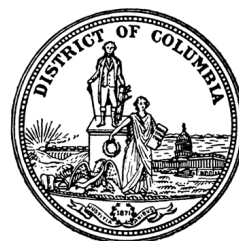


LEGISLATIVE HANDBOOK

COUNCIL PERIOD 23

Your Guide to Getting it Done!

Office of the Secretary
Nyasha Smith, Secretary



I. Introduction

The Legislative Handbook is designed to assist committee directors, legislative staff and other interested parties navigate the Council's legislative procedure. Rules of Organization and Procedure adopted each Council Period provide the blueprint for each step of the legislative process. In addition, Council Rules outline the legislative process for citizens and build in opportunities for public advocacy. Thus, Council Rules greatly increase the independence, accessibility and accountability of the Council.

The Handbook highlights most commonly used processes and procedures. It explains how to get legislation on the agenda of a Legislative Meeting through the normal committee process. It also outlines filing requirements and deadlines for introduction of legislation, committee reports, notices of public hearings, and emergency legislation.

To support your legal research, several tools are available. The D.C. Code is accessible via the Council's web site. LEXIS, an on-line legal research database, can be accessed with a special code assigned to your office. Congressional legislation that may impact the District can be viewed on

www.congress.gov. The Council is a member of the National Conference of State Legislatures, and documents on legislative initiatives and policies considered by other states can be viewed on www.ncsl.org.

The Handbook is meant to enhance your knowledge of and ability to follow Council Rules. It is not a substitute for reading and adhering to the Rules. A copy of the Rules is included for your convenience and can be accessed on the Council's Legislative Information Management System ("LIMS") [here](#). Finally, the Handbook describes appropriate staff decorum on the dais during a Legislative Meeting.

The Handbook will be updated periodically, and suggestions from you are encouraged and welcomed; please email Nyasha Smith, Secretary to the Council at nsmith@dccouncil.us.

The Office of the Secretary's business hours are Monday through Friday from 9:00 a.m. to 5:30 p.m.

II. Filing Requirements

Council Rules set deadlines for legislative actions to establish certainty in the legislative process and to allow adequate notice to Members and the public.

The term “*file*” as used in this, or any related communication, means that when a Councilmember is required to file a document with or provide notice to the Secretary, the Councilmember must timely deliver a hard copy of the document or notice to the Office of the Secretary. Additionally, an electronic version in Word format of the filed document must be saved on the Council’s intranet (“Sterling”) under the name of the member. A measure is not considered “filed” until the electronic copy is available on Sterling. Further, no measure may be noticed for a hearing or roundtable, or added to an agenda for Council consideration, unless a Word copy has been uploaded to Sterling. (*Rule 282*)

The term “*circulate*” as used in this, or any related communication, means that any document that is required to be circulated for purposes of providing notice must be distributed electronically to all Members and staff, except that any Councilmember may elect to receive hard copies instead. Chairman Mendelson has elected to receive hard copies. (*Rule 283*)

Both filing and circulating is necessary to satisfy notice requirements provided by the Rules. One without the other by the stated deadline does not satisfy the requirements of the Rules and will be considered incomplete.

1. Legislation and Related Documents

Introduction of a Bill or Proposed Resolution

Only members of the Council may introduce legislation for consideration by the Council. (*Rule 401(a)(1)*) Proposed legislation transmitted by the Executive can only be introduced by the Chairman in the Office of the Secretary. Members cannot introduce such legislation on the dais at a Legislative Meeting or a Committee of the Whole work session. (*Rule 401(b)(1)*)

All introduced bills and proposed resolutions must be typed with the introducing Member(s)’ signature in blue or black ink and must be accompanied by a filing sheet that is either typed or legibility handwritten. (*Rules 401(b)(5) and 402*) All co-introducer(s)’ names and signatures must also be on the legislation as filed. If there are multiple introducers of a measure, the primary mover is indicated by the Member’s name on

the top right-hand corner of the signature block.

A bill or proposed resolution may be introduced by a Member either from the dais at a Legislative Meeting or Committee of the Whole work session, or by filing in the Office of the Secretary during normal business hours. *(Rule 402(a))*

If a Member elects to introduce legislation in the Office of the Secretary, the Member must file an original document with a filing sheet. If a bill or proposed resolution is introduced from the dais at a Legislative Meeting or Committee of the Whole work session, the Member must file with the Secretary an original document with a filing sheet and provide 20 copies for circulation on the dais.

At the time of introduction, the measure as introduced must be placed on Sterling in original electronic format (i.e. MS Word) and PDF to allow public review on the Council's website. *(Rules 282(b) and 401(a)(2))*

If a bill or proposed resolution is introduced during a Legislative Meeting or Committee of the Whole work session, the Chairman may make the official referral at that time. If the Chairman makes a provisional referral, the referral will be official at the end of 3 business days, unless the Chairman re-refers the measure.

(Rule 405(a)) If a bill or proposed resolution is filed in the Office of the Secretary, it will be placed on the Secretary's Log of Introductions for consideration at the next meeting where it will be officially referred by the Chairman. *(Rule 405(b))*

The filing deadline for legislation to be included on the Secretary's Report of Introductions for a Committee of the Whole Work Session or Legislative Meeting is by 10:00 a.m. on the business day preceding the meeting. *(Rule 404(a))*

A committee cannot consider a measure unless it has been officially referred by the Chairman. *(Rule 405(e))*

Co-Sponsorship

Co-sponsorship of a bill or proposed resolution may be indicated on the record at the meeting when it is introduced. If not so indicated on the record, a notice of co-sponsorship of a bill or proposed resolution must be filed in the Office of the Secretary by the close of business the day after the Legislative Meeting or the Committee of the Whole Work Session at which the measure was officially referred. *(Rule 802(b))*

Expedited Consideration by the Council

Council Rules require at least 15 days' notice to the public in the *D.C. Register* before Council adoption of a proposed bill or resolution, except for emergency measures, ceremonial resolutions, or internal Council resolutions. (*Rule 421(a)(1)*) Less than 15 days' notice may be given by publication in the *D.C. Register* provided that good cause is demonstrated and an explanation of the circumstances requiring expedited Council consideration is published in the *Register* with the notice. (*Rule 421(a)(2)*) A hard copy of an abbreviated notice must be filed in the Office of the Secretary by close of business on Tuesdays for inclusion in the *D.C. Register* published on Friday of that week.

Amendments

Amendments to legislation ripe for Council consideration may be moved by a Member by either filing an amendment in the Office of the Secretary or from the dais at a Legislative Meeting.

If a Member files an amendment in hard copy in the Office of the Secretary by noon on the business day before a Legislative Meeting, the Office of the Secretary shall provide copies to the Members at the Legislative Meeting at which the

amendment is to be considered. (*Rules 353 (a) and (b)*)

If a Member does not file an amendment in the Office of the Secretary prior to the Legislative Meeting, the Member must provide 20 copies of the amendment for circulation at the Legislative Meeting and file an original with a filing sheet with the Secretary. Amendments must be filed in the Office of the Secretary within 24 hours of a Legislative Meeting. (*Rule 353(c)*)

Should a Member choose to move an Amendment in the Nature of a Substitute, a notice of an intent to so move and the final Amendment in the Nature of a Substitute (i.e. a redlined version) must be filed in hard copy in the Office of the Secretary and circulated by noon on the business day before a Legislative Meeting. (*Rule 356(a)*) The filed notice must explain the rationale and reasoning for the amendment. (*Rule 356(a)*)

All amendments require a fiscal impact statement and a legal sufficiency determination in order to be considered at a Legislative Meeting. (*Rules 353(e) and (f)*)

Requests for the above assessments must be made at least 48 hours before the Legislative Meeting at which the measure is to be considered. (*Rules 309(d) and 310(b)*)

Introduction of Emergency Legislation

Council Rule 412(b) defines an “emergency” as a situation that adversely affects the health, safety, welfare, or economic well-being of a person for which legislative relief is deemed appropriate and necessary by the Council, and for which adherence to the ordinary legislative process would result in delay that would adversely affect the person whom the legislation is intended to protect.

If nine Members approve an emergency declaration and determine that emergency circumstances exist, the Council shall consider an emergency bill or proposed resolution.

A member may file emergency legislation either at a Legislative Meeting at which the measure is being considered or by filing in the Office of the Secretary by close of business on the day immediately preceding the Legislative Meeting at which the measure is to be considered. All filing rules for permanent bills and resolutions apply.

The Executive may file emergency legislation at any time. Emergency contract approval legislation to be considered at the next immediately scheduled Legislative Meeting must be filed in the Office of the Secretary no later than close of business on the fourth business day before the meeting at which approval is sought. (*Rule*

401(b)(2)(A)) All other emergency legislation to be considered at the next immediately scheduled Legislative Meeting must be filed in the Office of the Secretary no later than noon on the second business day before the meeting at which approval is sought. (*Rule 401(b)(2)(B)*)

All emergency measures must be accompanied by a legal sufficiency statement and a fiscal impact statement prior to Council consideration and approval. (*Rules 412(d) and (e)*) Requests for the above assessments must be made at least 48 hours before the Legislative Meeting at which the measure is to be considered. (*Rules 309(d) and 310(b)*)

To assist in your preparation, a report on the status of emergency and temporary legislation is circulated by the Secretary by the fourth business day before a regularly scheduled Legislative Meeting.

Introduction of Ceremonial Resolutions

To be placed on the agenda, a signed ceremonial resolution must be filed in the Office of the Secretary and circulated to Members and staff by noon of the day before the Legislative Meeting. (*Rule 427*)

A ceremonial resolution must first be adopted by the Council at a Legislative Meeting before a formal

presentation from the well of the Chamber can be requested. (*Rule 338(a)(1)*). For presentation of a ceremonial a framed version of an adopted ceremonial resolution may be obtained from the Information Services Division (ISD). To request a copy of a ceremonial resolution for presentation, please contact ISD directly with the date required and the location of the measure on Sterling.

During a Council Period, each Member is permitted to present up to 8 ceremonial resolutions for a cumulative total of 30 minutes. (*Rule 338(b)*) Adopted ceremonial resolutions scheduled to be presented at a Legislative Meeting may be presented at a Committee of the Whole meeting immediately preceding the Legislative Meeting on the same day. (*Rule 338(a)(2)*)

Committee Reports

Following the official close of the record on a measure, a committee may consider the measure at a properly noticed committee meeting (i.e. mark-up). (*Rule 532*) Each bill or proposed resolution voted out of committee must be accompanied by a signed committee report dated for the date of mark-up and written in the order and format outlined in Rule 803. Each report must be accompanied by a fiscal impact statement and legal sufficiency determination that was moved with

the report at time of committee consideration. (*Rules 803 (g) and (h)*)

A committee report must be filed in the Office of the Secretary within 20 business days of committee action. (*Rule 803(i)*)

Each bill or proposed resolution voted out of committee must be cleared by the Committee of the Whole to certify its fitness for consideration by the Council at a Legislative Meeting. For the bill or proposed resolution to be automatically placed on the agenda of a Committee of the Whole work session, the committee report must be filed in the Office of the Secretary by close of business the Wednesday before a regularly scheduled work session.

Hearing Records

A hearing record for every proceeding must be filed in the Office of the Secretary within 20 business days after the close of the record. Rule 531(a) specifies the required documents that comprise a hearing record.

2. Notices of Proceedings

Council Rules require the Secretary to distribute to each Member a copy of hearing and roundtable notices and provide notice to the public. All notices of meetings and hearings or roundtables must be hard-copy filed, with a filing sheet, in the Office of the Secretary for circulation to Members and staff and publication in the *D.C. Register*. (Rules 501(d), 430(a))

Public Hearing Notice

All permanent bills require a public hearing prior to final adoption by the Council. (Rule 501(a)(2)) A hearing may be held on a proposed resolution provided the notice meets the filing requirements for hearings.

To hold a hearing, committee staff must first reserve a hearing room and then hard-copy file a hearing notice with the Office of the Secretary. A hearing notice must be published in the *D.C. Register* at least 15 days prior to the hearing date. (Rule 421(b))

Hearing notices must be filed in hard copy in the Office of the Secretary by 4p.m. on Tuesday to be included in that week's Register which is published on Friday. A bill or proposed resolution must be officially referred before a committee can consider a measure. (Rule 405(e))

Abbreviated Public Hearing Notice

A committee may schedule a public hearing with less than 15 days publication in the *D.C. Register* by hard-copy filing an abbreviated hearing notice in the Office of the Secretary. The abbreviated hearing notice must be published in the *D.C. Register* prior to conducting the hearing. (Rule 421(b)) The abbreviated hearing notice must include a reason for abbreviated consideration and must comply with Rule 421(c), which provides that an abbreviated notice must meet one of the following requirements:

(1) For a hearing on a permanent bill for the purpose of rescheduling the hearing when the hearing was previously noticed in the Register;

(2) For a hearing on a resolution, when a hearing is required, upon good cause found and published in the Register with the notice, and when the abbreviated notice provides at least 3 business days' notice;

(3) For an oversight or investigative hearing, when such notice is posted on the Council website or published in the Register;

(4) For a hearing that was scheduled on a day when there is an unscheduled closing of the government and when the abbreviated notice

provides at least 3 business days' notice; or

(5) For a hearing on any matter on which a notice has been filed to add any item that does not otherwise require a hearing and when the abbreviated notice provides at least 3 business days' notice.

An abbreviated hearing notice must be filed in the Office of the Secretary by 4p.m. on Tuesdays to be included in the *D.C. Register* published on Friday of that week.

Public Roundtable Notice

To hold a roundtable, committee staff must first reserve a hearing room and then hard-copy file a roundtable notice with the Office of the Secretary. A public roundtable may be held on a proposed resolution. (*Rule 501(c)*)

A hard copy roundtable notice must be filed in the Office of the Secretary at least 24 hours in advance of a public roundtable. (*Rule 421(d)*) The 24-hour count begins immediately on the first business hour after the notice is filed. (*Rule 281(a)(2)*)

Public Oversight Hearing and Public Oversight Roundtable Notice

A committee may schedule a public oversight hearing or public oversight

roundtable to conduct oversight on agency operations, performance measures, spending or any matter relating to the affairs of the District that is properly within the committee's jurisdiction. The notice requirement for a public oversight hearing is the same as for a public hearing. The notice requirement for a public oversight roundtable is the same as for a public roundtable.

Committee Meetings

To hold a regularly scheduled committee meeting, committee staff must file a meeting notice with the Office of the Secretary. To hold an additional committee meeting, committee staff must first reserve a 1st floor hearing room and then hard-copy file a roundtable notice with the Office of the Secretary.

A notice of a regularly scheduled or additional committee meeting must be filed in the Office of the Secretary and circulated at least 24 hours before a meeting. The notice of a meeting must provide information about the meeting and must be accompanied by an agenda and draft measures. (*Rule 430*)

The 24-hour count begins immediately on the first business hour after the notice is filed. (*Rule 281(a)(2)*)

Electronic circulation to Members and staff of a committee meeting notice

pursuant to this rule is permissible, except that hard copies must be delivered to the Office of the Secretary and Chairman Mendelson.

Cancelling a hearing, roundtable or committee meeting

Cancellation notices must be filed in the Office of the Secretary and circulated to Members and staff at least 24 hours before the scheduled proceeding, unless the reason for cancellation precludes notice. (*Rules 501(e), 430(c)*)

III. Getting a Measure on the Agenda of a Legislative Meeting

Council Rules outline procedures to follow to get a bill or proposed resolution on the agenda of a Legislative Meeting after the committee takes action. The normal process is that after the committee mark-up of a measure, a committee report must be filed in the Office of the Secretary within 20 business days. A Log of Committee Filings is prepared by the Office of the Secretary from which the agenda of the next regularly scheduled Committee of the Whole work session is developed. At the Committee of the Whole, the measure is certified for the agenda of the next regularly scheduled Legislative Meeting.

In addition, Council Rules outline other procedures to bring a measure before the full Council for action. The various ways of getting a bill or proposed resolution on the agenda of a Legislative Meeting are described below.

1. Cleared by the Committee of the Whole

The Committee of the Whole establishes the agenda for a Legislative Meeting two weeks in advance. Council Rule 231(c) requires that each bill or proposed resolution reported by committees be reviewed by the Committee of the Whole to certify its legal and technical sufficiency, consistency with the approved budget, and record completeness.

After a committee marks up a bill or proposed resolution, a signed committee report, written in the order and format outlined in Rule 803, must be filed in the Office of the Secretary within 20 business days of committee action. The Committee of the Whole will place the measure on the agenda of the next work session provided the report on the measure is filed in the Office of the Secretary by close of business on the Wednesday before a regularly scheduled work session. (See COW Rule 403(b)).

2. Waiver of Council Rule 231(c) for bills or proposed resolutions at a Legislative Meeting

If circumstances require expedited action by the Council on a bill or

proposed resolution, a committee chairperson may request to bypass the Committee of the Whole. During a Legislative Meeting by a vote of 2/3rds of the Members present and voting, the Council may waive the Committee of the Whole review and consider a bill or proposed resolution voted out by the committee. (*Rule 426(d)*)

To provide advance notice to the Members and public, and to allow the review required by Council Rule 231(c), a written request to waive the rule and to add the measure to the agenda of a Legislative Meeting must be filed in the Office of the Secretary. An explanation of the circumstances requiring the waiver must be included in the request. (*Rule 426(a)*) A report on the measure must have been filed in the Office of the Secretary at the time of the waiver request. (*Rule 426(b)*). The waiver request must be filed in the Office of the Secretary and circulated to Members and staff by noon of the third business day preceding a Legislative Meeting. (*Rule 426(a)*). Electronic circulation to Members and staff is permissible, except that hard copies must be delivered to the Office of the Secretary and Chairman Mendelson.

3. Expedited consideration of a proposed resolution pursuant to Council Rule 339 at a Legislative Meeting

Council Rule 339 allows an expedited procedure for placing a proposed resolution that has not been considered by the Committee of the Whole onto the non-consent agenda of a Legislative Meeting. Proper utilization of this rule can avoid the need for emergency legislation. This Rule applies to the following proposed resolutions:

- (1) Revenue bond resolutions; or
- (2) Resolutions regarding reprogramming requests, rules, regulations, confirmations, and other actions that meet the following conditions:
 - a. Proposed for promulgation or adoption by an entity other than the Council;
 - b. Required by law to be approved, disapproved or reviewed by the Council prior to taking effect; *and/or*
 - c. The proposed resolution will take effect after a set period of time by operation of law.

Examples of resolutions covered by this Rule are confirmations to certain boards and commissions, revenue

bonds, rulemakings, and disposition of property.

A written request pursuant to this rule and a committee report on the proposed resolution must be filed in the Office of the Secretary before noon of the third business day preceding a Legislative Meeting. (*Rule 339(c)*). Electronic circulation to Members and staff of a request pursuant to this rule is permissible, except that hard copies must be delivered to the Office of the Secretary, Chairman Mendelson.

4. Use of Emergency Legislation

Council Rule 412 provides for the use of emergency legislation. If nine Members approve an emergency declaration and determine that emergency circumstances exist, the Council shall consider an emergency bill or proposed resolution.

Written notice of an intent to place an emergency measure on the agenda of a Legislative Meeting must be given by noon on the third day before a Legislative Meeting unless extraordinary circumstances prevent timely notice (*Rule 424(a)*).

The notice must include an explanation of the circumstances that require Council consideration of emergency legislation and the

intended effect of the legislation. (*Rule 424(a)*). The notice must also state whether a temporary bill is required and must include the title of the proposed emergency legislation.

A hard copy of the notice and drafts of the emergency declaration and emergency measure (and temporary measure, if necessary, see *Rule 413*) must be filed in the Office of the Secretary and circulated to the Members and staff by noon of the third business day before a Legislative Meeting. (*Rule 424*) If extraordinary circumstances require expedited Council consideration, an emergency measure may be placed on the agenda with shorter notice. (*Rule 424(a)*)

The Executive may request that a Member move emergency legislation for Council consideration and approval. If a Member agrees, all notice requirements for emergency action is required to be met for the measure to be considered at a Legislative Meeting. (*See Rules 412, 413, 424*)

Electronic circulation of an emergency notice request pursuant to this Rule is permissible, except that hard copies must be delivered to the Office of the Secretary and Chairman Mendelson.

5. Motion to Discharge

Council Rule 357 describes the discharge procedure. This rule is rarely used because a discharge bypasses committee action and review by the Committee of the Whole. A bill or proposed resolution pending in committee may be considered by the Council at a Legislative Meeting if a motion to discharge the measure from the committee is approved by a vote of 2/3rds of the Members present and voting. If the motion is approved, the Council shall consider the introduced version of the bill or proposed resolution or reassign it to another committee. The measure may be amended during consideration. A motion to discharge may be placed on the agenda by a written request to the Chairman and notice to the Members and staff. Electronic circulation to Members and staff of a request pursuant to this rule is permissible, except that hard copies must be delivered to the Office of the Secretary and Chairman Mendelson.

IV. Council review of contracts

Prior to award, all District contracts in excess of \$1 million during a 12-month period or multiyear contracts are required to be transmitted by the Executive to the Council for review and approval. (*D.C. Official Code § 1-204.51 and Rule 307*) The Executive transmits a hard copy of a contract package to the Office of the Secretary for introduction by the Chairman at the request of the Mayor (or independent agency).

Contracts are “Retained” by the Council, often with comments by one or more committees with jurisdiction over the subject matter, however they are not referred to a Committee for action. Transmittals are added to the Log of Introductions and circulated electronically to the Members and staff within one business day.

District law (D.C. Official Code § 2-352.02) requires the submission of a contract summary along with the contract that is submitted for Council review, including, but not limited to the following information (*please see § 2-352.02(c) for complete list*):

- The proposed contractor, contract amount, unit and method of compensation, contract term, and type of contract;
- The goods or services to be provided, the methods of delivering goods or services, and any significant program changes reflected in the proposed contract;
- The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price and technical components;
- The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and prior performance on contracts with the District government;
- A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget;
- A certification that the proposed contract is legally sufficient, including whether the proposed contractor has any currently pending legal claims against the District;
- A certification that the proposed contractor is current with its District and federal taxes or has worked out and is current with a payment schedule approved by the District or federal government.

Contracts over \$1M in 12-month period

A proposed contract in excess of \$1M during a 12-month period is submitted for a 10-calendar-day period of review. (*D.C. Official Code § 1-204.51(b)*) The period of review begins the first business day after it is received in the Office of the Secretary. (*Rule 307(b)*)

The proposed contract shall be deemed approved by the Council at the end of the 10-calendar-day period if no resolution to approve or disapprove the proposed contract is introduced.

A resolution to approve or disapprove a proposed contract must be introduced by at least 3 councilmembers and filed in hard copy in the Office of the Secretary during the 10-calendar-day period of review. (*Rule 307(d)*) If a resolution to approve or disapprove a contract is timely filed, the review period is automatically extended by an additional 35-calendar days; thereby permitting a 45-calendar-day period of Council review.

If a resolution to approve or disapprove a contract has been filed in the Office of the Secretary, 15 days publication notice in the *D.C. Register* must be given to the public before Council action. (*Rule 421(a)*) The Council must vote on the resolution before the 45-calendar-day period ends, otherwise the contract will be

deemed approved on the 46th day after it was introduced.

If a resolution approving or disapproving a contract is withdrawn after the initial 10-calendar-day period has elapsed, the proposed contract shall be deemed approved on the date the resolution is withdrawn. (*Rule 407(c)*)

Multiyear contracts

A proposed multiyear contract for goods and services is submitted to the Council for a 45-calendar-day period of review. (*D.C. Official Code § 1-204.51(c)*) The period of review begins the first business day after it is received in the Office of the Secretary. (*Rule 307(b)*) Submitted with the proposed multiyear contract is an approval resolution. The approval resolution must be published in the *D.C. Register* for at least 15 days before Council action. (*Rule 421(a)*)

A proposed multiyear contract shall be deemed disapproved by the Council unless during the review period the Council votes and adopts a resolution to approve the multiyear contract.

Retroactive contracts

Prior to award, all District contracts in excess of \$1 million during a 12-month period or multiyear contracts are required to be transmitted by the

Executive to the Council for review and approval. (*D.C. Official Code § 1-204.51(b)*) Sometimes proposed contracts are not transmitted to the Council for review and approval prior to award and/or receipt of goods and services. In those instances, because Council review and approval is still required, the Council must ratify the retroactive contract.

The Executive transmits retroactive contracts as emergency legislation – in the form of an emergency declaration resolution and an emergency act. The Executive must transmit to the Office of the Secretary emergency contract approval legislation by close of business on the fourth business day prior to a Legislative Meeting for consideration at that meeting. (*Rule 401(b)(2)(A)*) The Executive must also secure a mover for such legislation. If a Member agrees, all notice requirements for emergency action is required to be met for the measure to be considered at a Legislative Meeting. (*See Rules 412, 413, 424*)

V. Other

1. Recess

Recess means a period of time during which regularly scheduled meetings of the Council are not held. Council Period 23 recesses are during the following periods:

- July 15th through September 15th of each year;
- December 23rd through December 31st of each year;
- April 12 through April 19, 2019 and simultaneous with the DCPS Spring Break in 2020. (*Rule 101(31)*)

No committee may take official action during recess. A bill or proposed resolution may not be introduced during recess. However, an emergency measure, or a resolution approving or disapproving a contract over \$1 million, which is to be considered at an additional or special Legislative Meeting may be introduced during recess. A committee may hold a public hearing or roundtable during recess if authorized by a vote of the Council. A committee report or notice of future committee action may be filed during recess. (*Rule 306*)

2. How to Fill Out a Filing Sheet

All legislation filed in the Office of the Secretary must be filed in hard copy and accompanied by a filing sheet that is either typed or clearly legible, completely filled out and signed. (*Rule 402(e)*)

The date indicated on the filing sheet must be the date in which you are filing the measure.

The short title of the measure in which you are filing is found on the legislation in parenthesis under the - BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act or resolution may be cited as “...”.

You must indicate the name and location legislation can be found on Sterling.

The rest of the form is self-explanatory; you should place a check next to the item indicating what type of measure you are filing.

3. Decorum on the Dais

Council staff sits in the back row on the dais to provide support and assistance to the Members. Because of the limited seating, only one staff person per Member should be seated

on the dais. A staffroom is located to the right of the dais with a television to watch the proceedings.

If you have copies of legislation or amendments to circulate on the dais, bring at least 20 copies. When the Member gives the copies to the staff for circulation, please make sure that the original is on top with a filing sheet attached and properly completed.

Unlike a public hearing or roundtable, staff cannot sit at the dais during a Legislative Meeting. To avoid mishaps, food and drinks are not allowed on the dais.

You should be aware that the meetings are broadcast live on the District Council Channel and staff is often visible. Be conscious of facial expressions, body movements, conversations and use of electronics that distract from the message of the Member speaking.



Office of the Secretary: FILING CHEAT SHEET

HEARING RECORDS

Within **20 business days** after close* of the record for a hearing or roundtable, a committee shall file with the Secretary a hearing record, which shall be a complete record of the hearing or roundtable.

A complete hearing record includes the following:

- the published/or filed notice
- witness list
- copies of written testimony
- statements or other materials submitted for the record
- important correspondence with the Mayor, if applicable;
- other information the committee considers necessary

If new materials are provided to the committee after the close of the record, the committee chairperson may supplement the hearing record. Unless otherwise provided in the hearing notice or stated at the hearing, the record for a hearing or roundtable shall close **10 business days after the hearing or roundtable.*

REPORTS ON LEGISLATION

Each adopted report on a measure shall be:

- **signed** by the Councilmember
- accompanied by the final measure, and
- **dated as of the date of the markup**

Each report shall contain the following information, **in the order listed**:

1. comprehensive section stating the measure's background, need, purpose, and effect. This section shall also include the committee's reasoning, analysis of relevant issues, legislative intent, and, if applicable, guidance on statutory construction

2. chronology of action, including the date:
 - a. of introduction
 - b. that the notice of intent to act on the measure was published in the Register
 - c. **EACH** notice of hearing or roundtable was published in the Register (in the case of notices not published, date filed with OSEC);
 - d. **EACH** hearing or roundtable on the measure; and
 - e. committee meeting at which the measure and report were adopted
3. position of the Executive, if any, on the measure
4. committee's Response to each relevant issue and concern raised in a recommendation adopted by a resolution of an affected Advisory Neighborhood Commission, if any, that has been provided to the committee before the close of the record
5. list of witnesses who testified at the hearing, or who submitted a statement for the record before close of the record, and a brief summary of each witness's position
6. impact on existing provisions of law that the measure would modify or affect
7. summary of the fiscal impact
8. detailed section-by-section analysis of the measure's substantive provisions
9. any additional information the committee decides to include and

10. summary of the committee's mark-up of the measure, including:
 - a. dissenting, separate, and individual views of committee members, if members demanded the opportunity to state their views;
 - b. record of the results of a voice vote or, if a roll-call vote, the votes to adopt the legislation and the motion to adopt the report; and
 - c. any recorded votes on amendments to the measure or other motions

REPORT ATTACHMENTS

Attached to each report, in the following **ORDER**, shall be:

1. measure, as introduced, with Mayor's transmittal letter, if applicable and the Secretary's memorandum of referral
2. any written statements or materials the committee decides to attach
3. as required by Council rule 309, a fiscal-impact statement
4. as required by Council rule 310, a legal-sufficiency determination
5. if reporting a bill **repealing** or **amending existing law**, a comparative print showing, by italic, underscore, strikethrough, or other typographical device, the changes proposed



Office of the Secretary: FILING CHEAT SHEET

COMMITTEE PRINT

Should include the following:

1. number of the measure and
2. in the top left-hand corner of the measure
 - a. the name of the committee
 - b. the date of the committee markup and
 - c. the words "committee print"

Committees shall file a reported bill or resolution with the Secretary **within 20 business days of committee action** on the bill or resolution unless the committee votes to reconsider the bill or resolution.

HEARING NOTICE

HEADER – (SHOULD BE IN ALL CAPS)

- COUNCIL OF THE DISTRICT OF COLUMBIA
- Committee Name – e.g. COMMITTEE OF THE WHOLE
- Specify Type of Hearing – e.g. NOTICE OF PUBLIC HEARING, NOTICE OF PUBLIC ROUNDTABLE, NOTICE OF PUBLIC OVERSIGHT HEARING OR ROUNDTABLE
- Address in lower case
- Specify special circumstances regarding the notice in upper right corner, above line in Bold - REVISED, RECONVENED or ABBREVIATED

ANNOUNCEMENT INFORMATION – (SHOULD BE IN ALL CAPS)

- Chairman or Councilmember's Name – e.g. CHAIRMAN MENDELSON
- COMMITTEE NAME – e.g. COMMITTEE OF THE WHOLE
- Announce the type of hearing, e.g. ANNOUNCES A PUBLIC HEARING
- Identify subject matter by Bill or Proposed Resolution Number and Title – (Title should **NOT** be in all Caps)
(Ex: B22-111, "Wilson Building Designation Act of 2018")

HEARING DETAILS

Specify Date, Time, Place of Hearing (Room 412), and Location Address
Monday, January 3, 2020
10:00 a.m., Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

BODY OF NOTICE

Ensure that all the above referenced details are outlined and consistent throughout the body of the Memo

- Specify type of Hearing, Committee or Committee Name(s), Bill or PR Numbers, Date, Time, and Place
- Purpose of Hearing (Each measure should be identified by Bill or PR Number, (if applicable) along with the purpose of the measure
- The type of hearing (i.e. public hearing or public roundtable) and titles **MUST** be consistent throughout the notice
- Provide contact information for the public to sign up to testify and include any specific instructions regarding delivering testimony
- Provide instructions for the public unable to testify, including the date and time that the record closes.

Remember to save your Hearing Notice to Sterling after filing in the Office of the Secretary.