

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-674

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 26, 2007

To authorize, on a temporary basis, the transfer, during fiscal year 2007, of \$3.5 million of pay-as-you-go capital funds allocated in the District of Columbia Appropriations Act, 2005, and earmarked for the Eastgate Improvement Project, to the Office of the Deputy Mayor for Planning and Economic Development for the purpose of making a grant in the amount of \$3.5 million from the Office of the Deputy Mayor for Planning and Economic Development to the National Association for the Advancement of Colored People ("NAACP"), a nonprofit entity, to assist the NAACP in the acquisition of property located at 1800 Martin Luther King, Jr. Avenue, S.E.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "National Association for the Advancement of Colored People Grant Authority Temporary Act of 2007".

Sec. 2. (a) Of the \$6,531,000 of pay-as-you-go capital funds allocated in the District of Columbia Appropriations Act, 2005, approved October 18, 2004 (Pub. L. No. 108-335; 118 Stat. 1322), \$5 million was earmarked for the Eastgate Improvement Project. In addition, the fiscal year 2007 proposed budget (which is in effect pursuant to the current continuing resolution, Making further continuing appropriations for the fiscal year 2007, and for other purposes, approved December 9, 2006 (Pub. L. No. 109-383; 120 Stat. 2678)) includes \$87,987,000 of pay-as-you-go funds.

(b) Of the \$87,987,000 of fiscal year 2007 pay-as-you-go capital funds, the Mayor is authorized to transfer \$3.5 million during fiscal year 2007 to the Office of the Deputy Mayor for Planning and Economic Development ("ODMPED"). The Mayor is further authorized, through ODMPED, to grant \$3.5 million to the National Association for the Advancement of Colored People ("NAACP"), a nonprofit entity, to assist the NAACP in the acquisition of property for the relocation of its headquarters from Baltimore, Maryland to Ward 8 in the District of Columbia. The property to be acquired is located at 1800 Martin Luther King, Jr. Avenue, S.E.

(c) Of the \$5 million of pay-as-you-go capital budget authority earmarked for the Eastgate Improvement Project, the Mayor is authorized to reduce \$3.5 million of capital budget authority to reflect the reduced pay-as-you-go transfer in fiscal year 2007.

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Sec. 3. Rulemaking.

The Mayor may promulgate any rules necessary to implement the provisions of this act.

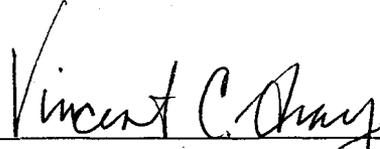
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

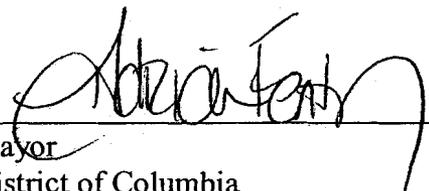
Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 26, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-675

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 26, 2007

To provide, on a temporary basis, the details of the purpose for the expenditure of reserve funds and additional revenues.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2007 Operating Cash Reserve and Revised Revenue December Allocation Temporary Act of 2007".

Sec. 2. In accordance with section 202(j)(3)(B) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 109; D.C. Official Code § 47-392.02(j)(3)(B)), and section 101 of the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (Pub. L. No.109-356; 120 Stat. 2020), the Council approves the expenditure of \$71,792,600, of which \$47,500,000 shall be made available from the District of Columbia 2007 Operating Cash Reserve fund and \$24,292,600 shall be made available from the additional certified revenues, to be allocated follows:

(1) An amount not to exceed \$22,126,000, of which \$10,987,000 shall be derived from the Operating Cash Reserve and \$11,139,000 shall be from revised revenues to be allocated to the Department of Health to cover increased participation in and other related costs of the District's Health Care Safety Net;

(2) An amount not to exceed \$5,983,000 from the Operating Cash Reserve for the Child and Family Services Administration, of which \$983,000 shall be to cover additional costs associated with meeting court-ordered staffing levels, and \$5 million shall be to cover the cost of the changes in federal law as enacted by the Deficit Reduction Act of 2005, approved February 08, 2006 (Pub. L. No. 109-171; 120 Stat. 4), limiting the number of claimable activities and restricting the definition of children eligible for administrative claiming;

(3) An amount not to exceed \$1 million from the Operating Cash Reserve for the Office of the Attorney General to cover the costs of implementing the District Government Injured Employee Protection Act of 2006, passed on 2nd reading on December 5, 2006 (Enrolled version of Bill 16-238), providing for attorney fees for injured District of Columbia government employees who are successful appellants in claims against the District government;

(4) An amount not to exceed \$29,530,000 from the Operating Cash Reserve for

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the Mental Retardation and Developmental Disabilities Administration, of which \$1,413,000 shall be to cover costs associated with personal service salaries, \$27,448,000 shall be to cover the increased costs of client services, and \$669,000 shall be to cover the cost of implementing the Developmental Disabilities Services Management Reform Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-398); and

(5) An amount not to exceed \$10,155,000 for the Department of Mental Health for costs associated with meeting the Department of Justice's requirements for the hiring of additional staff, maintenance contracts, and additional supplies for St. Elizabeths; provided, that \$1.5 million shall be used to continue strategic management evaluation; provided further, that funds shall be derived either from revised revenues or from proceeds received by the District through a contract for the collection of unpaid prior year receivables and claims for Medicaid;

(6) An amount not to exceed \$800,000 from revised revenues for the Office of the Attorney General for costs associated with the implementation of the Criminal Record Sealing Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-746);

(7) An amount not to exceed \$300,000 from revised revenues for the Metropolitan Police Department for costs associated with the implementation of the Criminal Record Sealing Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-746);

(8) An amount not to exceed \$273,600 from revised revenues for the Office of Tax and Revenue to implement the Organ and Bone Marrow Donor Act of 2006, signed by the Mayor on December 4, 2006 (D.C. Act 16-536; 53 DCR __);

(9) An amount not to exceed \$25,000 from revised revenues for the Office of Tax and Revenue to implement the Domestic Partnerships Joint Filing Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-958); and

(10) An amount not to exceed \$1.6 million from revised revenues for the Office of Motion Picture and Television Development's Film DC Economic Incentive Grant Fund to implement the Film DC Economic Incentive Emergency Act of 2006, effective December 19, 2006 (D. C. Act 16-570; 53 DCR __).

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

Government of the District of Columbia
Office of the Chief Financial Officer

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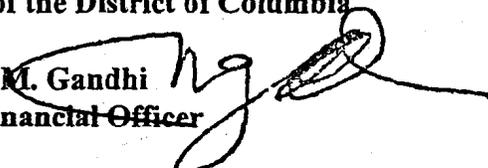


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CHAIRMAN CROPP

Natwar M. Gandhi
Chief Financial Officer**MEMORANDUM**

TO: The Honorable Anthony A. Williams
Mayor of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: December 19 2006

SUBJECT: Certification for use of the District of Columbia Operating Cash Reserve and Revised Revenue Allocation

The Office of the Chief Financial Officer hereby provides the following certification for the allocation of funds as proposed in the "Fiscal Year 2007 Operating Cash Reserve and Revised Revenue December Allocation Emergency Act of 2006:

Funds are sufficient to meet the allocation of \$47,500,000 from the District's 2007 Operating Cash Reserve Funds". This certification is required by Section 202(j)(3)(B) of the of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, as amended, approved April 17, 1995 (Pub. L. 104-8; D.C. Official Code 47-392.02(j)(3)(B), as amended.

Consistent with this office's release of the December 15, 2006 certification of revenue estimates for FY 2007-2011, funds are sufficient to meet the allocation of \$24,292,600 of additional revenues. Further, the expenditure of these additional revenues is not anticipated to have a negative impact on the long-term financial, fiscal or economic health of the District. This certification is required by Section 101 of the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (P.L. 109-356; 120 Stat. 2020)

In order for these funds to be made available for expenditure, the District must enact a local law detailing the purpose for the expenditure and also provide notification of the passage of that law to both the Senate and House of Representatives in writing 30-days in advance of any such expenditure. We will be happy to assist you in facilitating the completion of these additional prerequisites.

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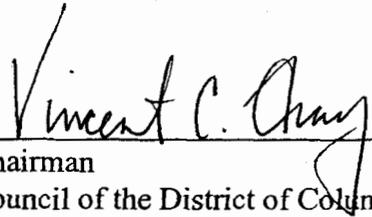
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DISTRICT OF COLUMBIA REGISTER

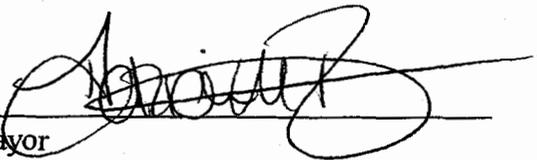
ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 26, 2007

AN ACT
D.C. ACT 16-676

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 26, 2007

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on a temporary basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer needed for public purposes to authorize the Board of Education to sell and convey a portion of the School Without Walls property and density rights to the George Washington University for the purpose of renovating and expanding the School Without Walls pursuant to a development partnership.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Without Walls Development Project Temporary Amendment Act of 2007".

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer needed for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (n) to read as follows:

Note,
§ 10-801

"(n) Notwithstanding any other provision of law, or any rule of law, the Board is authorized to sell and convey to the George Washington University ("GWU") approximately 8,600 square feet of land located on a portion of the property identified as Lot 829 in Square 80 and known as the School Without Walls public high school ("School Without Walls") that is currently used as a parking lot, to sell and convey to GWU certain density rights not used by the District of Columbia Public Schools ("DCPS") at Lot 829, Square 80, and to enter into and execute all agreements necessary to consummate these sales; provided, that DCPS reports to the Mayor and Council on the design, budget, and spending plan prior to commencement of the renovation project and DCPS and GWU have entered into a development partnership agreement, approved by the Board, to renovate and expand the School Without Walls. The terms of the agreement shall include:

"(1) GWU shall purchase a portion of the School Without Walls property currently used as a parking lot and comprising approximately 8,600 square feet of land area from DCPS along with density rights not used by DCPS;

"(2) GWU and DCPS shall agree to a purchase price of the density rights, including the School Without Walls parking lot, which shall be expressed as the value per square foot of residential gross floor area, both as determined pursuant to an appraisal process agreed upon by both parties;

"(3) The Board is responsible for all costs associated with the development project incurred by DCPS for the renovation and expansion of the School Without Walls that exceed the purchase price and are not covered by GWU pursuant to the agreement; and

"(4) All proceeds of the sale of the portion of the School Without Walls property and the density rights shall remain with DCPS and be used to renovate and expand the existing school building on the remaining School Without Walls property."

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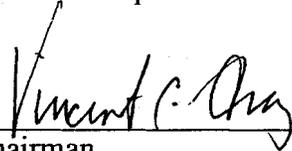
Sec. 3. Fiscal impact statement.

The Council adopts the February 3, 2006 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

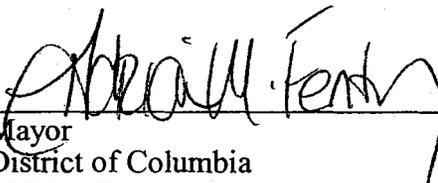
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 26, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-677

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 26, 2007

To amend, on a temporary basis, Chapter 14 of the District of Columbia Municipal Regulations to establish rules to enact the D.C. Housing Authority Rent Supplement program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "D.C. Housing Authority Rent Supplement Temporary Amendment Act of 2007".

Sec. 2. Title 14 of the District of Columbia Municipal Regulations is amended by adding a new Chapter 95 to read as follows:

DCMR

"TITLE 14

"CHAPTER 95

"RENT SUBSIDY PROGRAMS: LOCAL RENT SUPPLEMENT PROGRAM

"Section

- "9500 Introduction
- "9501 Purpose of the Program
- "9502 Eligibility Generally
- "9503 Admissions/Preferences and the Waiting List
- "9504 Project and Sponsored Based Housing Assistance
- "9505 Tenant Based Housing Assistance
- "9506 Continuing Eligibility for LRSP Funding
- "9507 Allocation of Annual Funding
- "9599 Definitions

"9500 INTRODUCTION

"The District of Columbia Housing Authority's (DCHA) Local Rent Supplement Program (LRSP) is authorized and funded with annual appropriations by the District of Columbia government. The intent of the LRSP is to increase the stock of permanent affordable housing units in the District of Columbia. It is

designed to complement the Housing Choice Voucher Program (HCVP) which is funded by the federal government and administered by the DCHA. Similar to HCVP, the LRSP is designed so that households contribute thirty percent (30%) of their adjusted annual income toward the cost for housing. The LRSP will pay the difference in the cost of housing. The LRSP has three types of housing assistance: Tenant-based, Project-based, and Sponsor-based. For the most part, and unless otherwise specified in this Chapter, the LRSP follows the rules and regulations of the HCVP program as may be amended from time to time. Some of the differences between LRSP and HCVP, as specified more fully herein, are that LRSP is not for housing outside of the District of Columbia and the preferences and priorities for the housing assistance are different than those specified in the HCVP rules and regulations.

“9501 PURPOSE OF THE PROGRAM

“9501.1 This chapter shall set forth the rules governing the operation of the Local Rent Supplement Program (LRSP) established under Title II of the Fiscal Year 2007 Budget Support Emergency Act of 2006, effective August 8, 2006 (D.C. Act 16-476; 53 DCR 7068), which is the D.C. Housing Authority Rent Supplement Act of 2006, as amended or as provided in subsequent appropriation authority.

“9501.2 LRSP is established to provide housing assistance to Extremely Low-Income Households in the District of Columbia, including, but not limited to, those who are homeless and those in need of supportive services, such as elderly individuals or those with disabilities.

“9501.3 Unless provided otherwise in this Chapter, DCHA shall administer the LRSP in accordance with federal and District of Columbia HCVP rules and regulations, as amended.

“9502 ELIGIBILITY GENERALLY

“9502.1 DCHA shall ensure that initial admission to the LRSP is limited to Extremely-Low Income Households (including 1 person households) and all households served by LRSP funding shall be located in the District of Columbia.

“9503 ADMISSIONS/PREFERENCES AND THE WAITING LIST

“9503.1 Generally, eligible households shall be selected and admitted from the DCHA’s

existing HCVP waiting list in accordance with the HCVP rules and regulations established by the DCHA for selection and admission for the Tenant-based, Project-based, and Sponsor-based housing assistance in the LRSP unless specified otherwise in this Chapter.

- “9503.2 DCHA shall provide preferences for the LRSP Tenant-based housing assistance according to the following:
“(a) District of Columbia residents who are homeless households with one or more children under 18 years of age shall be the first priority to the extent that resources are available. The percentage for this preference shall be determined each year, by DCHA, based on the total applicant number of homeless households with children on the HCVP Tenant-based wait list to the total number of applicants on the HCVP Tenant-based wait list at the end of each fiscal year.
“(b) The remainder of the LRSP Tenant-based housing assistance not administered in accordance with § 9503.2(a) shall be administered in accordance with the preferences and priorities established by the HCVP rules and regulations.
“(c) The LRSP Tenant-based housing assistance preference percentages shall be published as a notice annually in the District of Columbia Register.
- “9503.3 DCHA shall give preferences in the selection of the Sponsor-based housing assistance to sponsors of supportive housing for individuals with special needs.
- “9503.4 DCHA shall be able to provide LRSP funding to Project-based and Sponsor-based housing assistance for Supportive Housing for otherwise eligible applicants not currently on the HCVP wait list in accordance with the following:
“(a) Residents of such rental units shall be eligible for assistance under the LRSP without being processed through the HCVP wait list but shall meet the eligibility requirements of this Chapter and HCVP as determined by DCHA; and
“(b) The Housing Provider shall provide DCHA with written explanation for the selection of the otherwise eligible applicants not currently on the HCVP waiting list.
- “9504 PROJECT AND SPONSOR BASED HOUSING ASSISTANCE
- “9504.1 Project-based and Sponsor-based housing shall be operated and administered in accordance with DCHA HCVP rules and regulations governing HCVP project based assistance and the Partnership Program for Affordable Housing described

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in Chapter 93 of Title 14 of the District of Columbia Municipal Regulations, including, but not limited to, the execution of Long Term Subsidy Contracts with the Housing Provider unless specified otherwise in this Chapter.

- “9504.2 Pending LRSP funding availability, Long Term Subsidy Contracts for Project-based and Sponsor-based rental units shall have an initial term of up to fifteen (15) years.
- “9504.3 Payments under a Long Term Subsidy Contract may be paid as each rental unit in a project is leased to an eligible household as opposed to waiting until the project is fully occupied.
- “9504.4 LRSP funding is available for up to one hundred percent (100%) of the eligible rental units in any Project-based or Sponsor-based housing or such lesser percentage as may be determined by DCHA without regard to the type of households being served.
- “9504.5 LRSP funding may be available for eligible rental units in any Project-based or Sponsor-based housing with some or all operating costs subsidized by some other source of funds besides the LRSP, but for which the other subsidy(s) alone does not make the rental units affordable to income-eligible households unless prohibited or determined by DCHA otherwise.
- “9504.6 To maintain consistency for households receiving the LRSP funding, the DCHA shall, to the extent possible given funding resources available in the LRSP, continue to fund Project-based and Sponsor-based Housing Providers at rent levels, with adjustments from year to year, in accordance with the procedures and the amount of adjustments authorized in the HCVP or as determined by DCHA. Such continued funding shall also be based on continued compliance by the Housing Provider with this Chapter and HCVP rules and regulations.
- “9504.7 Project-based and Sponsor-based funds left “unobligated” at the end of each DCHA fiscal year shall be added to the LRSP funding for next fiscal year. Funds are left unobligated when there are no applications pending and there are no outstanding Requests for Proposals (RFPs) in which the respondents could use LRSP funding.
- “9504.8 Dollars allocated to Project-based and Sponsor-based housing assistance shall be based on a sum of the new fiscal year funding plus any “unobligated” Project-

based and Sponsor-based carryover funds from the previous fiscal year.

“9504.9 Single Resident Occupancy (SROs) units are eligible for Project-based and Sponsor-based housing assistance.

“9504.10 Long Term Subsidy Contracts for Project-based and Sponsor-based housing assistance shall be awarded on a competitive basis as currently provided in Chapter 93 of Title 14 of the District of Columbia Municipal Regulations, as amended, which identifies the HCVP Partnership Program for Affordable Housing application and award process. Also, in furtherance of providing Project-based and Sponsor-based housing assistance, DCHA shall coordinate with District of Columbia agencies and departments, including, but not limited to, the Department of Housing and Community Development, District of Columbia Housing Finance Agency, Department of Human Services, and Department of Mental Health.

“9505 TENANT-BASED HOUSING ASSISTANCE

“9505.1 LRSP Tenant-based housing assistance shall be administered in accordance with the DCHA HCVP rules and regulations except as provided in this Chapter.

“9505.2 Rent Supplement Voucher shall not be eligible for portability as such term is defined and utilized in 24 CFR §§ 982.351 and 982.353, as amended.

“9505.3 LRSP Tenant-based funds left “unobligated” at the end of each DCHA fiscal year shall be added to the LRSP funding for the next fiscal year. Funds are left unobligated when there are no Extremely Low Income households who could use LRSP funding.

“9505.4 Dollars allocated to Tenant-based housing assistance shall be based on a sum of the new fiscal year funding plus any “unobligated” carryover funds from the previous fiscal year.

“9506 CONTINUING ELIGIBILITY FOR LRSP FUNDING

“9506.1 Subject to availability of LRSP funds and the terms of the Long Term Subsidy Contract and any renewals thereof after the initial term, LRSP funds for Project-based and Sponsor-based housing assistance shall continue so long as the Housing Provider is in compliance with this Chapter and HCVP rules and

ENROLLED ORIGINAL

regulations.

"9506.2 Subject to availability of LRSP funds and the terms of the Rent Supplement Voucher, LRSP funds for Tenant-based housing assistance shall continue so long as the household is in compliance with this Chapter and the HCVP rules and regulations subject to § 9506.3, as amended.

"9506.3 Households assisted by LRSP funds shall be entitled to Title 14 of the District of Columbia Municipal Regulations Chapter 89, as amended, Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Programs as well as 24 CFR § 982.555, as amended, as administered by DCHA.

"9507 ALLOCATION OF ANNUAL FUNDING

"9507.1 For each annual appropriation of funds for the LRSP from the Government of District of Columbia, DCHA is authorized to make LRSP housing assistance available.

"9507.2 For the initial year of appropriation for LRSP, the annual percentage of LRSP funding that will be available for Tenant-based, Project-based, and Sponsor-based housing assistance shall be the following:

"(a) Tenant-based in an amount of sixty percent (60%); and

"(b) Project-based and Sponsor-based in an amount of forty percent (40%).

"9507.3 After the initial year of appropriation for LRSP, DCHA shall be able to annually amend § 9507.2, through official action of its Board of Commissioners, subsequent publication of notice of such action in the District of Columbia Register, and submittal, for approval, to the Council of the District of Columbia.

"9599 DEFINITIONS

"9599.1 Area Median Income -

"(a) For a household of 4 persons: the area median income for a household of 4 persons in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development;

"(b) For a household of 3 persons: 90% of the area median income for a household of 4 persons;

ENROLLED ORIGINAL

- “(c) For a household of 2 persons: 80% of the area median income for a household of 4 persons;
- “(d) For a household of 1 person: 70% of the area median income for a household of 4 persons; and
- “(e) For a household of more than 4 persons: the area median income for a household of 4 persons, increased by 10% of the area median income for a family of 4 persons for each household member exceeding 4 persons (e.g., the area median income for a family of 5 shall be 110% of the area median income for a family of 4; the area median income for a household of 6 shall be 120% of the area median income for a family of 4.
- “9599.2 Extremely Low Income Household - an individual or family whose gross income does not exceed 30% of the Area Median Income, as adjusted for size of household.
- “9599.3 Housing Choice Voucher Program - the federal housing program authorized by Section 8 of the United States Housing Act of 1937, approved September 1, 1937 (50 Stat. 888; 42 U.S.C. § 1737(f) *et seq.*), as administered by the District of Columbia Housing Authority.
- “9599.4 Housing Provider - an entity or its affiliate that owns and/or operates a unit receiving LRSP funds.
- “9599.5 Local Rent Supplement Program (LRSP) - the program established under Title II of the Fiscal Year 2007 Budget Support Emergency Act of 2006, effective August 8, 2006 (D.C. Act 16-476; 53 DCR 7068), which is the D.C. Housing Authority Rent Supplement Act of 2006, to provide housing assistance to Extremely Low-Income residents in the District of Columbia, including, but not limited to, those who are homeless and those in need of supportive services, such as elderly individuals or those with disabilities.
- “9599.6 Long Term Subsidy Contract - a long term housing assistance payment contract between DCHA and the owner of building(s) or the Housing Provider receiving LRSP housing assistance; and shall mean the same as the Housing Assistance Payment contract under the HCVP rules and regulations unless specified otherwise in this Chapter.
- “9599.7 Project-Based Housing Assistance - LRSP funds allocated under a Long Term Subsidy Contract and attached to units in a particular building, or set of

ENROLLED ORIGINAL

buildings, owned and operated by a private or nonprofit Housing Provider; and shall have the same meaning as "Project-based assistance" under the HCVP rules and regulations unless specified otherwise in this Chapter.

- "9599.8 Rent Supplement Voucher - a document issued by DCHA to households selected for admission to LRSP and shall mean the same as the "Housing Choice Voucher" under the HCVP rules and regulations unless specified otherwise in this Chapter. This document describes the LRSP, the procedures for DCHA's approval of the dwelling unit selected by the household, and shall state the obligations of the household under the LRSP.
- "9599.9 Sponsor-Based Housing Assistance - LRSP funds allocated under a Long Term Subsidy Contract to a particular private or non-profit Housing Provider to subsidize the rent, in units owned and operated by the provider, for the number of households established by the contract.
- "9599.10 Supportive Housing - housing provided in connection with voluntary services designed primarily to help tenants maintain housing, including, but not limited to, coordination/case management, physical and mental health, substance use management and recovery support, job training, literacy, and education, youth and children's programs, and money management.
- "9599.11 Tenant-Based Housing Assistance - LRSP funds allocated for an individual or family holding a Rent Supplement Voucher issued by DCHA to the individual or family selected for admission by HCVP and shall have the same meaning as "Tenant-Based assistance" under the HCVP rules and regulations unless specified otherwise in this Chapter."

Sec. 3. Fiscal impact statement.

The Council adopts the December 19, 2006 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

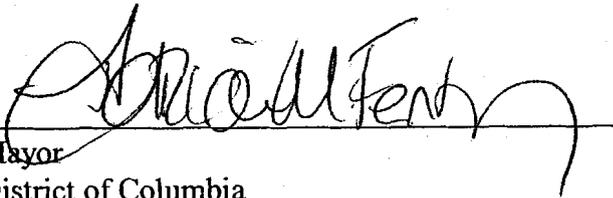
ENROLLED ORIGINAL

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 26, 2007

AN ACT
D.C. ACT 17-2

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2007

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to allow District of Columbia government employees who serve in the reserve units of the United States Armed Forces and who have been called or will be called to active duty as a result of Operation Enduring Freedom, or in preparation for or as a result of Operation Iraqi Freedom, to receive a pay differential.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Congressional Review Emergency Amendment Act of 2007".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 1103(a) (D.C. Official Code § 1-611.03(a)) is amended by adding a new paragraph (7) to read as follows:

Note,
§ 1-611.03

“(7)(A) Any full-time permanent, term, or TAPER District government employee who serves in a reserve component of the United States Armed Forces and who has been or will be called to active duty as a result of Operation Enduring Freedom, or in preparation for or as a result of Operation Iraqi Freedom, shall receive, upon application and approval, an amount that equals the difference in compensation between the employee's District government basic pay and the employee's basic military pay. This amount shall not be considered as basic pay for any purpose. This amount shall be paid for any period following the formal inception of Operation Enduring Freedom in 2001, any period following the beginning of the preparation for Operation Iraqi Freedom in 2002 and 2003, or for any period following the formal inception of Operation Iraqi Freedom in 2003, during which the employee is carried in a non-pay status, from the time the employee is called to active duty until the employee is released from active duty occasioned by any of these military conflicts.

"(B) The Mayor shall issue rules within 30 days of July 22, 2003 to implement the provisions of this paragraph."

(b) Section 1111(d) (D.C. Official Code § 1-611.11(d)) is amended by striking the phrase "and (6)" and inserting the phrase "and (7)" in its place.

Note,
§ 1-611.11

Sec. 3. Applicability.

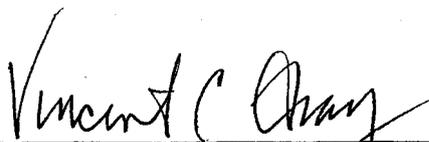
This act shall apply as of January 17, 2007.

Sec. 4. Fiscal impact statement.

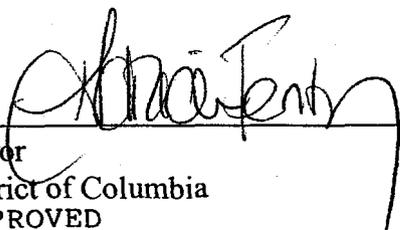
The Council adopts the January 5, 2007 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2007

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT

FEB 16 2007

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: 1/5/07
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Subject/Short Title: The "Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Congressional Review Emergency Amendment Act of 2007"

Fiscal Impact of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
a) It will affect local expenditures.	()	(X)
b) It will affect federal expenditures.	()	(X)
c) It will affect private/other expenditures.	()	(X)
d) It will affect intra-District expenditures.	()	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
a) It will impact local revenue.	()	(X)
b) It will impact federal revenue.	()	(X)
c) It will impact private/other revenue.	()	(X)
d) It will impact intra-District revenue.	()	(X)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(X)	()
<p>Explanation: This bill would simply continue to amend, on an emergency basis, due to Congressional review, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to allow District of Columbia government employees who serve in the reserve units of the United States Armed Forces and who have been called or will be called to active duty as a result of Operation Enduring Freedom, or in preparation for or as a result of Operation Iraqi Freedom, to receive a pay differential.</p>		

Fiscal Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(X)
2. Are there performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? The amending, on an emergency basis, due to Congressional review, of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to allow District of Columbia government employees who serve in the reserve units of the United States Armed Forces and who have been called or will be called to active duty as a result of Operation Enduring Freedom, or in preparation for or as a result of Operation Iraqi Freedom, to receive a pay differential would not occur.	(X)	()
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(X)

Sources of information:	Councilmember: Carol Schwartz
Council staff.	Staff Person & Tel: Andrew Gerst (202) 727-8272
	Council Budget Director's Signature: <i>Eric J. Holt</i> 1/5/07

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-3

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 16, 2007

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2007 Winter
 Supp.

West Group
 Publisher

To amend, on an emergency basis, due to Congressional review, the Office of Administrative Hearings Establishment Act of 2001 to expand its jurisdiction to infractions of rules promulgated pursuant the Department of Transportation Establishment Act of 2002; to amend the Department of Transportation Establishment Act of 2002 to authorize the District Department of Transportation to plan, develop, finance, and operate a local passenger bus service to be known as the DC Circulator, and to establish the DC Circulator Fund; and to amend Title 18 of the District of Columbia Municipal Regulations to establish the routes, fares, and forms of payment for the DC Circulator passenger bus service, and to establish a fine for boarding a DC Circulator bus without a valid form of payment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007".

Sec. 2. Section 6(a) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(a)), is amended as follows:

Note,
 § 2-1831.03

- (a) Paragraph (7) is amended by striking the word "and" after the semicolon.
- (b) Paragraph (8) is amended by striking the period at the end of the text and inserting the phrase "; and" in its place.
- (c) A new paragraph (9) is added to read as follows:

"(9) All adjudications involving infractions of rules established pursuant to title III of the Department of Transportation Establishment Act of 2002, signed by the Mayor on December 19, 2006 (D.C. Act 16-554; 53 DCR _____), and Chapter 15 of Title 18 of the District of Columbia Municipal Regulations."

Sec. 3. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

- (a) Sections 2 through 9b are designated as "Title I. General."
- (b) Sections 10 through 11 are designated as "Title II. Conforming Amendments."

ENROLLED ORIGINAL

(c) Section 2 (D.C. Official Code § 50-921.01) is amended by striking the phrase "and coordinating the transportation system," and inserting the phrase ", coordinating, and operating the transportation system, including the DC Circulator pursuant to title III," in its place.

Note,
§ 50-921.01

(d) Section 5(2) (D.C. Official Code § 50-921.04(2)) is amended as follows:

Note,
§ 50-921.04

(1) Subparagraph (J) is amended by striking the word "and" at the end.

(2) Subparagraph (K) is amended by striking the phrase "travel;" and inserting the phrase "travel; and" in its place.

(3) A new subparagraph (L) is added to read as follows:

“(L) Operate, develop, and finance the DC Circulator pursuant to title III.”

(e) A new Title III is added to read as follows:

“Title III. DC Circulator Bus Service.

“Sec. 11a. Definitions.

“For the purposes of this title, the term:

“(1) "DC Circulator" means a local transit facility passenger bus service operated by the District of Columbia government that provides a network of fixed-route bus service solely within the District of Columbia.

“(2) "DC Circulator Fund " means the fund established by section 11c.

“(3) "Department" means the District Department of Transportation.

“(4) "Ticket" means passes, tokens, or any other form of payment, including those sold in bulk for resale, that may be used in lieu of cash.

“(5) "WMATA" means the Washington Metropolitan Area Transit Authority created pursuant to the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01).

“Sec. 11b. DC Circulator.

“The Department shall have the power to:

“(1) Plan, develop, finance, operate, control, and regulate the DC Circulator, including fares, charges, tickets, fines, and the establishment of routes and schedules;

“(2) Sell space on and within DC Circulator vehicles or other assets for the display of advertisements and enter into one or more agreements with entities to sell such space on such vehicles or other assets in return for a fee, a percentage of such revenues, or as a gift or donation of services approved by the Mayor; and

“(3) Enter into contracts with third parties, including WMATA, for the procurement, construction, operation, and maintenance of DC Circulator vehicles or other assets.

“Sec. 11c. DC Circulator Fund establishment.

“(a) There is hereby established the DC Circulator Fund as a nonlapsing, revolving special purpose revenue fund, the funds of which shall be for the Department to pay for goods, services, property, or for any other authorized purpose, subject to authorization by Congress, into which shall be deposited all revenue collected pursuant to section 11b by the District, WMATA, or their agents, and all monetary gifts intended to be used to assist in the funding of

the DC Circulator.

"(b) Notwithstanding subsection (a) of this section, during any period of time in which a contract with WMATA is in effect, monies from the payment of fares, the purchase of tickets, and the sale of advertising space by third parties may be, with the written consent of the Chief Financial Officer for the District of Columbia and pursuant to the terms of the contract, deposited in a WMATA interest bearing account for the benefit of the District of Columbia and used by WMATA to offset its costs of contract performance, but only to the extent that Congress has appropriated funds to the District to perform or procure those services.

"Sec. 11d. Fares; structure; purpose.

"(a) Insofar as practicable, and consistent with the provision of adequate service at reasonable fares, the rates and fares and service shall be fixed by the Department, so as to result in revenues that shall:

"(1) Pay the operating expenses and provide for repairs, maintenance, and depreciation of the DC Circulator vehicles or other assets owned or controlled by the District;

"(2) Provide for payment of all principal and interest on outstanding revenue bonds; and

"(3) Provide funds for any purpose the Department considers necessary and desirable to carry out the purposes of this section.

"(b) Nothing in subsection (a) of this section shall prevent the Department from offering tickets at no cost or at discounted prices as part of the Department's marketing of the DC Circulator.

"Sec. 11e. Rulemaking; enforcement.

"(a) The Mayor, or his designee, may promulgate, amend, or repeal rules to implement the provisions of this title, including the manner and amount of any fares, fees, or fines, pursuant to the Mayor's authority under Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

"(b) Civil fines, penalties, and fees may be imposed as sanctions for an infraction of any rule promulgated under subsection (a) of this section pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

"Sec. 11f. Consolidation with WMATA.

"The District Department of Transportation shall coordinate with WMATA to evaluate whether operations under this title should be consolidated with existing services provided by WMATA, while maintaining the distinctive features of the DC Circulator service.

"Sec. 11g. Jurisdictional applicability.

"The District Department of Transportation is authorized to plan, develop, finance, and operate the DC Circulator, as set forth in this title, solely within the District of Columbia. Any expansion of the DC Circulator or such like service by another name into a jurisdiction beyond the District of Columbia shall require Council approval."

ENROLLED ORIGINAL

DCMR

Sec. 4 Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) A new Chapter 15 is added to read as follows:

“CHAPTER 15 DC CIRCULATOR

“1500 GENERAL PROVISIONS

“1500.1 There is established a passenger bus service to provide a network of fixed-route bus services within the District of Columbia, to be known as the DC Circulator.

“1500.2 The purpose of the DC Circulator is to relieve transportation congestion and improve the mobility of residents, workers, and tourists.

“1501 ROUTES

“1501.1 The following routes are established for the DC Circulator:

“(a) Capitol Hill Loop – Union Station to points in the Capitol Hill neighborhood, which may include the Capitol South and Navy Yard Metro Stations;

“(b) East-West Loop – Union Station, Massachusetts Avenue, N.W., the Washington Convention Center, and Georgetown;

“(c) Georgetown Loop – Georgetown, Foggy Bottom Metro Station, and other points bordering the Georgetown neighborhood;

“(d) Monuments Loop – Monuments and museums on the National Mall;

“(e) North-South Loop – Mt. Vernon Square, 7th or 9th Street, N.W., the National Mall, and Water Street, S.W.; and

“(f) Smithsonian Loop – Constitution Avenue, 4th Street, Independence Avenue, and 17th Street.

“1501.2 The routes established in § 1501.1 may operate 7 days a week between the hours of 5:00 a.m. and midnight.

“1502 FARES

“1502.1 The fares to board a DC Circulator bus shall be as follows:

“(a) Persons between the ages of five (5) and sixty-four (64): One dollar (\$1.00)

“(b) Persons sixty-five (65) years of age and older: Fifty cents (50¢)

“(c) Persons who present a valid MetroAccess card: Free of charge

“1502.2 A person sixty-five (65) years of age and older may pay the fare established in § 1502.1(b) upon presenting the DC Circulator bus driver or fare collector with valid photo identification or a valid Medicare card.

“1502.3 Passes that permit unlimited daily, three-day, weekly, monthly, or yearly use of the DC Circulator may be sold as follows:

“(a) Daily Pass \$3.00

“(b) Three-Day Pass \$7.00

“(c) Weekly Pass \$11.00

“(d) Monthly Pass \$40.00

“(e) Yearly Pass \$450.00

“1502.4 Except for children under the age of five (5) years old and uniformed District,

ENROLLED ORIGINAL

Capitol, and National Park Service police officers, no person shall board a DC Circulator bus without:

- “(a) Depositing the applicable fare into the bus fare box;
- “(b) Touching the target point of the bus fare reader with a funded rechargeable fare card;
- “(c) Presenting a valid DC Circulator pass;
- “(d) Displaying a valid DC Circulator, Metrobus, or Metrorail pass, WMATA student farecard, or MetroAccess Card;
- “(e) Displaying a DC Circulator, Metrobus, or Metrorail transfer issued less than 2 hours prior to boarding; or
- “(f) Displaying a transfer from a bus, train, or other vehicle upon the execution of an agreement between the Department and the owner or operator of such vehicle regarding the use of transfers.

“1599 DEFINITIONS

“1599.1 When used in this chapter, the following terms shall have the meaning ascribed:

- “Department – District Department of Transportation.
- “Metrobus – A bus operated by the Washington Metropolitan Area Transit Authority.
- “Metrorail – A train operated by the Washington Metropolitan Area Transit Authority.
- “Rechargeable fare media – a plastic, permanent farecard issued by the Department or WMATA embedded with a computer chip that keeps track of the fare value of the farecard. A WMATA SmartTrip Card is an example of a rechargeable fare media.
- “WMATA or Metro – the Washington Metropolitan Area Transit Authority.”
- (b) Subsection 2603.1 (18 DCR § 2603.1) is amended by adding the following:
“Boarding a DC Circulator bus without depositing payment, using a rechargeable fare card, presenting a DC Circulator pass, or displaying a valid pass, transfer, or MetroAccess card (§ 1502.4) \$25.00.”

Sec. 5. Conditional applicability.

This act shall apply subject to the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 6. Fiscal impact statement.

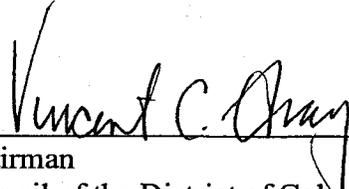
The Council adopts the January 5, 2007 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

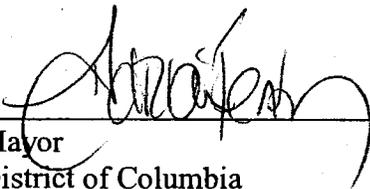
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

ENROLLED ORIGINAL

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-4

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2007

To amend, on an emergency basis, due to Congressional review, the Metro Bus Funding Requirement Act of 2004 to allow for the purchase of compressed natural gas vehicles or vehicles that meet or exceed current compressed natural gas standards by the Washington Metropolitan Area Transit Authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Metro Bus Funding Requirement Congressional Review Emergency Amendment Act of 2007".

Sec. 2. (a) Sections 7062 and 7063 of the Metro Bus Funding Requirement Act of 2004, effective August 2, 2004 (D.C. Law 15-205; 51 DCR 8441), are amended to read as follows:

"Sec. 7062. Statement of purpose.

"It is the position of the District of Columbia government that the Washington Metropolitan Area Transit Authority shall procure Compressed Natural Gas ("CNG") transit buses or other buses that are technically efficient, environmentally friendly, and comparable to, or better than, CNG vehicles.

"Sec. 7063. Purchase of efficient vehicles.

"Beginning in fiscal year 2007, the Mayor shall submit a budget for the Washington Metropolitan Area Transit Authority to the Council of the District of Columbia that authorizes the purchase of CNG buses or buses that are technically efficient and environmentally friendly, with emissions that are comparable to, or better than, CNG vehicles."

Sec. 3. Fiscal impact statement.

The Council adopts the January 5, 2007 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT

FEB 16 2007

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: 1/5/07
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Subject/Short Title: The "Metro Bus Funding Requirement Congressional Review Emergency Amendment Act of 2007"

Part 1: Summary of the Fiscal Estimate of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
a) It will affect local expenditures.	()	(X)
b) It will affect federal expenditures.	()	(X)
c) It will affect private/other expenditures.	()	(X)
d) It will affect intra-District expenditures.	()	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
a) It will impact local revenue.	()	(X)
b) It will impact federal revenue.	()	(X)
c) It will impact private/other revenue.	()	(X)
d) It will impact intra-District revenue.	()	(X)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(X)	()
<p>Explanation: This bill would simply continue to amend, on an emergency basis, due to Congressional review, the Metro Bus Funding Requirement Act of 2004 to allow for the purchase of compressed natural gas vehicles or vehicles that meet or exceed current compressed natural gas standards by the Washington Metropolitan Area Transit Authority.</p>		

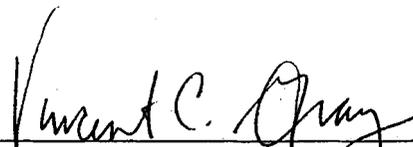
Part 2: Other Impacts of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.	()	(X)
1. It will affect an agency and/or agencies in the District.	()	(X)
2. Are there performance measures/output for this bill?	(X)	()
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? The amending, on an emergency basis, due to Congressional review, of the Metro Bus Funding Requirement Act of 2004 to allow for the purchase of compressed natural gas vehicles or vehicles that meet or exceed current compressed natural gas standards by the Washington Metropolitan Area Transit Authority would not occur.	()	()
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(X)

Sources of information: Council staff.	Councilmember: Carol Schwartz
	Staff Person & Tel: Andrew Gerst (202) 727-8272
	Council Budget Director's Signature: <i>Eric J. Stohlet</i> 1/5/07

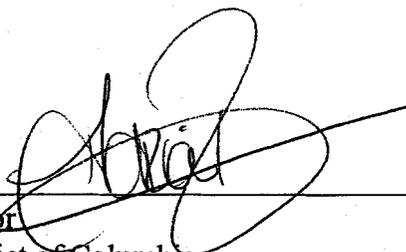
ENROLLED ORIGINAL

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-5

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2007

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the Confirmation Act of 1978 to clarify the period for Council review of nominations to the Commission on African Affairs; and to amend the Commission on African Affairs Act of 2006 to abolish the Mayor's Advisory Commission on African Community Affairs as of the date that the majority of the members of the Commission on African Affairs are sworn, or December 31, 2006, whichever occurs first, and to provide for the transfer of all records of the Mayor's Advisory Commission on African Community Affairs to the Commission on African Affairs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office and Commission on African Affairs Clarification Congressional Review Emergency Amendment Act of 2007".

Sec. 2. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

Note,
§ 1-523.01

(1) Paragraph (43) is amended by striking the word "and" at the end.

(2) Paragraph (44) is amended by striking the period and inserting the phrase "and" in its place.

(3) A new paragraph (45) is added to read as follows:

"(45) The Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1393)."

Sec. 3. The Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1391 *et seq.*), is amended by adding a new section 6a to read as follows:

"Sec. 6a. Transition provisions.

“(a) The Mayor’s Advisory Commission on African Community Affairs, established pursuant to Mayor’s Order 2003-114, dated August 11, 2003, shall be abolished as of the earlier of the following dates:

“(1) The date that a majority of the 15 public members of the Commission on African Affairs are sworn in; or

“(2) December 31, 2006.

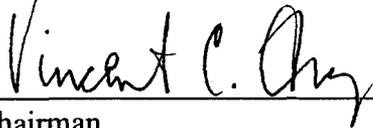
“(b) All records of the Mayor’s Advisory Commission on African Community Affairs, established pursuant to Mayor’s Order 2003-114, dated August 11, 2003, shall be transferred to the Commission on African Affairs, as of the date established in subsection (a) of this section.”.

Sec. 4. Fiscal impact statement.

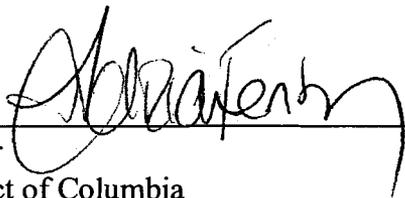
The Council adopts the January 5, 2007 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2007

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT FEB 16 2007

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: 1/5/07
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Subject/Short Title: The "Office and Commission on African Affairs Clarification Congressional Review Emergency Amendment Act of 2007"

Summary of the Fiscal Impacts of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
a) It will affect local expenditures.	()	(X)
b) It will affect federal expenditures.	()	(X)
c) It will affect private/other expenditures.	()	(X)
d) It will affect intra-District expenditures.	()	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
a) It will impact local revenue.	()	(X)
b) It will impact federal revenue.	()	(X)
c) It will impact private/other revenue.	()	(X)
d) It will impact intra-District revenue.	()	(X)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(X)	()
<p>Explanation: This bill would simply continue to amend, on an emergency basis, due to Congressional review, the Confirmation Act of 1978 to clarify the period for Council review of nominations to the Commission on African Affairs; and to amend the Commission on African Affairs Act of 2006 to abolish the Mayor's Advisory Commission on African Community Affairs as of the date that the majority of the members of the Commission on African Affairs are sworn, or December 31, 2006, whichever occurs first, and to provide for the transfer of all records of the Mayor's Advisory Commission on African Community Affairs to the Commission on African Affairs.</p>		

Further Budget Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(X)
2. Are there performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? The amending, on an emergency basis, due to Congressional review, of the Confirmation Act of 1978 to clarify the period for Council review of nominations to the Commission on African Affairs; and to amend the Commission on African Affairs Act of 2006 to abolish the Mayor's Advisory Commission on African Community Affairs as of the date that the majority of the members of the Commission on African Affairs are sworn, or December 31, 2006, whichever occurs first, and to provide for the transfer of all records of the Mayor's Advisory Commission on African Community Affairs to the Commission on African Affairs would not occur.	(X)	()
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(X)

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT

Sources of information:	Councilmember: Carol Schwartz
Council staff:	Staff Person & Tel: Andrew Gerst (202) 727-8272
	Council Budget Director's Signature: <i>Eric J. Holt</i> 1/5/07

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-6

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 16, 2007

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the Anti-Drunk Driving Act of 1982 to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vehicle; to amend Chapter 10 of Title 25 of the District of Columbia Official Code to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vessel or watercraft; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978, the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996, the Uniform Classification and Commercial Driver's License Act of 1990, the Motor Vehicle Safety Responsibility Act of the District of Columbia, the District of Columbia Traffic Act, 1925, and the District of Columbia Implied Consent Act to update the formula for determining a person's alcohol concentration as it pertains to the offense of driving while under the influence of liquor to reflect the measurements and ratios used by current technology; and to make conforming amendments to the District of Columbia Municipal Regulations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Anti-Drunk Driving Clarification Congressional Review Emergency Amendment Act of 2007".

Sec. 2. Section 2 of the Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2205.02), is amended to read as follows:

Note,
§ 50-2205.02

"Sec. 2. Evidence of intoxication.

"If as a result of the operation or the physical control of a vehicle, a person is tried in any court of competent jurisdiction within the District of Columbia for operating or being in physical control of a vehicle while under the influence of intoxicating liquor in violation of section 10(b) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1124; D.C. Official Code § 50-2201.05(b)), negligent homicide in violation of section 802(a) of An Act To establish a code of law for the District of Columbia, approved June 17, 1935 (49 Stat. 385; D.C. Official Code § 50-2203.01), or manslaughter committed in the operation of a

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vehicle in violation of section 802 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-2105), and in the course of the trial there is received, based upon a chemical test, evidence of alcohol in the defendant's blood, urine, or breath, such evidence:

"(1) Shall, if at the time of testing, defendant's alcohol concentration was 0.05 grams or less per 100 milliliters of blood or per 210 liters of breath or 0.06 grams or less per 100 milliliters of urine, establish a rebuttable presumption that the defendant was not, at the time, under the influence of intoxicating liquor; and

"(2) Shall not, if at the time of testing, defendant's alcohol concentration was more than 0.05 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.06 grams per 100 milliliters of urine, but less than 0.08 grams per 100 milliliters of blood or per 210 liters of breath or less than 0.10 grams per 100 milliliters of urine, establish a presumption that the defendant was or was not, at the time, under the influence of intoxicating liquor, but it may be considered with other competent evidence in determining whether the defendant was under the influence of intoxicating liquor."

Sec. 3. Chapter 10 of Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-1004(a) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) The person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine; or"

(2) Paragraph (2) is repealed.

(b) Section 25-1008 is amended as follows:

(1) The lead-in language is amended by striking the phrase "the following standards shall apply to competent evidence based upon a chemical test:" and inserting the phrase "and in the course of the trial there is received, based upon a chemical test, evidence of alcohol in the defendant's blood, urine, or breath, such evidence:".

(2) Paragraphs (1) and (2) are amended to read as follows:

"(1) Shall, if at the time of testing, defendant's alcohol concentration was 0.05 grams or less per 100 milliliters of blood or per 210 liters of breath or 0.06 grams or less per 100 milliliters of urine, establish a rebuttable presumption that the defendant was not, at the time, under the influence of intoxicating liquor; and

"(2) Shall not, if at the time of testing, defendant's alcohol concentration was more than 0.05 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.06 grams per 100 milliliters of urine, but less than 0.08 grams per 100 milliliters of blood or per 210 liters of breath or less than 0.10 grams per 100 milliliters of urine, establish a presumption that the defendant was or was not, at the time, under the influence of intoxicating liquor, but it

Note,
§ 25-1004

Note,
§ 25-1008

may be considered with other competent evidence in determining whether the defendant was under the influence of intoxicating liquor."

Sec. 4. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 2024 (D.C. Official Code § 1-620.24) is amended by striking the phrase "breath contained .08% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration was 0.08 grams or more per 210 liters of breath" in its place.

Note,
§ 1-620.24

(b) Section 2033 (D.C. Official Code § 1-620.33) is amended by striking the phrase "breath contains .08 percent or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more per 210 liters of breath" in its place.

Note,
§ 1-620.33

Sec. 5. Section 4 of the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996, effective September 20, 1996 (D.C. Law 11-158; D.C. Official Code § 24-211.23), is amended as follows:

Note,
§ 24-211.23

(a) Subsection (e) is amended by striking the phrase "breath contained .08% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration was 0.08 grams or more per 210 liters of breath" in its place.

(b) Subsection (f) is amended by striking the phrase "1 milliliter of the employee's breath (consisting of substantially alveolar air) contains .38 micrograms or more of alcohol." and inserting the phrase "210 liters of the employee's breath contains 0.08 grams or more of alcohol." in its place.

Sec. 6. Section 7(a)(1) of the Uniform Classification and Commercial Driver's License Act of 1990, effective September 20, 1990 (D.C. Law 8-161; D.C. Official Code § 50-406(a)(1)), is amended by striking the phrase "a blood alcohol concentration at or above 0.04% as established under 12008(f) of the Commercial Motor Vehicle Safety Act (40 U.S.C.S. § 2707(f))." and inserting the phrase "an alcohol concentration of 0.04 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine." in its place.

Note,
§ 50-406

Sec. 7. Section 37(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (69 Stat. 130; D.C. Official Code § 50-1301.37(a)), is amended by striking the phrase "individual's blood contains .08% or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of defendant's breath, consisting substantially of alveolar air, or while defendant's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

Note,
§ 50-1307.37

Sec. 8. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

(a) Section 10(b) (D.C. Official Code § 50-2201.05(b)) is amended as follows:

Note,
§ 50-2201.05

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (A) is amended to read as follows:

"(A)(i) No person shall operate or be in physical control of any vehicle in the District:

"(I) When the person's alcohol concentration at the time of testing is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine;

"(II) While under the influence of intoxicating liquor or any drug or any combination thereof; or

"(III) If under 21 years of age, when the person's blood, breath, or urine contains any measurable amount of alcohol.

"(i) Any person violating any provision of this paragraph upon conviction for the first offense, unless the person has been previously been convicted for a violation of paragraph (2) of this subsection, shall be fined \$300 and may be imprisoned for not more than 90 days. In addition, if the person's alcohol concentration was at least 0.20 grams per 100 milliliters of blood or per 210 liters of breath, or was at least 0.25 grams per 100 milliliters of urine, but was not more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath, or was not more than 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for a mandatory minimum period of 5 days, or if the person's alcohol concentration was more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath or 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for an additional mandatory minimum period of 10 days, which mandatory minimum period shall not be suspended by the court."

(B) Subparagraph (B) is amended by striking the sentences "In addition, if the individual's blood contains at least .20%, but not more than .25%, by weight, of alcohol, the individual shall be imprisoned for an additional mandatory minimum period of 10 days, or if the level is more than .25%, by weight, of alcohol, for an additional mandatory minimum period of 20 days. The additional mandatory minimum period shall not be suspended by the court." and inserting the sentence "In addition, if the person's alcohol concentration was at least 0.20 grams per 100 milliliters of blood or per 210 liters of breath, or was at least 0.25 grams per 100 milliliters of urine, but was not more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath, or was not more than 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for an additional minimum mandatory period of 10 days or if the person's alcohol concentration was more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for an

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additional mandatory minimum period of 20 days, which additional mandatory minimum periods shall not be suspended by the court." in its place.

(C) Subparagraph (C) is amended by striking the sentences "In addition, if the individual's blood contains at least .20%, but not more than .25%, by weight, of alcohol, the individual shall be imprisoned for an additional minimum mandatory period of 15 days, or if the level is more than .25%, by weight, of alcohol volume, for an additional mandatory minimum period of 25 days. The additional mandatory minimum period shall not be suspended by the court." and inserting the sentence "In addition, if the person's alcohol concentration was at least 0.20 grams per 100 milliliters of blood or per 210 liters of breath, or was at least 0.25 grams per 100 milliliters of urine, but was not more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath, or was not more than 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for an additional minimum mandatory period of 15 days, or if the person's alcohol concentration was more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath or 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for a mandatory minimum period of 25 days, which additional mandatory minimum periods shall not be suspended by the court." in its place.

(D) Subparagraph (D) is amended by striking the word "individual" wherever it appears and inserting the word "person" in its place.

(2) Paragraph (2) is amended by striking the word "individual" wherever it appears and inserting the word "person" in its place.

(b) Section 13(a) (D.C. Official Code § 50-1403.01(a)) is amended by striking the phrase "individual's blood contains .08% or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the individual's breath, consisting substantially of alveolar air, or while the individual's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

Note,
§ 50-1403.01

Sec. 9. The District of Columbia Implied Consent Act, approved October 21, 1972 (86 Stat. 1016; D.C. Official Code § 50-1901 *et seq.*), is amended as follows:

Note,
§ 50-1902

(a) Section 2 (D.C. Official Code § 50-1902) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "blood contains .08% or more, by weight, of alcohol, or .38 micrograms or more of alcohol are contained in 1 milliliter of that person's breath, consisting of substantially alveolar air, or that person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(2) Subsection (b) is amended by striking the phrase "blood contains .08% or more, by weight, of alcohol, or .38 micrograms or more of alcohol are contained in 1 milliliter

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of that person's breath, consisting of substantially alveolar air, or that person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(b) Section 5(a) (D.C. Official Code § 50-1905(a)) is amended by striking the phrase "individual's blood contains .08% or more, by weight, of alcohol, or .38 micrograms or more of alcohol are contained in 1 milliliter of that person's breath, consisting of substantially alveolar air, or that person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

Note,
§ 50-1905

(c) Section 6(a)(1) (D.C. Official Code § 50-1906(a)(1)) is amended by striking the phrase "blood contains .08% or more, by weight, of alcohol, or .38 micrograms or more of alcohol are contained in 1 milliliter of that person's breath, consisting of substantially alveolar air, or that person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

Note,
§ 50-1906

Sec. 10. Chapter 39 of Title 6 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Section 3902.2(d) is amended by striking the phrase "breath contains .08 percent or more, by weight, of alcohol" and inserting the phrase "alcohol concentration was 0.08 grams or more per 210 liters of breath" in its place.

(b) Section 3905.4 is amended by striking the phrase "breath contains .08 percent or more, by weight, of alcohol" and inserting the phrase "alcohol concentration was 0.08 grams or more per 210 liters of breath" in its place.

Sec. 11. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Chapter 3 is amended as follows:

(1) Section 301.1(a) is amended by striking the phrase "blood contains eight one-hundredths of one percent (.08%) or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the person's breath, consisting substantially of alveolar air, or while the person's urine contains ten one-hundredths of one percent (.10%) or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(2) Section 303.2(n) is amended by striking the phrase "blood contains eight one-hundredths of one percent (.08%) or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the person's breath, consisting substantially of

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alveolar air, or while the person's urine contains ten one-hundredths of one percent (.10%) or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(3) Section 306.8 is amended by striking the phrase "blood contains eight one-hundredths of one percent (.08%) or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the person's breath, consisting substantially of alveolar air, or while the person's urine contains ten one-hundredths of one percent (.10%) or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(4) Section 307.4 is amended by striking the phrase "individual's blood contains .08% or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the person's breath, consisting substantially of alveolar air, or while the person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(b) Section 1034 of Chapter 10 is amended as follows:

(1) Subsection 1034.1 is amended as follows:

(A) Strike the phrase "blood alcohol content" and insert the phrase "alcohol concentration" in its place.

(B) Add the sentence "These presumptions shall be rebuttable." after the first sentence.

(2) Subsection 1034.2 is amended to read as follows:

"1034.2 If at the time of testing, the operator's alcohol concentration was 0.05 grams or less per 100 milliliters of blood or per 210 liters of breath or 0.06 grams or less per 100 milliliters of urine, this evidence shall establish a presumption that the operator was not, at the time, under the influence of intoxicating liquor."

(3) Subsection 1034.3 is amended to read as follows:

"1034.3 If at the time of testing, the operator's alcohol concentration was more than 0.05 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.06 grams per 100 milliliters of urine, but less than 0.08 grams per 100 milliliters of blood or per 210 liters of breath or less than 0.10 grams per 100 milliliters of urine, this evidence shall not establish a presumption that the operator was or was not, at the time, under the influence of intoxicating liquor, but it may be considered with other competent evidence in determining whether the operator was under the influence of intoxicating liquor."

(c) Chapter 13 is amended as follows:

(1) Section 1306.1(b) is amended to read as follows:

"(b) Having an alcohol concentration of 0.04 grams or more per 100 milliliters of blood,

per 210 liters of breath, or per 67 milliliters of urine while operating a commercial vehicle;”.

(2) Section 1319.3 is amended by striking the phrase “blood alcohol content was determined to be less than four hundredths of one percent (0.04%).” and inserting “alcohol concentration was determined to be less than 0.04 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.” in its place.

(3) Section 1320.3 is amended to read as follows:

“1320.3 If the person refuses testing in § 1320.1, or submits to a test that discloses an alcohol concentration of 0.04 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, the authorized law enforcement officer who has stopped or detained the driver shall submit a sworn report to the Department of Motor Vehicles certifying that the test was requested pursuant to § 1320.1 and that the person refused to submit to testing, or submitted to a test that disclosed an alcohol concentration of 0.04 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.”.

(4) Subsection 1399.1 is amended by striking the sentence “Chemical Test - a test of a person's blood urine or breath for the purpose of determining the blood-alcohol-content or blood-drug-content in accordance with D.C. Official Code §§ 50-1902 and 50-1903, except the blood-alcohol-content shall be four hundredths of one percent (0.04%) instead of one tenth percent (0.10%).” and inserting the sentence “Chemical Test – a test of a person's blood, urine, or breath for the purpose of determining the alcohol concentration or blood-drug-content in accordance with D.C. Official Code §§ 50-1902 and 50-1903, except the alcohol concentration shall be 0.04 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine instead of 0.10 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.” in its place.

Sec. 12. Fiscal impact statement.

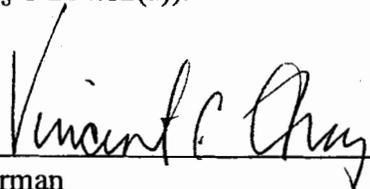
The Council adopts the January 5, 2007 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 13. Effective date.

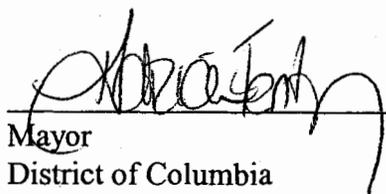
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2007

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: 1/5/07
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Subject/Short Title: The "Anti-Drunk Driving Clarification Congressional Review Emergency Amendment Act of 2007"

Part I: Summary of the Fiscal Estimate of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
a) It will affect local expenditures.	()	(X)
b) It will affect federal expenditures.	()	(X)
c) It will affect private/other expenditures.	()	(X)
d) It will affect intra-District expenditures.	()	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
a) It will impact local revenue.	()	(X)
b) It will impact federal revenue.	()	(X)
c) It will impact private/other revenue.	()	(X)
d) It will impact intra-District revenue.	()	(X)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(X)	()
<p>Explanation: This bill would simply continue to amend, on an emergency basis, due to Congressional review, the Anti-Drunk Driving Act of 1982 to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vehicle; the D.C. Code to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vessel or watercraft; and certain sections of the D.C. Code and DCMR to update the formula for determining a person's alcohol concentration as it pertains to the offense of being under the influence of liquor to reflect the measurements and ratios used by current technology.</p>		

Part II: Other Impacts of the Bill		
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
	YES	NO
1. It will affect an agency and/or agencies in the District.	()	(X)
2. Are there performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? The amending, on an emergency basis, due to Congressional review, of the Anti-Drunk Driving Act of 1982 to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vehicle; the D.C. Code to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vessel or watercraft; and certain sections of the D.C. Code and DCMR to update the formula for determining a person's alcohol concentration as it pertains to the offense of being under the influence of liquor to reflect the measurements and ratios used by current technology would not occur.	(X)	()
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(X)

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT

Sources of information:

Council staff.

Councilmember: Carol Schwartz

Staff Person & Tel: Andrew Gerst (202) 727-8272

Council Budget Director's Signature: *Eric J. Holt* 1/5/07

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-7

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 16, 2007

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the Highway Trust Fund Establishment Act of 1996 to direct revenue into the Local Roads Construction and Maintenance Fund that was inadvertently directed to the District Department of Transportation Operating Fund, and to provide that 100% of the sales and use taxes for parking and storing vehicles up to \$30 million be directed for local roads construction and maintenance but that 50% may be used for debt servicing, that revenues in excess of \$30 million be deposited into the District of Columbia Highway Trust Fund, and that up to 100% of specified revenue collected for the rental of public space may be used for debt servicing; and to amend the Department of Transportation Establishment Act of 2002 to provide that revenue from public space rental from sources not deposited into the Local Roads Construction and Maintenance Fund or the District of Columbia Highway Trust Fund be deposited into the District Department of Transportation Operating Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Highway Trust Fund and District Department of Transportation Congressional Review Emergency Amendment Act of 2007".

Sec. 2. Section 102a(a) of the Highway Trust Fund Establishment Act of 1996, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.01a(a)), is amended to read as follows:

Note,
§ 9-111.01a

"(a)(1) There is established the Local Roads Construction and Maintenance Fund ("Maintenance Fund"), which shall be separate from the General Fund of the District of Columbia, into which shall be deposited without regard to fiscal year limitation, pursuant to an act of Congress:

"(A) All revenue derived from the collection of the public rights-of-way user fees, charges, and penalties established pursuant to 24 DCMR §§ 3302.8 through 3302.10, or any other regulations; provided, that any incremental revenue derived from the collection of the public rights-of-way user fees, charges, and penalties pursuant to sections 3302.8 through 3302.10 of Title 24 of the District of Columbia Municipal Regulations, as increased in accordance with section 6022 of the Public Rights-of-Way Occupancy Fees Emergency

ENROLLED ORIGINAL

Amendment Act of 2006, effective August 8, 2006 (D.C. Act 16-477; 53 DCR 7068), and the Public Rights-of-Way Occupancy Fees Amendment Act of 2006, signed by the Mayor on August 8, 2006 (D.C. Act 16-476; 53 DCR 6899), shall be deposited in the District of Columbia Highway Trust Fund.

"(B) Except for the dedicated sales tax described in D.C. Official Code § 47-2002.05(d)(4) and any dedicated taxes or fees on parking, as that term is described in section 490(n)(5) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 809; D.C. Official Code § 1-204.90(n)(5)), that were dedicated prior to the Highway Trust Fund and District Department of Transportation Emergency Amendment Act of 2005, effective November 17, 2005 (D.C. Act 16-206; 52 DCR 10524):

"(i) One hundred percent of the sales and use taxes up to \$30 million collected by the District for parking and storing vehicles to source funds for the Local Roads Construction and Maintenance Fund; provided, that any such revenues in excess of \$30 million shall be deposited into the District of Columbia Highway Trust Fund;

"(ii) One hundred percent of the revenues collected by the District for the rental of public space that is not derived from:

"(I) Sidewalk cafes;

"(II) Surface and subsurface fuel oil space; or

"(III) Vaults; and

"(C) All excess monies remaining in the District of Columbia Highway Trust Fund pursuant to section 101(e).

"(2)(A) Up to 50% of the revenue collected pursuant to paragraph (1)(B)(i) of this subsection from parking and storing vehicle taxes to source funds for the Local Roads Construction and Maintenance Fund may be used for debt servicing and the remaining balance used for local roads construction and maintenance; and

"(B) All or any portion of the revenue collected pursuant to paragraph (1)(B)(ii) of this subsection for the rental of public space may be used for debt servicing."

Sec. 3. Section 9b of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.10), is amended as follows:

Note,
§ 50-921.10

(a) Subsection (a)(2) is amended as follows;

(1) Strike the phrase "Excluding monies collected in the current year, any money deposited in the DDOT Fund in the year prior to the current year and the interest earned on that money remaining" and insert the phrase "Excluding revenues collected in the current year, any revenue, including accrued revenue, deposited in the DDOT Fund in the year prior to the current year and the interest earned on those revenues remaining" in its place.

(2) Strike the phrase "General Fund of the District of District of Columbia" and insert the phrase "District of Columbia Highway Trust Fund" in its place.

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

(1) Subparagraph (A) is amended to read as follows:

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: 1/5/07
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Subject/Short Title: The "Highway Trust Fund and District Department of Transportation Congressional Review Emergency Amendment Act of 2007"

Part I: Fiscal Impact of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
a) It will affect local expenditures.	()	(X)
b) It will affect federal expenditures.	()	(X)
c) It will affect private/other expenditures.	()	(X)
d) It will affect intra-District expenditures.	()	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
a) It will impact local revenue.	()	(X)
b) It will impact federal revenue.	()	(X)
c) It will impact private/other revenue.	()	(X)
d) It will impact intra-District revenue.	()	(X)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(X)	()
<p>Explanation: This bill would simply continue to amend, on an emergency basis, due to Congressional review, the Highway Trust Fund Establishment Act of 1996 to direct revenue into the Local Roads Construction and Maintenance Fund that was inadvertently directed to the District Department of Transportation Operating Fund, to provide that 100% of the sales and use taxes for parking and storing vehicles up to \$30 million be directed for local roads construction and maintenance but that 50% may be used for debt servicing, that revenues in excess of \$30 million be deposited into the District of Columbia Highway Trust Fund, and that up to 100% of specified revenue collected for the rental of public space may be used for debt servicing; and to amend the Department of Transportation Establishment Act of 2002 to provide that revenue from public space rental from sources not deposited into the Local Roads Construction and Maintenance Fund or the District of Columbia Highway Trust Fund be deposited into the District Department of Transportation Operating Fund.</p>		

Part II: Other Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(X)
2. Are there performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? The amending, on an emergency basis, due to Congressional review, of the Highway Trust Fund Establishment Act of 1996 to direct revenue into the Local Roads Construction and Maintenance Fund that was inadvertently directed to the District Department of Transportation Operating Fund, to provide that 100% of the sales and use taxes for parking and storing vehicles up to \$30 million be directed for local roads construction and maintenance but that 50% may be used for debt servicing, that revenues in excess of \$30 million be deposited into the District of Columbia Highway Trust Fund, and that up to 100% of specified revenue collected for the rental of public space may be used for debt servicing; and to amend the Department of Transportation Establishment Act of 2002 to provide that revenue from public space rental from sources not deposited into the Local Roads Construction and Maintenance Fund or the District of Columbia	(X)	()

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT

FEB 16 2007

Highway Trust Fund be deposited into the District Department of Transportation Operating Fund would not occur.

4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?

()

(X)

Sources of information:

Council staff.

Councilmember: Carol Schwartz

Staff Person & Tel: Andrew Gerst (202) 727-8272

Council Budget Director's Signature: *Eric J. Holt* 1/3/07

ENROLLED ORIGINAL

"(A) One hundred percent of revenue collected by the District for rental of public space; provided, that as of July 1, 2006, any incremental revenue generated by section 305(c) of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1103.04(c)), that pertains to the public space rental fees for vaults as established by section 305(c) of the District of Columbia Public Space Rental Act shall be deposited in the District of Columbia Highway Trust Fund; that is derived from:

- "(i) Sidewalk cafes;
- "(ii) Surface and subsurface fuel oil space; and
- "(iii) Vaults;

(2) Subparagraph (B) is repealed.

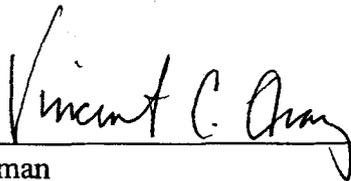
(3) Subparagraph (C) is amended by striking the word "proceeds" and inserting the word "revenue" in its place.

Sec. 4. Fiscal impact statement.

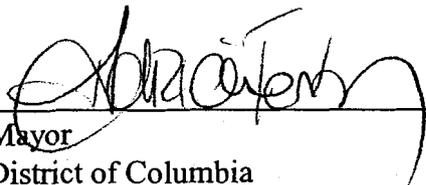
The Council adopts the January 5, 2007 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2007

AN ACT

D.C. ACT 17-8

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2007

Codification
District of
Columbia
Official Code

2001 Edition

2007 Winter
Supp.West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the Neighborhood Investment Act of 2004 to clarify its purposes, to authorize the Office of the Deputy Mayor for Planning and Economic Development to make grants and loans from the Neighborhood Investment Fund, to include the entire commercial area along Nannie Helen Burroughs and Division Avenues in the Deanwood Heights Neighborhood Investment program target area, and to establish goals for certain target areas.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Neighborhood Investment Congressional Review Emergency Amendment Act of 2007".

Sec. 2. The Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 6-1071) is amended as follows:

(1) Subsection (a) is amended by striking the first sentence and inserting the following sentence in its place:

"There is established, as a nonlapsing, revolving fund outside the General Fund of the District of Columbia, a fund designated as the Neighborhood Investment Fund to finance economic development in certain District neighborhoods, to develop a Neighborhood Investment Program for designated target areas, and to designate 12 District neighborhoods as the initial target areas."

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

"(b) The Mayor shall submit to the Council, as part of the annual budget, a request for an appropriation for expenditures from the Neighborhood Investment Fund to facilitate the revitalization activities in the target areas."

(3) A new subsection (g) is added to read as follows:

"(g) The Office of the Deputy Mayor for Planning and Economic Development is authorized to make loans and grants from the Neighborhood Investment Fund to facilitate the revitalization activities in the target areas."

(b) Section 4 (D.C. Official Code § 6-1073) is amended as follows:

Note,
§ 6-1071Note,
§ 6-1073

(1) The lead-in language is amended to read as follows: "There are established the following Neighborhood Investment Program target areas for revitalization activities to be supported by the appropriated funds from the Neighborhood Investment Fund:"

(2) Paragraph (3)(A) is amended to read as follows:

"(3)(A) Target Area #3 – Deanwood Heights. The Deanwood Heights target area is defined as starting at the corner of 50th Street, N.W., east along Hayes Street, N.E., south along 54th Place N.E., east along Nannie Helen Burroughs Avenue, N.E., southeast along Eastern Avenue, N.E., southwest along Southern Avenue, N.E., west along East Capitol Street, north along Division Avenue, N.E., west along Marvin Gaye Park, and north along 50th Street, N.E."

(3) Paragraph (10) is amended as follows:

(A) The existing text is designated as subparagraph (A).

(B) A new subparagraph (B) is added to read as follows:

"(B) Among the goals for this target area are improving connectivity and transit use, creating mixed-use housing opportunities, enhancing neighborhood retail, building on cultural assets, and creating a dynamic destination."

(4) Paragraph (11) is amended as follows:

(A) The existing text is designated as subparagraph (A).

(B) A new subparagraph (B) is added to read as follows:

"(B) Among the goals for this target area are economic development, increasing home ownership opportunities, and improving the condition of housing stock in the area."

(5) Paragraph (12) is amended as follows:

(A) The existing text is designated as subparagraph (A).

(B) A new subparagraph (B) is added to read as follows:

"(B) Among the goals for this target area are improving public facilities, increasing homeownership opportunities, and enhancing neighborhood retail."

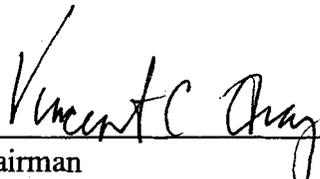
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement for the Neighborhood Investment Amendment Temporary Act of 2006, signed by the Mayor on October 25, 2006 (D.C. Act 16-507; 53 DCR 9075), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206(c)(3)).

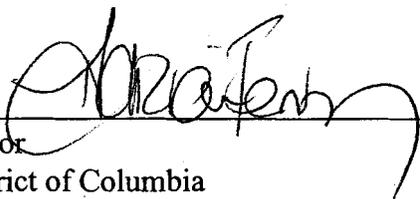
Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2007