				THOMAS, SR.		X		
CRAWFORD	X				NATHANSON	X				WILSON		X		
JARVIS	X				RAY	X				WINTER	X			
KANE	X				ROLARK		X								
LIGHTFOOT	X				SMITH, JR.		X								

X — Indicates Vote   A.B. — Absent   N.V. — Present, not voting

CERTIFICATION RECORD

_____   _____   1-19-90
Secretary to the Council   Date

☒ Item on Consent Calendar

☒ ACTION & DATE: ___ Adopted Final Reading, 1-16-90 ___
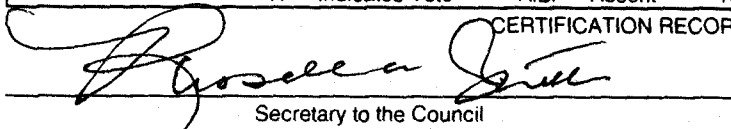
☒ VOICE VOTE: ___ Approved ___
Recorded vote on request

Absent: ___ all present ___

☐ 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. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote   A.B. — Absent   N.V. — Present, not voting

CERTIFICATION RECORD

_____   _____   1-19-90
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. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote   A.B. — Absent   N.V. — Present, not voting

CERTIFICATION RECORD

_____   _____
Secretary to the Council   Date