

**RULES OF ORGANIZATION AND PROCEDURE  
FOR THE  
COMMITTEE ON FINANCE AND REVENUE  
OF THE  
COUNCIL OF THE DISTRICT OF COLUMBIA  
FOR COUNCIL PERIOD 19**

**Effective January 13, 2011**

**Committee on Finance and Revenue Rules**

**Councilmember Jack Evans, Chairperson**

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## **ARTICLE I – DEFINITIONS.**

### **101. DEFINITIONS.**

Except as otherwise provided, the definitions contained in section 101 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 19, are incorporated by reference.

- (1) “Chairperson” means the Chairperson of the Committee on Finance and Revenue.
- (2) “Committee” means the Committee on Finance and Revenue.
- (3) “Committee Rules” means the Rules of Organization and Procedure for the Committee on Finance and Revenue for Council Period 19.
- (4) “Council Rules” means the Rules of Organization and Procedure for the Council of the District of Columbia for Council Period 19.
- (5) “Meeting” means the formal convening of the Committee, other than solely for the purpose of receiving testimony, held at a designated time and place for the purpose of transacting public business, including official action of any kind.
- (6) “Member” means a member of the Committee on Finance and Revenue.
- (7) “Quorum” means three members of the Committee, except as provided in section 601(d).
- (8) “Testimony” means the oral or written statements of a witness.
- (9) “Witness” means a person who shall appear or is appearing before the Committee whether voluntarily or by mandatory process.

## **ARTICLE II – RESPONSIBILITIES OF THE COMMITTEE.**

### **201. MATTERS UNDER THE PURVIEW OF THE COMMITTEE.**

The Committee on Finance and Revenue is responsible for matters relating to taxation and revenue for the operation of the government of the District of Columbia; general obligation bond acts, revenue anticipation notes, and industrial revenue bonds.

**202. AGENCIES UNDER THE PURVIEW OF THE COMMITTEE.**

The following agencies come within the purview of the Committee on Finance and Revenue:

- Board of Real Property Assessments and Appeals
- Destination DC
- District of Columbia Lottery and Charitable Games Control Board
- Multistate Tax Commission
- Office of the Chief Financial Officer
- Office of Financial Resource Management
- Office of Financial Operations & Systems
- Office of Finance and Treasury
- Office of Tax and Revenue
- Office of Revenue Analysis
- Washington Convention and Sports Authority

**ARTICLE III – ORGANIZATION.**

**301. CHAIRPERSON.**

The Chairperson shall be the presiding officer of the Committee. The Chairperson may designate a member to act as temporary Chairperson when the Chairperson is absent or recuses himself from certain items before the Committee.

**302. COMMITTEE STAFF.**

- (a) COMMITTEE CLERK. The Chairperson shall appoint a Committee Clerk with the approval of the Committee, pursuant to section 406 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Official Code § 1-604.06). The Committee Clerk shall be the secretary and chief administrative officer of the Committee, shall keep all records of meetings and Committee business and shall perform other administrative, legislative, and policy functions assigned by these Committee Rules or the Chairperson.
- (b) ADDITIONAL STAFF. The Chairperson shall appoint additional staff with the approval of the Committee, pursuant to section 406 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Official Code § 1-604.06) and subject to appropriations and positions allocated by the Council. The additional staff shall perform duties that shall be assigned by the Committee Clerk, or the Chairperson.
- (c) ADDITIONAL RESOURCE PERSONS. Additional persons not to be compensated by Council funds may be retained, to the extent permitted by law, by

the Committee with the approval of the Chairperson.

- (d) STAFF ASSIGNMENTS, REMOVALS, AND REMUNERATION. Committee staff assignments, removals, and remuneration shall be determined by the Chairperson. The Chairperson shall notify the Committee members of any action pertaining to assignments, removals, or remuneration within 5 working days.

## **ARTICLE IV – COMMITTEE MEETINGS.**

### **401. REGULAR MEETINGS.**

- (a) TIME. Regular meetings of the Committee shall be held at 12:00 pm on the second Wednesdays of each month except during periods of Council recess and legal holidays. The Chairperson shall circulate a notice of the date, hour, and place of all Committee meetings to all members of the Council at least twenty-four hours before the date of the meeting, along with a copy of the agenda of the meeting and a draft of any measures to be considered, unless at least four members of the Committee agree to a shorter notice.
- (b) PLACE. Regular meetings of the Committee shall be held in Room 120 of the Wilson Building, 1350 Pennsylvania Ave., NW, Washington, D.C. 20004, unless another place is designated by the Chairperson.
- (c) RECESS AND RESCHEDULING. If a majority of the Committee is present at a regular meeting, the Chairperson may recess any meeting then in progress to another time, day and place. The Chairperson may reschedule any future regular meeting provided each member and the Secretary to the Council is notified in writing at least twenty-four hours in advance of the scheduled meeting.
- (d) CANCELLATION. The Chairperson may cancel a regularly scheduled meeting. To cancel a regularly scheduled meeting, the Chairperson shall provide at least 24 hours written notice of the cancellation to each Councilmember and the Secretary to the Council unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of the notice 24 hours prior to the regularly scheduled meeting, the Chairperson shall provide written notice of the cancellation to each Councilmember and the Secretary to the Council at the earliest possible time prior to the regularly scheduled meeting, but no later than 2 hours prior to the regularly scheduled meeting.
- (e) AGENDA.
  - (1) The agenda and written material relating to the agenda items shall be available to Councilmembers twenty-four hours prior to the meeting of the Committee.

- (2) The Committee staff shall prepare the agenda at the direction of the Chairperson. The Chairperson shall set the agenda for all meetings, except special meetings called by a majority of the members.
- (3) The Chairperson may prepare a consent agenda for each Committee meeting, which shall include bills and proposed resolutions that the Chairperson believes will be adopted by unanimous vote. The consent agenda shall be approved at the beginning of the Committee meeting. Any member may strike a bill or proposed resolution from the consent agenda.

#### **402. SPECIAL AND ADDITIONAL MEETINGS.**

(a) SPECIAL MEETINGS.

- (1) Special meetings may be called by filing a written request with the Committee Clerk for a special meeting signed by no fewer than three members. The Committee Clerk shall notify the Chairperson and the other members of the filing of the request.
- (2) The Chairperson shall call the special meeting within seventy-two hours of the written request and shall specify the date, hour, place and agenda of the meeting
- (3) If the Chairperson does not call the requested meeting, a majority of the members may file a written notice with the Committee Clerk that a special meeting will be held, specifying the date, place and agenda for the meeting. Immediately upon the filing of the notice, the Committee staff shall notify all members of the Committee as provide for in subsection(c).

(b) ADDITIONAL MEETINGS.

- (1) The Chairperson may call additional meetings.
- (2) The Chairperson may cancel a scheduled additional meeting. To cancel a scheduled additional meeting, the Chairperson shall provide at least 12 hours written notice of the cancellation to each Councilmember and the Secretary to the Council unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of the notice 12 hours prior to the scheduled additional meeting, the Chairperson shall provide written notice of the cancellation to each Councilmember and the Secretary to the Council at the earliest possible time prior to the scheduled additional meeting, but no later than 2 hours prior to the scheduled additional meeting.

(c) NOTICE.

- (1) Whenever an additional or special meeting is called, the Committee staff shall notify all members in writing, at least twenty-four hours before the special meeting, unless at least four Committee members agree to a shorter notice. The notice shall state the date, hour, place and purpose of the meeting.
- (2) No matters shall be considered at any special meeting except those stated in written request and notification.
- (3) Any written material relating to the agenda items shall be made available to the Committee members by the close of business of the working day prior to the meeting.
- (4) Additional or special meetings to consider emergency matters may be called upon shorter notice, if this shorter notice is agreed upon in writing by at least four of the Committee members.

**403. PROCEDURES FOR MEETINGS.**

- (a) ORDER OF BUSINESS FOR REGULAR MEETINGS. Subject to subsection (c), the Committee shall conduct business for regular meetings in the following order:

- (1) Call to order;
- (2) Ascertainment of the presence of a quorum by the Chairperson;
- (3) Consideration of proposed reports on and markup of pending measures assigned to the Committee under section 405 of the Council Rules;
- (4) Old business;
- (5) New business; and
- (6) Adjournment.

- (b) ORDER OF BUSINESS FOR SPECIAL AND ADDITIONAL MEETINGS. The Committee shall take up business in the following order at a special or additional meeting.

- (1) Call to order at the date, hour and place set forth in the notice of the

- meeting;
  - (2) Ascertainment of the presence of a quorum by the Chairperson; and
  - (3) If a quorum is present consideration of business in the order set forth in the meeting notice.
- (c) PROCEEDING OUT OF ORDER. The Chairperson or presiding member may, without objection or upon the vote of a majority of the members present and voting, take up any item of business out of order.
- (d) RECOGNITION OF NON-COMMITTEE MEMBERS. The Chairperson or presiding member may recognize a member of the public or a District government employee when the participation of the person would, in the judgment of the Chairperson or presiding member, enhance the understanding of the matter under consideration by the Committee.

#### **404. MINUTES.**

The Committee reports will serve as minutes of Committee meetings. If the Committee discusses other matters or takes other actions then minutes will be prepared.

### **ARTICLE V – REVIEW OF AND REPORTS ON PROPOSED LEGISLATION.**

#### **501. APPROVAL OF MEASURES.**

The Committee may not report out a measure or recommendation on a matter assigned to the Committee unless a quorum is present at the time of approval by the Committee. If an amendment is orally moved during a Committee meeting, it shall, upon request by a member, be reduced to writing and read by the Committee staff and made available for public inspection as soon as possible.

#### **502. REPORTS ON BILLS AND PROPOSED RESOLUTIONS.**

- (a) DRAFT REPORTS. Each bill or proposed resolution shall be accompanied by a draft report when the Committee considers it, unless the Committee votes to waive this requirement for a particular bill or proposed resolution. In the event of a waiver, the Committee shall vote on the draft report at a regularly scheduled, additional or special meeting of the Committee before filing the report and the reported bill or proposed resolution with the Secretary.
- (b) CONTENTS OF THE REPORTS. Each adopted report on a bill or proposed resolution assigned to the Committee shall be in writing, signed by the Chairperson, accompanied by the final bill or proposed resolution, and shall contain:

- (1) A statement of purpose and effect of the bill or proposed resolution;
- (2) A legislative history, including the date of introduction, the date notice of public hearings or roundtables was published in the District of Columbia Register, the date notice of intended action was published in the District of Columbia Register, and date and description of any action taken at a Committee meeting;
- (3) A list of all introducers and co-sponsors;
- (4) A detailed section-by-section analysis of the provisions of the bill or proposed resolution;
- (5) The Committee reasoning;
- (6) A fiscal impact statement as provided in section 443 (c) of the Council Rules;
- (7) An analysis of the impact of existing provisions on law that the bill or proposed resolution would modify or affect;
- (8) Dissenting, separate, and individual views of Committee members, if members demanded the opportunity to state their views;
- (9) Any additional information that the Committee directs to be included;
- (10) A summary of testimony on the legislation or proposed resolution presented at a public hearing or roundtable held by the Committee;
- (11) Any additional information that the Chairperson directs to be included;
- (12) A record of Committee action, including the result of a voice vote or roll call vote on any amendments to the bill or proposed resolution, and the results of a voice or roll call vote on the bill or proposed resolution;
- (13) Any recorded votes on amendments to the bill;
- (14) A committee print that states the bill or proposed resolution number of the measure; in the top left-hand corner of the measure, the name of the Committee, the date of the Committee mark-up, and the words, "Committee Print".

### **503. SUPPLEMENTAL, MINORITY, AND ADDITIONAL VIEWS.**

If, at the time of approval of any measure by the Committee, any Committee member gives notice of intent to file supplemental, minority or additional views, that member shall have five days (excluding Saturdays, Sundays, and legal holidays) in which to file his or her views in writing. Such views shall be filed with the Committee Clerk and shall be included in the report of the Committee on that measure.

## **ARTICLE VI – HEARINGS AND INVESTIGATIONS.**

### **601. HEARING PROCEDURES.**

- (a) CALLING. The Committee shall hold a hearing or roundtable before passage of any bill. The Committee may hold a hearing or roundtable before the passage of a proposed resolution if called by the Chairperson.
- (b) NOTICE. Written notice of Committee hearings shall be given in the manner provided for in section 422 of the Council Rules.
- (c) OPEN HEARING. Each hearing shall be open to the public unless a majority of the Committee decides in open session or publicly agrees that the hearing should be closed.
- (d) QUORUM. One member of the Committee constitutes a quorum for the taking of testimony and receiving of evidence at a hearing.
- (e) QUESTIONING OF WITNESSES.
  - (1) Each member and participating non-Committee member shall have a maximum of ten minutes to question each witness until after each member or participating non-Committee member has had an opportunity to question the witness. The Chairperson shall have the discretion to allow for an additional round, or rounds, of questioning and shall determine the length of each round.
  - (2) Questioning shall proceed in the order that Committee members arrived, followed by non-Committee members.
  - (3) A witness may be questioned, with the consent of the Chairperson or presiding member, by Committee staff or authorized Council staff or by counsel advising the Committee.

(f) HEARING DECORUM.

- (1) No witness may address a member except through the Chairperson or presiding member, except when responding to a direct question of a member.
- (2) A witness shall confine his or her remarks to the question under discussion and shall avoid making negative personal comments.
- (3) The Chairperson or presiding member shall maintain order during the meeting and if, in his or her opinion, the removal of any member of the public is necessary to maintain order, the Chairperson or presiding member may, after warning, order the removal of any disorderly person.
- (4) Members of the public shall not commit any act tending to distract the attention of the Committee from the business before it.

- (g) **RECESS.** The Chairperson or member presiding over the hearing may recess a hearing or roundtable to another time, day and place.

**602. RIGHTS OF WITNESSES.**

- (a) RIGHT TO COUNSEL. Any witness who appears before the Committee has the right to be represented by counsel.
- (b) RIGHT TO MAKE OPENING STATEMENT. Any witness who testifies at a hearing of the Committee may submit an opening statement that shall be placed in the record of the hearing. The Chairperson or presiding member may permit a witness to read the statement at the hearing.

**603. TESTIMONY UNDER OATH.**

A witness may be affirmed or sworn to give truthful testimony.

**604. DEPOSITIONS.**

The Committee may authorize a Committee member or Committee staff to take the testimony of witnesses by oral or written deposition.

**605. INVESTIGATIONS.**

The Committee may investigate any matter relating to the affairs of the District of Columbia that comes under the jurisdiction of the Committee. The Committee may also direct

another person to investigate a matter within the Committee's jurisdiction.

**606. ISSUANCE OF SUBPOENAS.**

Subject to Council Rules, the Committee may require the attendance and testimony of witnesses and the production of documents, papers and other tangible items through the use of its subpoena power. If a subpoena is issued and the person named on the subpoena does not respond, the Committee may, by resolution, refer the matter to the Council for referral to the Superior Court of the District of Columbia.

**607. REPORT TO SECRETARY REGARDING USE OF SUBPOENA.**

Prior to issuing a subpoena, the Committee shall submit a report to the Secretary to the Council outlining the nature and scope of the investigation and the type of information sought through the use of subpoena.

**608. SERVICE OF SUBPOENAS.**

Subpoenas shall be served personally on the witness or his or her designated agent in one of the following ways, which may be attempted concurrently or successively;

- (a) By a special process server, at least 18 years of age, designated by the Committee from among the staff appointed by the Secretary to the Council who are not directly involved in the investigation; or
- (b) By a special process server, at least 18 years of age, engaged by the Committee or the Council for this purpose.

**609. ENFORCEMENT OF SUBPOENAS.**

The Committee may refer to the Council any case of contumacy by any person subpoenaed to appear before the Committee.

**610. RIGHT TO ASSERT PRIVILEGES.**

- (a) Any witness has the right to refuse to answer any question which might tend to incriminate him or her by claiming his or her Fifth Amendment privilege against self-incrimination, other Constitutional privileges, or statutory or common law privileges recognized in the Superior Court of the District of Columbia.
- (b) If a witness asserts a privilege, the Chairperson or presiding member shall inquire into the witness's reasons for claiming the privilege. If the Chairperson or presiding member determines that the claim of privilege is not warranted, he or she shall direct the witness to answer the question. A witness's continued claim

of privilege in the face of an order by the Chairperson or presiding member to answer a specific question constitutes contumacy by the witness.

**611. NOTIFICATION OF RIGHTS.**

Where counsel does not represent a witness under subpoena, the Chairperson or presiding member shall advise the witness of his or her privilege against self-incrimination.

**612. RIGHT TO TRANSCRIPT.**

A witness under subpoena is entitled to receive, at the cost of producing it, a written transcript or a transcription of his or her testimony in connection with an investigation.

**613. RIGHTS OF PERSONS WHO ARE SUBJECTS OF INVESTIGATIONS.**

Any person who is the subject of an investigation authorized under section 601 of the Council Rules may submit written questions for the cross-examination of other witnesses at public hearings held by the Committee. With the consent of the members present and voting, those questions may be put to the witness by any member, by any authorized staff member, or by counsel advising the Council or the Committee.

**614. RIGHTS OF PERSONS IDENTIFIED IN INVESTIGATIONS.**

Any person, who is named or specifically identified in connection with an investigation and who believes that the testimony or other evidence or comment by a member of the Council or a Committee or its staff does not comport with the truth, may file a sworn statement of facts relevant to the testimony or other evidence or comment that is at issue.

**ARTICLE VII – NOTICE PROVISION.**

**701. NOTICE.**

If there is no specific requirement for the giving of notice of any Committee action, meeting or hearing, notice may be given by one of the following methods:

- (a) Posting notice in a prominent place in the Wilson Building, 1350 Pennsylvania Ave., NW, and other public buildings or public posting places;
- (b) Publication in one or more newspapers of general circulation;
- (c) Publication in the District of Columbia Register;
- (d) Mailing notice to an established mailing list of organizations and individuals as maintained by the Secretary to the Council;

- (e) Use of other news media;
- (f) Facsimile;
- (g) E-mail; or
- (h) Any other manner the Committee considers appropriate.

**ARTICLE VIII – RULES. 801. RULES OF THE COUNCIL.**

The following Rules of the Council are and shall be considered rules of the Committee and except where the context dictates to the contrary the term “Council” means “Committee,” the term “Member” or “Member of the Council” means “Member of the Committee,” the term “Chairperson” means “Chairperson of the Committee,” and the term “Secretary” means “Committee Clerk or other Committee staff:” 101 (Definitions); 202 (Conflict of Interest); 304 (Quorum); 305 (Meetings Open to the Public); 306 (Executive Meetings); 307 (Hearing the Mayor); 321 (Decorum of Members); 322 (Decorum of Members of the Public); 331 (Obtaining the Floor); 332 (Limitations on Debate); 333 (Personal Privilege); 334 (Points of Order); 335 (Appeal); 336 (Extensions of Remarks); 337 (Recognition of Non-Members); 341 (Motions Recognized During Debate); 342 (Withdrawal or Modification of Motions); 343 (Amendments to be Written); 351 (Form of Vote); 352 (Voice Votes); 353 (Demand for Roll Call Vote); 355 (Records of Votes); 356 (Proxy Voting Prohibited); 357 (Reconsideration); 448 (Records of Legislative Meetings); 443 (f) (Reports on Legislation); 450 (Effect of End of Council Period); 601 (Resolution Authorizing the Use of Subpoenas in an Investigation); 604 (Testimony Under Oath); 605 (Issuing the Oath); 606 (Depositions); 611 (Issuance of Subpoenas); 612 (Report to Secretary Regarding Use of Subpoena); 613 (Service of Subpoenas); 614 (Enforcement of Subpoenas); 621 (Right to Assert Privileges); 622 (Notification of Rights); 623 (Right to Transcript); 624 (Rights of Persons Who are Subjects of Investigations); 1001 (Parliamentary Authority); 1002 (Gender Rule of Construction); and 1003 (Suspension of Rules). Whenever there is inconsistency between these rules and the Council Period 19 Rules, the Council Rules shall govern.

**802. AMENDMENT.**

These rules may be amended by a majority of the Committee at any Committee meeting. Notice of the proposed amendment shall be in writing, signed by the proposer, and circulated to each member at least five days prior to the meeting at which the proposed amendment is to be considered, unless the notice is waived by each member to whom notice is not given.

**803. FILING WITH THE COUNCIL.**

Upon the adoption of these rules or any future amendments, the Committee staff shall file a copy of the final rules or amendments with the Secretary to the Council.

**804. EFFECTIVE PERIOD.**

These rules will be effective until superseded by Rules of Organization and Procedure for the Committee on Finance and Revenue adopted in a succeeding Council Period, unless modified by a majority of the Committee members during Council Period 19.