

104TH CONGRESS
2^D SESSION

H. R. 3663

IN THE SENATE OF THE UNITED STATES

JUNE 28, 1996

Received

AN ACT

1 To amend the District of Columbia Self-Government and
2 Governmental Reorganization Act to permit the Council of
3 the District of Columbia to authorize the issuance of reve-
4 nue bonds with respect to water and sewer facilities, and
5 for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “District of Columbia
 5 Water and Sewer Authority Act of 1996”.

6 **SEC. 2. PERMITTING ISSUANCE OF REVENUE BONDS FOR**
 7 **WASTEWATER TREATMENT ACTIVITIES.**

8 (a) AUTHORITY TO ISSUE BONDS.—

9 (1) IN GENERAL.—The first sentence of section
 10 490(a)(1) of the District of Columbia Self-Govern-
 11 ment and Governmental Reorganization Act (sec.
 12 47–334(a)(1), D.C. Code) is amended—

13 (A) by striking “and industrial” and in-
 14 serting “industrial”; and

15 (B) by striking the period at the end and
 16 inserting the following: “, and water and sewer
 17 facilities (as defined in paragraph (5)).”.

18 (2) WATER AND SEWER FACILITIES DE-
 19 FINED.—Section 490(a) of such Act (sec. 47–
 20 334(a), D.C. Code) is amended by adding at the end
 21 the following new paragraph:

22 “(5) In paragraph (1), the term ‘water and sewer fa-
 23 cilities’ means facilities for the obtaining, treatment, stor-
 24 age, and distribution of water, the collection, storage,
 25 treatment, and transportation of wastewater, storm drain-

1 age, and the disposal of liquids and solids resulting from
2 treatment.”.

3 (b) USE OF REVENUES TO MAKE PAYMENTS ON
4 BONDS.—The second sentence of section 490(a)(3) of
5 such Act (sec. 47–334(a)(3), D.C. Code) is amended by
6 inserting after “property” each place it appears in sub-
7 paragraphs (A) and (B) the following: “(including water
8 and sewer enterprise fund revenues, assets, or other prop-
9 erty in the case of bonds, notes, or obligations issued with
10 respect to water and sewer facilities)”.

11 (c) PERMITTING DELEGATION OF AUTHORITY TO
12 ISSUE REVENUE BONDS TO WATER AND SEWER AU-
13 THORITY.—

14 (1) IN GENERAL.—Section 490 of such Act
15 (sec. 47–334, D.C. Code) is amended by adding at
16 the end the following new subsection:

17 “(h)(1) The Council may delegate to the District of
18 Columbia Water and Sewer Authority established pursu-
19 ant to the Water and Sewer Authority Establishment and
20 Department of Public Works Reorganization Act of 1996
21 the authority of the Council under subsection (a) to issue
22 revenue bonds, notes, and other obligations to borrow
23 money to finance or assist in the financing or refinancing
24 of undertakings in the area of utilities facilities, pollution
25 control facilities, and water and sewer facilities (as defined

1 in subsection (a)(5)). The Authority may exercise author-
2 ity delegated to it by the Council as described in the first
3 sentence of this paragraph (whether such delegation is
4 made before or after the date of the enactment of this
5 subsection) only in accordance with this subsection.

6 “(2) Revenue bonds, notes, and other obligations is-
7 sued by the District of Columbia Water and Sewer Au-
8 thority under a delegation of authority described in para-
9 graph (1) shall be issued by resolution of the Authority,
10 and any such resolution shall not be considered to be an
11 act of the Council.

12 “(3) The fourth sentence of section 446 shall not
13 apply to—

14 “(A) any amount (including the amount of any
15 accrued interest or premium) obligated or expended
16 from the proceeds of the sale of any revenue bond,
17 note, or other obligation issued pursuant to this sub-
18 section;

19 “(B) any amount obligated or expended for the
20 payment of the principal of, interest on, or any pre-
21 mium for any revenue bond, note, or other obligation
22 issued pursuant to this subsection;

23 “(C) any amount obligated or expended to se-
24 cure any revenue bond, note, or other obligation is-
25 sued pursuant to this subsection; or

1 “(D) any amount obligated or expended for re-
2 pair, maintenance, and capital improvements to fa-
3 cilities financed pursuant to this subsection.”.

4 (2) CONFORMING AMENDMENT.—The fourth
5 sentence of section 446 of such Act (sec. 47–304,
6 D.C. Code) is amended by striking “(f) and (g)(3)”
7 and inserting “(f), (g)(3), and (h)(3)”.

8 **SEC. 3. TREATMENT OF REVENUES AND OBLIGATIONS.**

9 (a) EXCLUSION OF REVENUES FOR PURPOSES OF
10 CAP ON AGGREGATE DISTRICT DEBT.—Paragraphs (1)
11 and (3)(A) of section 603(b) of the District of Columbia
12 Self-Government and Governmental Reorganization Act
13 (sec. 47–313(b), D.C. Code) are each amended by insert-
14 ing after “revenue bonds,” the following: “any revenues,
15 charges, or fees dedicated for the purposes of water and
16 sewer facilities described in section 490(a) (including fees
17 or revenues directed to servicing or securing revenue
18 bonds issued for such purposes),”.

19 (b) EXCLUSION OF OBLIGATIONS RELATING TO
20 DEBT SERVICING PAYMENTS ON CERTAIN GENERAL OB-
21 LIGATION BONDS.—

22 (1) IN GENERAL.—Section 603(b)(2) of such
23 Act (sec. 47–313(b)(2), D.C. Code) is amended—

24 (A) by striking “and obligations” and in-
25 serting “obligations”; and

1 (B) by inserting after “establishment,” the
 2 following: “and obligations incurred pursuant to
 3 general obligation bonds of the District of Co-
 4 lumbia issued prior to October 1, 1996, for the
 5 financing of Department of Public Works,
 6 Water and Sewer Utility Administration capital
 7 projects,”.

8 (2) CONFORMING AMENDMENT.—Section
 9 603(b)(3)(B) of such Act (sec. 47–313(b)(3)(B),
 10 D.C. Code) is amended by inserting after “bonds”
 11 the following: “(less the allocable portion of principal
 12 and interest to be paid during the year on general
 13 obligation bonds of the District of Columbia issued
 14 prior to October 1, 1996, for the financing of De-
 15 partment of Public Works, Water and Sewer Utility
 16 Administration capital projects)”.

17 **SEC. 4. TREATMENT OF BUDGET OF WATER AND SEWER**
 18 **AUTHORITY.**

19 (a) PREPARATION OF INDEPENDENT BUDGET.—
 20 Subpart 1 of part D of title IV of the District of Columbia
 21 Self-Government and Governmental Reorganization Act is
 22 amended by inserting after section 445 the following new
 23 section:

24 “WATER AND SEWER AUTHORITY BUDGET

25 “SEC. 445A. The District of Columbia Water and
 26 Sewer Authority established pursuant to the Water and

1 Sewer Authority Establishment and Department of Public
2 Works Reorganization Act of 1996 shall prepare and an-
3 nually submit to the Mayor, for inclusion in the annual
4 budget, annual estimates of the expenditures and appro-
5 priations necessary for the operation of the Authority for
6 the year. All such estimates shall be forwarded by the
7 Mayor to the Council for its action pursuant to sections
8 446 and 603(c), without revision but subject to his rec-
9 ommendations. Notwithstanding any other provision of
10 this Act, the Council may comment or make recommenda-
11 tions concerning such annual estimates, but shall have no
12 authority under this Act to revise such estimates.”.

13 (b) EXEMPTION FROM REDUCTIONS OF BUDGETS OF
14 INDEPENDENT AGENCIES.—Section 453(c) of such Act
15 (sec. 47–304.1(c), D.C. Code) is amended—

16 (1) by striking “courts or the Council, or to”
17 and inserting “courts, the Council,”; and

18 (2) by striking the period at the end and insert-
19 ing the following: “, or the District of Columbia
20 Water and Sewer Authority established pursuant to
21 the Water and Sewer Authority Establishment and
22 Department of Public Works Reorganization Act of
23 1996.”.

24 (c) CONFORMING AMENDMENT.—Section 442(b) of
25 such Act (sec. 47–301(b), D.C. Code) is amended—

1 (1) by striking “and the Commission” and in-
2 serting “the Commission”; and

3 (2) by striking the period at the end and insert-
4 ing the following: “, and the District of Columbia
5 Water and Sewer Authority.”.

6 (d) CLERICAL AMENDMENT.—The table of contents
7 of subpart 1 of part D of title IV of the District of Colum-
8 bia Self-Government and Governmental Reorganization
9 Act is amended by inserting after the item relating to sec-
10 tion 445 the following new item:

 “Sec. 445A. Water and Sewer Authority budget.”.

11 **SEC. 5. CLARIFICATION OF COMPENSATION OF CURRENT**
12 **EMPLOYEES OF DEPARTMENT OF PUBLIC**
13 **WORKS.**

14 The first sentence of section 205(b)(2) of the Water
15 and Sewer Authority Establishment and Department of
16 Public Works Reorganization Act of 1996 (sec. 43–
17 1675(b)(2), D.C. Code) is amended by striking “duties)”
18 and inserting “duties, and except as may otherwise be pro-
19 vided under the personnel system developed pursuant to

