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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 10-64

"Financial Accountability and Management
Act of 1993".

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. 10-117 on first and second readings, July 21, 1993, and September 21, 1993, respectively. Following the signature of the Mayor on October 6, 1993, this legislation was assigned Act No. 10-119, published in the October 22, 1993, edition of the D.C. Register, (Vol. 40 page 7347) and transmitted to Congress on October 8, 1993 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 10-64, effective November 25, 1993.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

October 12,13,14,15,18,19,20,21,22,25,26,27,28,29

November 1,2,3,4,5,8,9,10,15,16,17,18,19,22,23,24

AN ACT

Codification

District of Columbia Code

D.C. ACT 10-119

(1994 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

New Subchapter IA
Chapter 3, Title 47

OCT. 6, 1993

To increase financial accountability and improve financial management in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Financial Accountability and Management Act of 1993".

Sec. 2. For the purposes of this act, the term:

New Section
47-318

(1) "Budget gap" means the difference between estimated expenditures and estimated revenues.

(2) "Budget modification" means a reexamination of all major elements of the current year budget, and shall contain for the current year budget all elements of the multiyear plan listed in paragraph (4) of this section.

(3) "Gap-closing action" means any action designed to eliminate the budget gap. Gap-closing actions include, increases in current revenue bases and rates; new taxes, fees, charges, fines, and penalties; expenditure reductions associated with lower service levels; and productivity improvements that yield expenditure reductions without a decrease in service levels. Gap-closing actions must be proposed in the fiscal year prior to their implementation.

(4) "Multiyear plan" means the costs and funding of services in the District over a 4-year period and shall be based on the actual experience of the immediately preceding 3 fiscal years, on the approved current fiscal year budget, and on estimates for at least the 4 succeeding fiscal years. Pursuant to section 443 of the District of Columbia Self-Government and Governmental Reorganization Act, the multiyear plan shall include provisions identifying:

(A) Future cost implications of maintaining programs at currently authorized levels, including anticipated changes in wage, salary, and benefit levels;

(B) Future cost implications of all capital projects for which funds have already been authorized, including identification of the amount of already appropriated but unexpended capital project funds;

(C) Future cost implications of new, improved, or expanded programs and capital project commitments proposed for each of the succeeding 4 fiscal years;

(D) The effects of current and proposed capital projects on future operating budget requirements;

(E) Revenues and funds likely to be available from existing revenue sources at current rates or levels;

(F) The specific revenue and tax measures recommended for the forthcoming fiscal year and for the next following fiscal year necessary to balance revenues and expenditures;

(G) The actuarial status and anticipated costs and revenues of retirement systems covering District employees; and

(H) Total debt service payments in each fiscal year in which debt service payments must be made for all bonds which have been or will be issued, and all loans from the United States Treasury which have been or will be received, to finance the total cost on a full funding basis of all projects listed in the capital improvements plan prepared under section 444 of the District of Columbia Self-Government and Governmental Reorganization Act; and for each such fiscal year, the percentage relationship of the total debt service payments (with payments for issued and proposed bonds and loans from the United States Treasury, received or proposed, separately identified) to the bonding limitation for the current and forthcoming fiscal year as specified in section 603(b) of the District of Columbia Self-Government and Governmental Reorganization Act.

(5) "Multiyear plan modification" means a reexamination of all major elements of the multiyear plan, and shall contain all elements of the multiyear plan listed in paragraph (4) of this section.

Sec. 3. In the annual budget submission, the Mayor shall provide the Council with an agency-by-agency accounting of expenditures for all years of the multiyear plan and multiyear plan modifications submitted with the Mayor's annual budget and budget modifications. This accounting shall be of agency expenditures at the agency level, with such additional detail as the Council may request. New Section 47-318.1

Sec. 4. (a) The Mayor shall provide the Council with both a budget request and a multiyear plan no earlier than February 1 and no later than February 8 of each calendar year commencing with 1994. New Section 47-318.2

(b) The Mayor shall provide the Council with both a budget modification and a multiyear plan modification 3 times each fiscal year: the first set no earlier than June 1 and no later than June 15, the second set no earlier than November 8 and no later than November 15, and the third set no earlier than February 1 and no later than February 8.

(c) The Council shall adopt each of the budget and multiyear plan modifications no more than 28 days after official submission to the Council. Any modification on which the Council does not act within 28 days shall be deemed approved.

(d) Notwithstanding subsection (b) of this section, for fiscal year 1994, the Mayor shall provide the Council with the first budget modification and first multiyear plan no earlier than November 8 and no later than November 15.

Sec. 5. (a) In the annual budget request, the Mayor shall provide the Council with all gap-closing actions for the upcoming fiscal year budget. Gap-closing actions include increases in current revenue bases and rates; new taxes, fees, charges, fines, forfeitures, and penalties; expenditure reductions associated with lower service levels; and New Section 47-318.3

productivity improvements that yield expenditure reductions without a decrease in service levels.

(b) If the Council rejects gap-closing actions of the Mayor either in the annual budget request or any budget modification, it must substitute 1 or more of its own gap-closing actions to make up the amount of the rejected gap-closing actions.

(c) Within 30 days after the end of each month, the Mayor shall provide the Council with a progress report on those gap-closing actions that the Council designates for monitoring.

(d) The Mayor or Mayor's designee(s) shall appear before a hearing of the Committee of the Whole every 2 months to respond to questions regarding gap-closing actions.

(e) The Mayor shall replace, in the Mayor's budget modification submission, any gap-closing actions that the Council determines to be in serious danger of failure with gap-closing actions more likely to occur. However, the Mayor may not replace gap-closing actions approved by the Council in any budget adoption process merely because the Mayor does not support such actions.

(f) If the Mayor determines that the budget gap has increased from the submission of the Mayor's budget request to the submission of the 1st budget modification, or from the submission of 1 budget modification to the submission of another, the Mayor must increase the aggregate dollar value of the gap-closing actions to cover the difference. If the Mayor determines that the budget gap has decreased from the submission of the Mayor's budget request to the submission of the 1st budget modification, or from the submission of 1 budget modification to the submission of another, the Mayor may decrease the aggregate dollar value of the gap-closing actions to eliminate the difference.

Sec. 6. The Mayor shall submit to the Council, no later than October 8, 1993, all explicit actions necessary to close the FY 1994 budget gap previously identified by the Mayor, as well as the dollar value of each action. New Section
47-318.4

Sec. 7. The Mayor shall submit to the Council, beginning October 1, 1993, and every month thereafter, monthly consolidated cash flow statements in the same format as currently prepared by the Office of the D.C. Treasurer, except that the statement submitted to the Council shall contain an explanation of all changes in cash flows that have occurred since the previous month's report. New Section
47-318.5

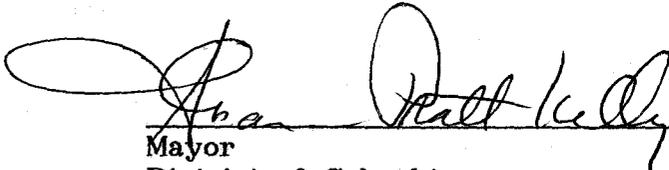
Sec. 8. Sections 2 through 7 shall apply as of September 1, 1993.

Sec. 9. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of a 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 § 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.



Acting Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: October 6, 1993



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TEN

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 10-117

[X] Item on Consent Calendar

[X] ACTION & DATE: Adopted First Reading, 7-21-93

[X] VOICE VOTE: Approved

Recorded vote on request

Absent: all present

[] ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

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

CERTIFICATION RECORD

[Signature] Secretary to the Council

September 23, 1993 Date

[X] Item on Consent Calendar

[X] ACTION & DATE: Adopted Final Reading, 9-21-93

[X] VOICE VOTE: Approved

Recorded vote on request

Absent: Barry and Evans

[] ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

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

CERTIFICATION RECORD

[Signature] Secretary to the Council

September 23, 1993 Date

[] Item on Consent Calendar

[] ACTION & DATE:

[] VOICE VOTE:

Recorded vote on request

Absent:

[] ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

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

CERTIFICATION RECORD

Secretary to the Council

Date