

104TH CONGRESS  
2D SESSION

# H. R. 3663

To amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the Council of the District of Columbia to authorize the issuance of revenue bonds with respect to water and sewer facilities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 1996

Mr. DAVIS (for himself, Ms. NORTON, Mr. MCHUGH, Mr. GUTKNECHT, Mr. LATOURETTE, Mr. FLANAGAN, Mr. TOWNS, Miss COLLINS of Michigan, Mr. HOYER, Mrs. MORELLA, Mr. MORAN, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

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## A BILL

To amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the Council of the District of Columbia to authorize the issuance of revenue bonds with respect to water and sewer facilities, and 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”.

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

3 (a) **AUTHORITY TO ISSUE BONDS.—**

4 (1) **IN GENERAL.—**The first sentence of section  
5 490(a)(1) of the District of Columbia Self-Govern-  
6 ment and Governmental Reorganization Act (sec.  
7 47–334(a)(1), D.C. Code) is amended—

8 (A) by striking “and industrial” and in-  
9 serting “industrial”; and

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

13 (2) **WATER AND SEWER FACILITIES DE-**  
14 **FINED.—**Section 490(a) of such Act (sec. 47–  
15 334(a), D.C. Code) is amended by adding at the end  
16 the following new paragraph:

17 “(5) In paragraph (1), the term ‘water and sewer fa-  
18 cilities’ means facilities for the obtaining, treatment, stor-  
19 age, and distribution of water, the collection, storage,  
20 treatment, and transportation of wastewater, storm drain-  
21 age, and the disposal of liquids and solids resulting from  
22 treatment.”.

23 (b) **USE OF REVENUES TO MAKE PAYMENTS ON**  
24 **BONDS.—**The second sentence of section 490(a)(3) of  
25 such Act (sec. 47–334(a)(3), D.C. Code) is amended by  
26 inserting after “property” each place it appears in sub-

1 paragraphs (A) and (B) the following: “(including water  
2 and sewer enterprise fund revenues, assets, or other prop-  
3 erty in the case of bonds, notes, or obligations issued with  
4 respect to water and sewer facilities)”.

5 (c) PERMITTING DELEGATION OF AUTHORITY TO  
6 ISSUE REVENUE BONDS TO WATER AND SEWER AU-  
7 THORITY.—

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

11 “(h)(1) The Council may delegate to the District of  
12 Columbia Water and Sewer Authority established pursu-  
13 ant to the Water and Sewer Authority Establishment and  
14 Department of Public Works Reorganization Act of 1996  
15 the authority of the Council under subsection (a) to issue  
16 revenue bonds, notes, and other obligations to borrow  
17 money to finance or assist in the financing or refinancing  
18 of undertakings in the area of utilities facilities, pollution  
19 control facilities, and water and sewer facilities (as defined  
20 in subsection (a)(5)). The Authority may exercise author-  
21 ity delegated to it by the Council as described in the first  
22 sentence of this paragraph (whether such delegation is  
23 made before or after the date of the enactment of this  
24 subsection) only in accordance with this subsection.

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

7       “(3) The provisions of subsections (a) through (e)  
8 shall apply with respect to the District of Columbia Water  
9 and Sewer Authority, the General Manager of the Author-  
10 ity, and to revenue bonds, notes, and other obligations is-  
11 sued by the Authority under a delegation of authority de-  
12 scribed in paragraph (1) in the same manner as such pro-  
13 visions apply with respect to the Council, to the Mayor,  
14 and to revenue bonds, notes, and other obligations issued  
15 by the Council under subsection (a)(1) (without regard to  
16 whether or not the Council has authorized the application  
17 of such provisions to the Authority or the General Man-  
18 ager).

19       “(4) The fourth sentence of section 446 shall not  
20 apply to—

21               “(A) any amount (including the amount of any  
22 accrued interest or premium) obligated or expended  
23 from the proceeds of the sale of any revenue bond,  
24 note, or other obligation issued pursuant to this sub-  
25 section;

1           “(B) any amount obligated or expended for the  
2           payment of the principal of, interest on, or any pre-  
3           mium for any revenue bond, note, or other obligation  
4           issued pursuant to this subsection;

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

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

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

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

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

1 (b) EXCLUSION OF OBLIGATIONS RELATING TO  
2 DEBT SERVICING PAYMENTS ON CERTAIN GENERAL OB-  
3 LIGATION BONDS.—

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

6 (A) by striking “and obligations” and in-  
7 serting “obligations”; and

8 (B) by inserting after “establishment,” the  
9 following: “, and obligations incurred pursuant  
10 to general obligation bonds of the District of  
11 Columbia issued prior to October 1, 1996, for  
12 the financing of Department of Public Works,  
13 Water and Sewer Utility Administration capital  
14 projects,”.

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

1 **SEC. 4. TREATMENT OF BUDGET OF WATER AND SEWER**  
2 **AUTHORITY.**

3 (a) PREPARATION OF INDEPENDENT BUDGET.—  
4 Subpart 1 of part D of title IV of the District of Columbia  
5 Self-Government and Governmental Reorganization Act is  
6 amended by inserting after section 445 the following new  
7 section:

8 “WATER AND SEWER AUTHORITY BUDGET  
9 “SEC. 445A. The District of Columbia Water and  
10 Sewer Authority established pursuant to the Water and  
11 Sewer Authority Establishment and Department of Public  
12 Works Reorganization Act of 1996 shall prepare and an-  
13 nually submit to the Mayor, for inclusion in the annual  
14 budget, annual estimates of the expenditures and appro-  
15 priations necessary for the operation of the Authority for  
16 the year. All such estimates shall be forwarded by the  
17 Mayor to the Council for its action pursuant to sections  
18 446 and 603(c), without revision but subject to his rec-  
19 ommendations. Notwithstanding any other provision of  
20 this Act, the Council may comment or make recommenda-  
21 tions concerning such annual estimates, but shall have no  
22 authority under this Act to revise such estimates.”.

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

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

3 (2) by striking the period at the end and insert-  
4 ing the following: “, or the District of Columbia  
5 Water and Sewer Authority established pursuant to  
6 the Water and Sewer Authority Establishment and  
7 Department of Public Works Reorganization Act of  
8 1996.”.

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

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

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

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

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

21 **SEC. 5. CLARIFICATION OF COMPENSATION OF CURRENT**  
22 **EMPLOYEES OF DEPARTMENT OF PUBLIC**  
23 **WORKS.**

24 The first sentence of section 205(b)(2) of such Act  
25 (sec. 43–1675(b)(2), D.C. Code) is amended by striking

1 “duties)” and inserting “duties, and except as may other-  
2 wise be provided under the personnel system developed  
3 pursuant to subsection (a)(4) or a collective bargaining  
4 agreement entered into after the date of the enactment  
5 of this Act)”.

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