

COUNCIL OF THE DISTRICT OF COLUMBIA

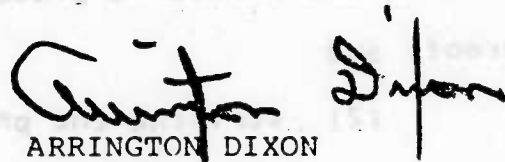
NOTICE

D.C. LAW 4-35

"District of Columbia Statehood Constitutional Convention Amendment Act of 1981".

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. 4-229 on first and second readings, June 16, 1981 and June 30, 1981, respectively. Following the signature of the Mayor on July 20, 1981, this legislation was assigned Act No. 4-62, published in the July 31, 1981 edition of the D.C. Register, (Vol. 28 page 3376) and transmitted to Congress on July 23, 1981 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 4-35, effective October 8, 1981.

  
ARRINGTON DIXON  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 23,24,27,28,29,30,31

August 3,4

September 9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30

October 1,2,5,6,7

D.C. LAW 4-35  
EFFECTIVE DATE OCT 08 1981

AN ACT  
D.C. ACT 4-62

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 20 1981

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To amend the District of Columbia Statehood Constitutional Convention Initiative of 1979 by eliminating certain ambiguities and inconsistencies, and for other purposes.

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

That this act may be cited as the "District of Columbia Statehood Constitutional Convention Amendment Act of 1981".

Sec. 2. The District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-111 et seq.) is amended as follows:

(a) Section 2 (D.C. Code, sec. 1-111) is amended by:

(1) striking the phrase "a process for that" and inserting the phrase "a process for a major" in lieu thereof; and

(2) striking the phrase "as specified below";

(b) Section 3 (D.C. Code, sec. 1-112) is amended to read as follows:

"For the purpose of this initiative, the District of Columbia Board of Elections and Ethics is authorized and directed to conduct at the next scheduled general, special,

CODIFICATION  
D.C. Code,  
sec. 1-111  
(1973 ed.)

D.C. Code,  
sec. 1-112  
(1973 ed.)

or primary election held after the effective date of this initiative an election to fill the positions of delegate at-large and ward delegate to the Constitutional Convention, as prescribed in section 5 of this initiative.";

(c) Section 4 (D.C. Code, sec. 1-113) is amended as follows:

D.C. Code,  
sec. 1-113  
(1973 ed.)

(1) Subsection (a) is amended as follows:

(A) The first sentence is amended by striking the phrase "that the proposition referred to in the first section of this initiative has been ratified" and inserting the phrase "the election of at-large and ward delegates to the constitutional convention pursuant to section 5 of this initiative" in lieu thereof and

(B) The second sentence is amended by (i) inserting immediately following the phrase "a constitution" the phrase "within ninety (90) days" and (ii) inserting immediately following the phrase "the admission of" the phrase "a major portion of";

(2) Subsection (b) is amended as follows:

(A) By striking the phrase "one hundred and twenty (120)" and inserting the phrase "sixty (60)" in lieu thereof;

(B) By striking the phrase "and appropriate";

(C) By striking the phrase "adoption or rejection," and inserting the phrase "adoption or rejection" in lieu thereof;

(D) By striking the word "District" and inserting the phrase "new state" in lieu thereof; and

(E) By striking the phrase "District of Columbia" and inserting the phrase "new state" in lieu thereof.

(3) Subsection (c) is amended as follows:

(A) By striking the word "immediately" and inserting the phrase "within sixty (60) calendar days" in lieu thereof;

(B) By inserting immediately following the phrase "of the District of Columbia" the proviso "EXCEPT, That if the proposed constitution of a second constitutional convention is rejected by the registered qualified electors, then the task of writing a constitution acceptable to the electorate shall be abandoned until such time as a new constitutional convention is called for by either legislative action or voter initiative."; and

(C) By striking the phrase "District of Columbia" and inserting the phrase "new state" in lieu thereof.

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(d) Section 5 (D.C. Code, sec. 1-114) is amended as follows:

D.C. Code,  
sec. 1-114  
(1973 ed.)

(1) subsection (b) is amended by striking the second sentence and inserting the following sentence "The five (5) candidates for at-large delegate who receive the highest number of votes shall be declared elected and shall serve for three year terms." in lieu thereof;

(2) subsection (c) is amended as follows:

(A) The second sentence is amended by striking the phrase "in succeeding order will be declared the winners" and inserting the phrase "shall be declared elected to represent that ward and shall serve for three (3) year terms" in lieu thereof and

(B) By striking the last sentence;

(3) subsection (e) is amended to read as follows:

"(1) Except as they may be modified by this section, the election procedures prescribed by section 8 of the District of Columbia Election Act, approved August 12, 1955 (69 Stat. 701; D.C. Code, sec. 1-1108) for at-large and ward candidates for the Board of Education shall be applicable in respect to at-large and ward candidates for delegate to the Constitutional Convention.

"(2) Each candidate for delegate and each delegate to the Constitutional Convention shall be a

registered qualified voting resident of the District of Columbia and the discontinuance of such residence shall result in forfeiture of the convention seat occupied by such delegate. Each candidate for delegate and each delegate representing a ward shall be a registered qualified voting resident of that ward and the discontinuance of such residence in that ward shall result in forfeiture of the convention seat occupied by such ward delegate. No ward delegate shall forfeit his or her seat solely by reason of a change in ward boundaries.

"(3) A vacancy in the convention arising from any cause shall be filled temporarily by the convention and such temporary appointee may serve for the remainder of the three year term or until such earlier time as the seat has been filled by an election which shall be held by the Board of Elections and Ethics in accordance with its regulations concurrently with the earliest practicable special, primary, or general election being held to fill one or more offices other than that of convention delegate.";

(e) Section 6(b) (D.C. Code, sec. 1-115(b)) is amended by striking the phrase "and the federal level." and inserting the phrase "of Columbia and elsewhere.";

D.C. Code,  
sec. 1-115  
(1973 ed.)

(f) Section 7 (D.C. Code, sec. 1-116) is amended by striking subsection (b)(4); and

D.C. Code,  
sec. 1-116  
(1973 ed.)

(q) Section 8 (D.C. Code, sec. 1-117) is amended as follows:

D.C. Code,  
sec. 1-117  
(1973 ed.)

(1) At the beginning of the section strike the word "The" and insert the phrase "There is authorized to be appropriated from the general fund of the" in lieu thereof;

(2) Strike the phrase "Government shall accept the full responsibility of its" and insert the phrase "an amount for the salaries and office expenses of the" in lieu thereof;

(3) Immediately following the phrase "elected representatives" insert the phrase "to the Senate and House referred to in section 4(b)"; and

(4) Strike the phrase "their term of office as members of Congress in accordance with the standards of the United States Congress (Congressional staffing and budget)" and insert the phrase "the period of their service prior to the admission of the proposed new state into the Union" in lieu thereof.

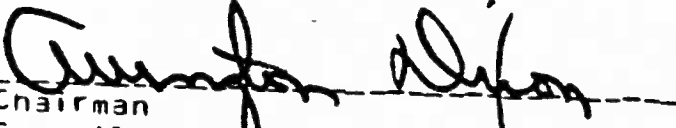
Sec. 3. Section 5(a)(13) of the District of Columbia Election Act, approved August 12, 1955 (69 Stat. 700; D.C. Code, sec. 1-1105(a)(13)) is amended to read as follows:

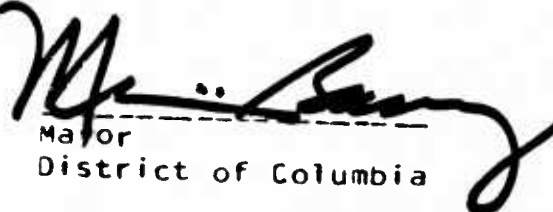
D.C. Code,  
sec. 1-1105  
(1973 ed.)

"(13) issue such regulations and expressly delegate authority to officials and employees of the Board (such delegations of authority only to be effective upon

publication in the District of Columbia Register) as are necessary to carry out the purposes of this Act, the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 447; D.C. Code, sec. 1-1121 et seq.), and related acts requiring implementation by the Board."

Sec. 4. This act shall take effect after a thirty (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. 1-147(c)(1)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia

APPROVED: July 20, 1981





COUNCIL OF THE DISTRICT OF COLUMBIA  
Council Period Four  
First Session

DOCKET NO: B 4-229

Item on Consent Calendar

ACTION: Adopted First Reading, 6/16/81

VOICE VOTE: Unanimous

Absent: Ray and Wilson

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.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

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

CERTIFICATION OF RECORD

*John P. Beatty*  
Secretary to the Council

7/9/81  
Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 6/30/81

VOICE VOTE: Unanimous

Absent: Ray 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.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

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

CERTIFICATION OF RECORD

*John P. Beatty*  
Secretary to the Council

7/9/81  
Date

Item on Consent Calendar

ACTION: \_\_\_\_\_

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.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

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

CERTIFICATION OF RECORD