

AN ACT
D.C. ACT 16-596

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 28, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend the Rental Housing Conversion and Sale Act of 1980 and the Rental Housing Act of 1985 to ensure that the definition of persons with disabilities is consistent with the Human Rights Act of 1977 and the Americans With Disabilities Act of 1990.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Definition of Persons With Disabilities A.D.A. Conforming Amendment Act of 2006".

Sec. 2. Section 208(c)(1)(B)(ii) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980, (D.C. Law 3-86; D.C. Official Code § 42-3402.08(c)(1)(B)(ii)), is amended as follows:

Amend
§ 42-3402.08

(a) Sub-sub-subparagraph (I) is amended to read as follows:

"(I) Has a disability as defined in section 3(2)(A) of the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 329; 42 U.S.C. § 12102(2)(A)), and 29 C.F.R. § 1630.2(g)(1)".

(b) Sub-sub-subparagraph (II) is amended by striking the phrase "may request" and inserting the phrase "shall require" in its place.

(c) Sub-sub-subparagraph (III) is amended to read as follows:

"(III) The Mayor shall maintain records of the information compiled under this sub-subparagraph; provided, that the Mayor:

"(aa) Shall not disclose information about a tenant's disability unless the disclosure is required by law;

"(bb) May provide a list of eligible voters upon request; and

"(cc) May make a list of eligible voters available at the site of the tenant election.".

Sec. 3. Section 206(f) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.06(f)), is amended as follows:

Amend
§ 42-3502.06

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

"(A) "Tenant with a disability" means a person who has:

"(i) A disability, as defined in section 3(2)(A) of the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 329; 42 U.S.C. § 12102(2)(A)) and 29 C.F.R. § 1630.2(g)(1); and

"(ii) An income of not more than \$40,000 per year at the time of

approval by the Rent Administrator of a petition for capital improvements pursuant to section 210.”.

(b) A new paragraph (2A) is added to read as follows:

“(2A)(A) In making a determination that a tenant qualifies as a tenant with a disability under this subsection, the Mayor shall limit the inquiry to the minimum information and documentation necessary to establish that the tenant meets the definition of a person with a disability and shall not inquire further into the nature or severity of the disability. The Mayor shall not require the tenant to provide a description of the disability when making an eligibility determination; provided, that the Mayor shall require that a physician or other licensed healthcare professional verify that a tenant meets the definition of a person with a disability. The Mayor shall not require the tenant to provide eligibility documentation in less than 30 days.

“(B) The Mayor shall maintain records of the information compiled under this paragraph; provided, that the Mayor shall not disclose information about a tenant's disability unless the disclosure is required by law.

“(C) The Mayor shall develop such forms and procedures as may be necessary to verify eligibility under this subsection.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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.

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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
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To amend AN ACT to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, to authorize the Director of the Department of Consumer and Regulatory Affairs to summarily enclose a vacant property, where a life-or-health threatening condition exists.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Summary Enclosure of Nuisance Vacant Property Amendment Act of 2006".

Sec. 2. Section 1 of AN ACT to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 115; D.C. Official Code § 42-3131.01), is amended as follows:

Amend
 § 42-3131.01

(a) Subsection (a) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the word "Whenever" and inserting the phrase "Except as provided in paragraph (2) of this subsection, whenever" in its place.

(3) A new paragraph (2) is added to read as follows:

"(2) Whenever the owner of any vacant building, as defined in section 5(5), shall fail to enclose the doors, windows, areaways, or other openings of the property, the Mayor may immediately enclose the property to meet the standard described in section 12. Subsequent to the enclosure, the Mayor shall give the owner notice as prescribed in section 3."

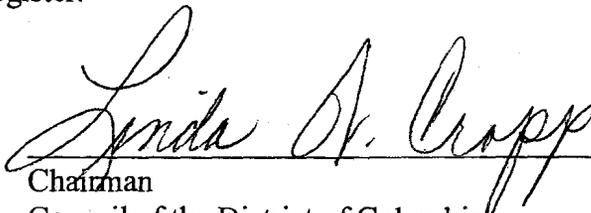
(b) Subsection (c) is amended by striking the phrase "the interruption of electrical, heat, gas, water, or other essential services, when interruption results from other than natural causes." and inserting the phrase "a vacant building, as defined in section 5(5), or the interruption of electrical, heat, gas, water, or other essential services, when interruption results from other than natural causes. Except in the case of a vacant building," in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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)).

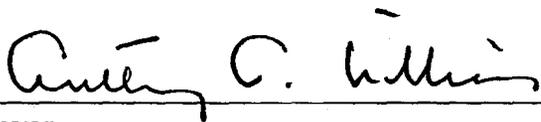
Sec. 4. Effective date.

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.



Handwritten signature of Linda A. Cropp in cursive script, written over a horizontal line.

Chairman
Council of the District of Columbia



Handwritten signature of Anthony A. Williams in cursive script, written over a horizontal line.

Mayor
District of Columbia

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Act of 1986 to increase the amount of coverage insurers must provide for the treatment of substance abuse and mental illness.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Expansion of Substance Abuse and Mental Illness Insurance Coverage Amendment Act of 2006".

Sec. 2. The Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Act of 1986, effective February 28, 1987 (D.C. Law 6-195; D.C. Official Code § 31-3101 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 31-3101) is amended as follows:

Amend
§ 31-3101

(1) Paragraph (4) is amended to read as follows:

"(4) "Covered benefits" means the health-care services or treatment available to:

"(A) An insured party under a health benefits plan or certificate for which the health insurer will pay part or all of the cost;, or

"(B) A member of a health maintenance organization as part of the membership contract."

(2) New paragraphs (6A), (6B), and (10C) are added to read as follows:

"(6A) "Health benefits plan" means any accident and health insurance policy or certificate, hospital and medical services corporation contract, health maintenance organization subscriber contract, plan provided by another benefit arrangement. The term "health benefit plan" does not mean accident only, credit, or disability insurance; coverage of Medicare services or federal employee health plans, pursuant to contracts with the United States government; Medicare supplemental or long-term care insurance; dental only or vision only insurance; specified disease insurance; hospital confinement indemnity coverage; limited benefit health coverage; coverage issued as a supplement to liability insurance, insurance arising out of a workers' compensation or similar law; automobile medical payment insurance; medical expense and loss of income benefits; or insurance under which benefits are payable with or without

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regard to fault and that is statutorily required to be contained in any liability insurance policy or equivalent self-insurance.

“(6B) “Health insurer” means any person that provides one or more health benefit plans or insurance in the District of Columbia, including an insurer, a hospital and medical services corporation, a fraternal benefit society, a health maintenance organization, a multiple employer welfare arrangement, or any other person providing a plan of health insurance subject to the authority of the Commissioner.

“(10C) “Managed care system” means a method that a health insurer uses to review and preauthorize a treatment plan that a health care practitioner develops for a covered person using a variety of cost containment methods to control utilization, quality and claims.”.

(3) Paragraph (10) is repealed.

(b) Section 3 (D.C. Official Code § 31-3102) is amended as follows:

Amend
§ 31-3102

(1) Subsection (a) is amended to read as follows:

“(a) Except as described in subsection (b) of this section, each health insurer that offers individual or group health plans or certificates issued or delivered in the District to an employer or individual shall provide coverage for the medical and psychological treatment of drug abuse, alcohol abuse, and mental illness.”.

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

“(b) The requirements of this act shall not apply to dread disease policies, student policies, nursing home policies, and home health care policies.”.

(3) Subsection (e) is amended by striking the phrase “an insurer” and inserting the phrase “a health insurer” in its place.

(4) Subsection (f) is repealed.

(5) Subsection (g) is amended by striking the phrase “subscriber contracts or policies” and inserting the phrase “health benefit plans or certificates” in its place.

(6) Subsection (h) is amended by striking the phrase “health insurance policies or contracts” and inserting the phrase “health benefit plans or certificates” in its place.

(7) Subsection (i) is amended by striking the phrase “health plan” and inserting the phrase “health benefit plan” in its place.

(8) A new subsection (j) is added to read as follows:

“(j) A health insurer may require that substance abuse and mental illness insurance coverage shall be provided through a managed care system.”.

(c) Section 4(c)(2) (D.C. Official Code § 31-3103(c)(2)) is amended to read as follows:

Amend
§ 31-3103

“(2) Treatment under this subsection shall be covered pursuant to section 3 for a minimum of 60 days per year for inpatient or residential care in a hospital or nonhospital residential facility and at a minimum rate of 75% for the first 40 outpatient visits per year and at a minimum rate of 60% for any outpatient visits thereafter for that year.”.

(d) Section 5(b) (D.C. Official Code § 31-3104(b)) is amended by striking the phrase “45 days” and inserting the phrase “60 days” in its place.

Amend
§ 31-3104

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(e) Section 6 (D.C. Official Code § 31-3105) is amended as follows:

Amend
§ 31-3105

(1) Subsection (b) is amended by striking the phrase "health insurance" and inserting the phrase "health benefit plan or certificate" in its place.

(2) Subsection (d) is amended by striking the word "insurers" and inserting the phrase "health insurers" in its place.

(f) Section 9 (D.C. Official Code § 31-3108) is amended by striking the phrase "health insurance policies" and inserting the phrase "health benefit plans" in its place.

Amend
§ 31-3108

(g) Section 10 (D.C. Official Code § 31-3109) is amended as follows:

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

Amend
§ 31-3109

(A) Strike the word "insurer" and insert the phrase "health insurer" in its place.

(B) Strike the phrase "health insurance policies or contracts" and insert the phrase "health benefits plan or certificates" in its place.

(2) Subsection (a)(2) is amended by striking the word "insurer" and inserting the phrase "health insurer" in its place.

(3) Subsection (b)(1) is amended by striking the word "insurer" and inserting the phrase "health insurer" in its place.

(h) Section 11(b)(2) (D.C. Official Code § 31-3110(b)(2)) is amended by striking the word "insurer" and inserting the phrase "health insurer" in its place.

Amend
§ 31-3110

(i) A new section 12a is added to read as follows:

"Sec. 12a. Excluded programs.

"This act shall not be applicable to the District of Columbia Alliance Program, Medicaid Program, and Post-1987 District of Columbia Employees' Health Insurance Benefits Plan."

Sec. 3. Applicability.

Section 2 shall apply to all individual and group health benefit plans issued or renewed on the first day of the month beginning on or after 90 days after the effective date of this act.

Sec. 4. Fiscal impact statement.

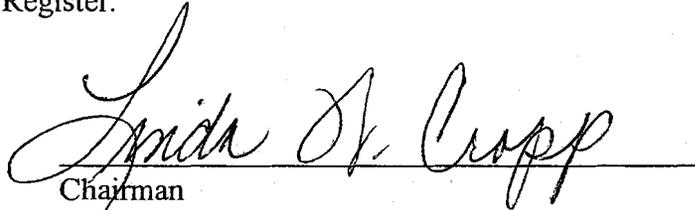
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

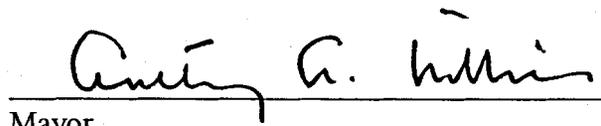
Sec. 5. Effective date.

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), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia
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To establish the Office on Ex-Offender Affairs and the Commission on Re-Entry and Ex-Offender Affairs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Commission means the Commission on Re-entry and Ex-Offender Affairs established by section 4(a).
- (2) "Director" means the Executive Director of the Office on Ex-Offender Affairs.
- (3) "Ex-offenders" means persons who were previously incarcerated.
- (4) "Office" means the Office on Ex-Offender Affairs established by section 3(a).

Sec. 3. Establishment of the Office on Ex-Offender Affairs.

(a) There is established the Office on Ex-Offender Affairs. The Office shall coordinate and monitor service delivery to ex-offenders. The Office shall make recommendations to the Mayor to promote the general welfare, empowerment, and reintegration of ex-offenders in the areas of employment and career development, health care, education, housing, and social services.

(b)(1) The Office shall be headed by an Executive Director, who shall be appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code §1-523.01(a)). The Director shall be a full-time employee, for whom annual compensation shall be fixed in accordance with Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.51 *et seq.*).

(2) The Director shall:

- (A) Serve as principal advisor to the Mayor on matters related to the

ENROLLED ORIGINAL

reintegration of ex-offenders into the general population;

(B) Serve as an advocate for the ex-offenders;

(C) Respond to recommendations and policy statements from the Commission;

(D) Identify areas for service improvement and policy development and implementation for presentation to the Mayor and the Commission by funding research, hosting symposia, and undertaking other projects;

(E) Coordinate efforts of District government agencies targeted toward ex-offenders;

(F) Accept volunteer services and funding from public and private sources to supplement the budget in carrying out the duties and responsibilities of the Office;

(G) Apply for, receive, and expend any gift or grant to further the purposes of the Office; and

(H) File an annual report on the operations of the Office with the Mayor and the Council.

(3) The Office shall have staff as funded by appropriations and federal or private grants.

Sec. 4. Establishment of the Commission on Re-Entry and Ex-Offender Affairs.

(a) There is established the Commission on Re-entry and Ex-Offender Affairs to advise the Mayor, the Council, and the Director on the process, issues, and consequences of the reintegration of ex-offenders into the general population.

(b)(1) The Commission shall consist of 15 public voting members appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)). There shall also be 11 ex-officio non-voting members, including the following officials or their designees:

(A) Attorney General;

(B) Director of the Department of Human Services;

(C) Director of the Department of Health;

(D) Director of the Department of Housing and Community Development;

(E) Director of the Department of Consumer and Regulatory Affairs;

(F) Superintendent of Education of the District of Columbia;

(G) President of the University of the District of Columbia;

(H) Chief of the Metropolitan Police Department;

(I) Director of the Department of Youth Rehabilitative Services;

(J) Director of the Department of Employment Services; and

(K) Director of the Office of Human Rights.

(2) Ex-officio members or their designees shall develop and implement policies

ENROLLED ORIGINAL

and programs in their respective agencies that will ensure that the purposes of this act are accomplished. Ex-officio members or their designees shall meet with the Director, at a minimum, once per quarter in planning and coordinating policies and programs to assist in the successful reintegration of ex-offenders into the general population.

(3)(A) Voting members shall be appointed with due consideration for significant representation from the ex-offenders community and established District-based public, private, nonprofit, and volunteer community organizations involved with the provision of services for ex-offenders, the incarcerated, and their families.

(B) Voting members of the Commission shall serve terms of 3 years except, that of the initial members, 5 shall be appointed for a term of 3 years, 5 shall be appointed for a term of 2 years, and 5 shall be appointed for a term of one year. Members may be reappointed, but shall not serve more than 3 consecutive full terms. Terms for the initial Commission members shall begin on the date that a majority of the members are sworn in, which date shall become the anniversary date for all subsequent appointments.

(C) If a vacancy occurs on the Commission, the Mayor shall appoint, with the advice and consent of the Council, a successor to fill the unexpired portion of the term in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)).

(4) The Mayor shall appoint the Chairperson of the Commission.

(5) All members of the Commission shall serve without compensation. Expenses incurred by the Commission or by its individual members, when authorized by the Chairperson, shall become an obligation to the extent of appropriated District of Columbia and federal funds designated for that purpose.

(6) The Commission shall adopt rules of procedure.

(7) The Commission shall meet monthly. The meetings shall be held in space provided by the District government and shall be open to the public. A quorum to transact business shall consist of a majority, plus one, of the voting members.

(c) The Commission shall:

(1) Serve as an advocate for ex-offenders;

(2) Review and submit to the Mayor, the Council, and the Office an annual report, made available to the public, that includes a comprehensive analysis of the needs of ex-offender;

(3) Develop sustainable relationships and coordinate with federal, state and private agencies working with ex-offenders;

(4) Participate in public hearings and promote community dialogue concerning the issues confronting ex-offenders;

(5) Review and comment on proposed legislation and regulations, policies, and programs and make policy recommendations on issues affecting ex-offenders;

(6) Develop policy and provide continuing review of the planning undertaken by the Office; and

(7) Make reasonable requests for information necessary to effectuate the discharge of its responsibilities.

Sec. 5. Inclusion in the budget and financial plan.

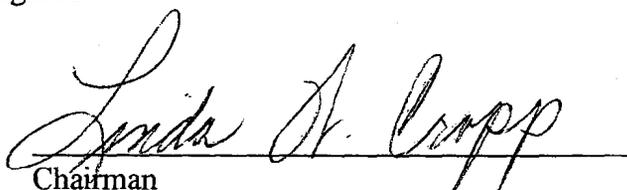
This act shall take effect subject to the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 6. Fiscal impact statement.

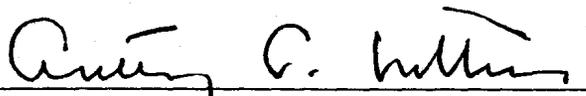
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(3)).

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), 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
December 28, 2006

AN ACT
D.C. ACT 16-600

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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To amend the Payments in Lieu of Taxes Act of 2004 to increase the aggregate amount of bonds which may be issued; and to approve a payment in lieu of taxes and the issuance of revenue bonds in an amount not to exceed \$40.2 million to finance publicly-owned infrastructure and relocate certain District facilities in conjunction with the redevelopment of the Arthur Capper/Carrollsborg HOPE VI public housing complex.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "PILOT Authorization Increase and Arthur Capper/ Carrollsborg Public Improvements Revenue Bonds Approval Act of 2006".

TITLE I. PILOT FINANCING AUTHORIZATION INCREASE.

Section 101. Section 6 of the Payments in Lieu of Taxes Act of 2004, effective April 5, 2005 (D.C. Law 15-293: D.C. Official Code § 1-308.05), is amended by striking the phrase "\$250 million" and inserting the phrase "\$500 million; provided, that the aggregate amount of Bonds that may be allocated to benefit directly projects in the Central Business District, as that term is defined in Chapter 17 of Title 11 of the District of Columbia Municipal Regulations (11 DCMR § 1700 *et seq.*), shall not exceed \$300 million" in its place.

Note,
§ 1-308.05

TITLE II. CAPPER/CARROLLSBURG PILOT AND BOND ISSUANCE APPROVAL.

Sec. 201. Definitions.

For the purpose of this title, the term:

(1) "Bonds" means a revenue bond or note, in an amount not to exceed \$40.2 million, as provided in section 204(a)(3), to be issued to DCHA to finance, refinance, and reimburse DCHA for the costs of the Capper/Carrollsborg Public Improvements.

(2) "Capper/Carrollsborg HOPE VI Project" means the redevelopment of a 23-acre public housing complex in the southeast quadrant of the District by DCHA pursuant to a grant and other financing agreements with the United States Department of Housing and Urban Development.

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(3) "Capper/Carrollsborg PILOT" or "PILOT" means the payment in lieu of taxes from the Capper/Carrollsborg PILOT Area pursuant to the Capper/Carrollsborg PILOT Agreement.

(4) "Capper/Carrollsborg PILOT Agreement" means the PILOT agreement described in section 202(b) and approved under section 203.

(5) "Capper/Carrollsborg PILOT Area" means land in the southeast quadrant of the District that is currently under the control and jurisdiction of DCHA and is known for tax and assessment purposes as Square 737, 739, 767, 768, 769, 797, 798, 799, 800, 824, 825, S-825, and 882.

(6) "Capper/Carrollsborg Public Improvements" means the infrastructure, including streets, sidewalks, walkways, streetscapes, curbs and gutters, gas, electric and water utility lines, and other publicly-owned infrastructure, and the relocation of certain District facilities located within the Capper/Carrollsborg PILOT Area.

(7) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

(8) "DCHA" means the District of Columbia Housing Authority.

(9) "Financing Costs" means issuance costs as defined in D.C. Official Code § 47-340.01(14).

(10) "Financing Documents" means the documents, as the term "financing documents" is defined in D.C. Official Code § 47-340.01(11), including any offering document, and any required supplements to any such documents, that relate to the financing, refinancing, or reimbursement of the costs of the Capper/Carrollsborg Public Improvements.

(11) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*).

(12) "Owners" means those persons who may, from time to time, own all or part of the Capper/Carrollsborg PILOT Area.

(13) "PILOT Act" means the Payments In Lieu of Taxes Act of 2004, effective April 5, 2005 (D.C. Law 15-293; D.C. Official Code § 1-308.01 *et seq.*).

(14) "PILOT Period" means the period of time beginning on the effective date of this title and continuing through the date on which all of the bonds issued pursuant to this title are paid or fully defeased and are no longer outstanding.

Sec. 202. Findings.

(a) The terms of the bonds are as follows:

(1) Bonds shall be issued in the form of a PILOT note from the District to DCHA, which bonds shall secure revenue bonds issued by DCHA or otherwise applied to finance, refinance, or reimburse DCHA for the costs of the Capper/Carrollsborg Public Improvements.

(2) The bonds shall be issued pursuant to the provisions of the Financing Documents.

(3) The aggregate principal amount of the bonds, other than refunding bonds, shall not exceed \$ 40.2 million, as follows:

(A) The net proceeds shall not exceed \$36.7 million, adjusted for inflation using 2006 as the base year, which amount shall be provided to the DCHA to fund the Capper/Carrollsborg Public Improvements; and

(B) Financing Costs for any series of bonds.

(4) If, during the period before the next PILOT payment is due, any portion of the Capper/Carrollsborg PILOT exceeds the amounts needed to either fund debt service on the bonds, including principal, interest, reserves, redemptions, premium, if any, or any other costs, or the Capper/Carrollsborg Public Improvements, such portion shall be deposited into the General Fund of the District of Columbia.

(5) The debt service on the bonds in any year shall not exceed the amount of the Capper/Carrollsborg PILOT projected by the District to be received by the District during such year.

(6) The final maturity of the bonds shall not exceed 30 years for any series of the bonds.

(7) The bonds shall contain a legend, which shall provide that the bonds shall be special obligations of the District, shall be nonrecourse to the District, shall not be a pledge of and shall not involve, the faith and credit or taxing power of the District (other than the PILOT or any other security authorized by the PILOT Act), shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(8) The bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of final form and content of the same. The official seal of the District of Columbia, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds.

(9) The bonds may be issued at any time or from time to time in one or more issues and in one or more series.

(10) The bonds shall be payable solely from the funds on deposit in the Capper/Carrollsborg PILOT Fund established under section 204.

(11) The bonds may have any other terms and conditions consistent with this title and the PILOT Act.

(b) The terms of the Capper/Carrollsborg PILOT Agreement, which has been transmitted to the Council by the Mayor, provide as follows:

ENROLLED ORIGINAL

(1) The owners shall pay the District a PILOT in an amount equal to the greater of:

(A) The amount of real estate taxes in an amount not less than that the owner would be obligated to pay for the Capper/Carrollsborg PILOT Area in the absence of the Capper/Carrollsborg PILOT Agreement; or

(B) The amount necessary to pay debt service on the PILOT Note, including principal, interest, reserves, and redemption premium, if any.

(2) The Capper/Carrollsborg PILOT Area shall be exempt from real property taxes during the PILOT Period.

(3) During the PILOT Period, the owners shall make payments in lieu of taxes to the District with respect to any parcel of real property within the Capper/Carrollsborg PILOT Area at such times and in such amounts as set forth in paragraph (1) of this subsection. The owners shall have the right to challenge any assessment or reassessment of the Capper/Carrollsborg PILOT Area in accordance with the provisions of Chapter 8 of Title 47 of the District of Columbia Official Code and applicable PILOT payments shall reflect the result of any challenge.

(4) The District shall issue bonds or notes secured by the Capper/Carrollsborg PILOT to DCHA.

(c)(1) The amount of the payment in lieu of taxes is the greater of:

(A) The amount of real estate taxes in an amount not less than that the owner would be obligated to pay for the Capper/Carrollsborg PILOT Area in the absence of the Capper/Carrollsborg PILOT Agreement; or

(B) The amount necessary to pay debt service on the PILOT Note, including principal, interest, reserves, and redemption premium, if any.

(2) The amount of the real property taxes which would be paid in the absence of the Capper/Carrollsborg PILOT agreement if the proposed project is completed is estimated to be \$12.6 million per year.

(d) The Capper/Carrollsborg Public Improvements will facilitate the redevelopment of public housing, revitalize the community, and preserve economic diversity in the District. The Capper/Carrollsborg Public Improvements are being undertaken in conjunction with, and in support of, the redevelopment of a 23-acre public housing complex, including a replacement of all units, in the southeast quadrant of the District by DCHA pursuant to a grant and other financing agreements with the United States Department of Housing and Urban Development. Because such available funding is needed for redevelopment of the housing complex, funding is not available for infrastructure and relocation of certain District facilities and the Capper/Carrollsborg Public Improvements could not be undertaken without detriment to the redevelopment project.

(e) No portion of the payments in lieu of taxes will be used other than for the purpose of financing a project which qualifies under section 490 of the Home Rule Act.

(f)(1) Conventional or other forms of financing are not readily available for the Capper/Carrollsborg Public Improvements.

(2) Best efforts have been made to secure conventional and other alternative forms of financing.

(3) The Capper/Carrollsborg Public Improvements are being undertaken in conjunction with, and support of, the redevelopment of a 23-acre public housing complex, including a replacement of all units, in the southeast quadrant of the District by DCHA pursuant to a grant and other financing agreements with the United States Department of Housing and Urban Development. Because such available funding is needed for redevelopment of the housing complex, funding is not available for infrastructure and relocation of certain District facilities and the Capper/Carrollsborg Public Improvements could not be undertaken without detriment to the redevelopment project. Therefore, conventional or other forms of financing for the Capper/Carrollsborg Public Improvements is financially infeasible and impracticable. The issuance of bonds is the most desirable financing mechanism for the Capper/Carrollsborg Public Improvements.

(g) The Capper/Carrollsborg Public Improvements will not be operated or held for profit and will be dedicated to the District. Portions of the Capper/Carrollsborg HOPE VI Project, which will benefit from the Capper/Carrollsborg Public Improvements, will be operated or held for profit, which profit will be used to subsidize other portions of the project. As the Capper/Carrollsborg HOPE VI Project already requires substantial subsidies, as described in subsections (d) and (f) of this subsection, an ownership interest or profits participation for the District is impracticable or undesirable.

(h) The financial analysis prepared by the Office of the Chief Financial Officer is the same as the financial analysis required by section 4(a)(1)(H) of the PILOT Act.

Sec. 203. Approval of Capper/Carrollsborg PILOT Agreement and issuance of bonds. The Council approves the:

(1) Execution of Capper/Carrollsborg PILOT Agreement in substantially the form that has been transmitted to the Council; and

(2) Issuance of bonds, including the Financing Documents and any other documents or agreements which are necessary or desirable in conjunction therewith, in accordance with the terms and conditions described in section 202(a).

Sec. 204. Capper/ Carrollsborg PILOT Fund; Payment and security.

(a) For the purpose of securing the payment of the bonds, there is established the Capper/ Carrollsborg PILOT Fund, a nonlapsing fund which shall be separate from the General Fund of the District of Columbia. The Chief Financial Officer shall deposit into the Capper/ Carrollsborg PILOT Fund all receipts from the Capper/ Carrollsborg PILOT and from any taxes identified by any provision of District of Columbia law to be paid into the Capper/Carrollsborg

PILOT Fund. Except under the conditions set forth in section 202(a), funds deposited into the Capper/Carrollsborg PILOT Fund shall not revert to the General Fund of the District of Columbia at the end of any fiscal year or at any other time but shall be continually available for the uses and purposes set forth in this title.

(b) The District may pledge the funds on deposit in the Capper/Carrollsborg PILOT Fund as security for the payment of debt service on the bonds, including principal, interest, reserves, redemption premium, if any, and fees related thereto.

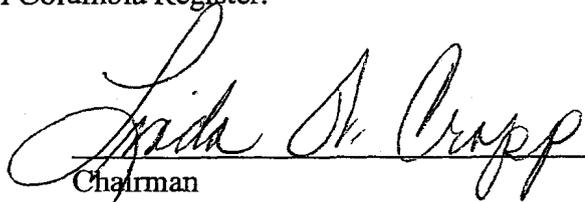
TITLE III. FISCAL IMPACT STATEMENT; EFFECTIVE DATE.

Sec. 301. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 302. Effective date.

This act shall take effect following approval by the Mayor (or in the event of a 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.


 Chairman
 Council of the District of Columbia


 Mayor
 District of Columbia
 APPROVED
 December 28, 2006

AN ACT
D.C. ACT 16-601

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 28, 2006

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2007 Winter
 Supp.

West Group
 Publisher

To amend the Business Improvement Districts Act of 1996 to establish the NoMa Improvement Association business improvement district.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "NoMa Improvement Association Business Improvement District Amendment Act of 2006".

Sec. 2. The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

(a) Section 2(18) (D.C. Official Code § 2-1215.02(18)) is amended by striking the phrase "Mount Vernon Triangle BID" and inserting the phrase "Mount Vernon Triangle BID or NoMa BID" in its place.

Amend
 § 2-1215.02

(b) Section 5 (D.C. Official Code § 2-1215.04) is amended by striking the phrase "or Adams Morgan" and inserting the phrase "Adams Morgan, or NoMa" in its place.

Amend
 § 2-1215.04

(c) A new section 207 is added to read as follows:

"Sec. 207. NoMa Improvement Association BID.

"(a) Subject to review and approval by the Mayor under the provisions of sections 5 and 6, the formation of the NoMa Improvement Association BID, including nonexempt real property within the geographic areas set forth in subsection (b) of this section, is hereby authorized and the BID taxes established in subsection (c) of this section are hereby imposed through the expiration date of this act or the termination or dissolution of the BID.

"(b)(1) The NoMa Improvement Association BID shall be comprised of the geographic area bounded by a line that starts at the center of the street at the intersection of Massachusetts Avenue, N.E., and 1st Street, N.E.; continuing north along the center line of 1st Street, N.E., to the center line of H Street, N.E.; continuing east along the center line of H Street, N.E., to the center line of 2nd Street, N.E.; continuing north along the center line of 2nd Street, N.E., to the center line of K Street, N.E.; continuing east along the center line of K Street, N.E., to the center line of 3rd Street, N.E.; continuing north along the center line of 3rd Street, N.E. (and including Square 0774, Lot 0058), to the center line of M Street, N.E.; continuing east along the center line of M Street, N.E., to 4th Street, N.E.; continuing along the center line of 4th Street, N.E., to

ENROLLED ORIGINAL

the center line of Florida Avenue, N.E.; continuing northwest along the center line of Florida Avenue, N.E., until it crosses the WMATA rail line; continuing northeast along the boundary of the WMATA rail line until it crosses R Street, N.E.; continuing west along the center line of R Street, N.E., to Eckington Place, N.E.; continuing south along the center line of Eckington Place, N.E., to the center line of Q Street, N.E.; continuing west along the center line of Q Street, N.E. (and including Square 3519, lots 0043, 0063, and 0070), to the center line of North Capitol Street (but excluding Square 3516, lots 0104 through 0114 and 0118 through 0133, and 0807); continuing south along the center line of North Capitol Street to the center line of Eye Street, N.W.; continuing west along the center line of Eye Street, N.W., to the center line of New Jersey Avenue, N.W.; continuing southeast along the center line of New Jersey Avenue, N.W., to the center line of Massachusetts Avenue, N.W., continuing southeast along Massachusetts Avenue, N.W., to the center line of 1st Street, N.E. (the starting point).

“(2) Notwithstanding paragraph (1) of this subsection, any property within the NoMa Improvement Association BID geographic area that is also within the geographic area of the Downtown BID shall not be deemed part of the NoMa Improvement Association BID (“overlapping properties”) until October 1, 2007, conditioned upon the receipt of a resolution of the Board of Directors of the Downtown BID agreeing to release any overlapping properties from the Downtown BID.

“(c)(1) The BID taxes for the nonexempt real properties in the NoMa Improvement Association BID shall be:

“(A) The amount of \$0.15 per rentable square foot for buildings of 50,000 square feet or more, which rate shall become effective one year after issuance of final certificate of occupancy; provided, that those buildings which have a certificate of occupancy or other District license for distribution, manufacturing, industrial, storage, or similar warehouse use shall be assessed at the rate set forth in subparagraph (B) of this paragraph;

“(B) The amount of \$0.05 per \$100 of the prior year’s assessed value of all buildings that are less than 50,000 square feet or other unimproved land;

“(C) The amount of \$90 per hotel room annually; and

“(D) The amount of \$120 per unit annually for nonexempt residential condominium properties.

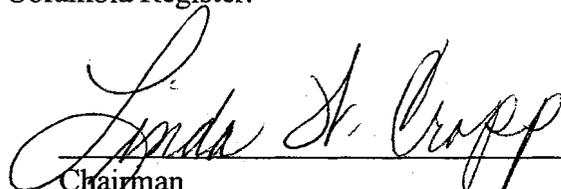
“(2) A 4% increase in the BID taxes over the current tax year rates specified in subsection (a) of this section is hereby authorized subject to the requirements of section 8(b).”

Sec. 3. Fiscal impact statement.

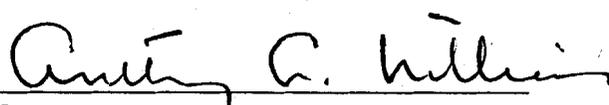
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of a 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 28, 2006

AN ACT

D.C. ACT 16-602

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2006

*Codification
District of
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Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend the Business Improvement Districts Act of 1996 to revise the BID taxes for the Mount Vernon Triangle business improvement district.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mount Vernon Triangle BID Amendment Act of 2006".

Sec. 2. Section 205(c) of The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.55 (c)), is amended to read as follows:

Amend
§ 2-1215.55

"(c)(1) The BID taxes for the nonexempt real properties in the Mount Vernon Triangle BID shall be:

"(A) The amount of \$.35 per square foot of land;

"(B) The amount of \$.15 per rentable square foot of commercial buildings; provided, that any supermarket that is receiving a tax incentive pursuant to § 47-3802 shall not be required to pay the BID tax during the term of the incentive;

"(C) The amount of \$90 per hotel room annually; and

"(D)(i) The amount of \$120 per unit annually for nonexempt residential properties.

"(ii) If a residential unit is restricted to residents based upon income pursuant to a Federal or District affordable housing program, the BID tax due on the unit shall be computed by applying the percentage of area median income eligible residents must meet to participate in the affordable housing program to the amount of the BID tax which would otherwise be due.

"(2) Subject to the requirements of section 8, the BID taxes set forth in this subsection may be increased by 5%."

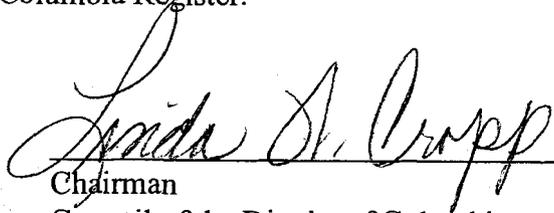
Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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)).

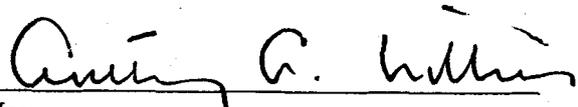
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Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of a 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(c)(1), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 28, 2006

AN ACT
D.C. ACT 16-603

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 28, 2006

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2007 Winter
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Publisher

To amend the Life Insurance Act of 1934 to repeal the provision holding the insurer not liable for any alcohol or narcotics-related loss under any insurance policy issued in the District; and to amend the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Act of 1986 to prohibit the exclusion of health care coverage on the basis that the insured sustained the loss while intoxicated or under the influence of any narcotic.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Alcohol and Narcotics-Related Claims Liability Exclusion Repeal Amendment Act of 2006".

Sec. 2. Section 12(c)(2)(K) of Chapter V of the Life Insurance Act of 1934, approved June 19, 1934 (48 Stat. 1166; D.C. Official Code § 31-4712(c)(2)(K)), is repealed.

Amend
§ 31-4712

Sec. 3. Section 4 of the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Act of 1986, effective February 28, 1987 (D.C. Law 16-195; D.C. Official Code § 31-3103), is amended by adding a new subsection (e) to read as follows:

Amend
§ 31-3103

"(e)(1) A group or individual health benefit plan, other than a long-term care policy, disability income policy, or supplemental policy covering a specified disease or other limited benefit unrelated to medical expenses, that is delivered, issued for delivery, or renewed in the District of Columbia shall not exclude the payment of benefits as set forth in the certificate of coverage for illnesses, injuries, or conditions sustained by an insured person because the insured was intoxicated or under the influence of any narcotic. This subsection shall not preclude a health insurer from excluding coverage for an insured individual for any illness, injury, or condition that is the direct result of the commission of a felony by the insured person.

"(2) The Mayor may promulgate rules and regulations as are necessary or appropriate to carry out the provisions of this subsection."

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Sec. 4. Applicability.

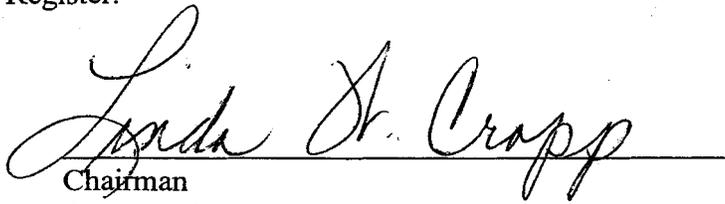
This act shall apply to all individual and group health benefit plans delivered, issued for delivery, or renewed on the first day of the month beginning on or after 90 days after the effective date of this act.

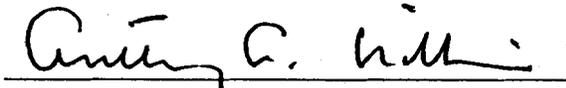
Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 6. 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), 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.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
December 28, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-604

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2006

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2007 Winter
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To amend, on a temporary basis, An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes to clarify that a vacancy in the People's Counsel position is to be filled for the remainder of the unexpired term of the office and to allow a People's Counsel to holdover until a successor has been qualified by taking the oath of office.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office of the People's Counsel Term Clarification Temporary Amendment Act of 2006".

Sec. 2. Paragraph (91A) of section 8 of the An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 993; D.C. Official Code § 34-804), is amended by adding new subsections (b-1) and (b-2) to read as follows:

Note,
§ 34-804

"(b-1) Any person appointed to fill a vacancy in the People's Counsel position shall be appointed only for the unexpired term of the person whose vacancy he or she is filling.

"(b-2) A person may be reappointed as the People's Counsel, and, if not reappointed, the person shall serve until his successor has been appointed and qualifies."

Sec. 3. Fiscal impact statement.

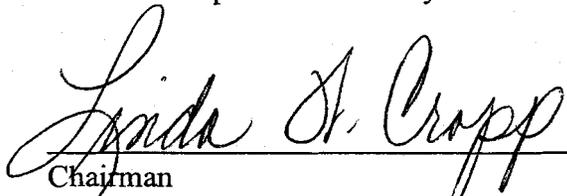
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

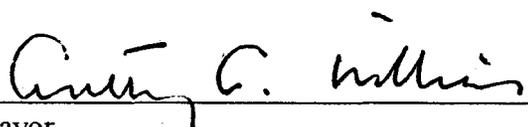
(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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
December 28, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-605

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2006

Codification
District of
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To amend, on a temporary basis, the Office of Administrative Hearings Establishment Act of 2001 to permit the Rent Administrator, and those persons exercising authority delegated by the Rent Administrator, to retain authority to issue final orders in cases in which they have held evidentiary hearings before October 1, 2006.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Administrator Hearing Authority Temporary Amendment Act of 2006".

Sec. 2. Section 6(b-1) 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(b-1)), is amended by adding a new paragraph (3) to read as follows:

Note,
§ 2-1831.03

"(3) Notwithstanding paragraphs (1) and (2) of this subsection or any other provision of law, the Rent Administrator, or any employee or other person to whom authority has been lawfully delegated by the Rent Administrator, may issue a final order in any case in which an evidentiary hearing was conducted before October 1, 2006, but in which no final order was issued before that date, and may rule upon any post-hearing motion including a motion for reconsideration."

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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)).

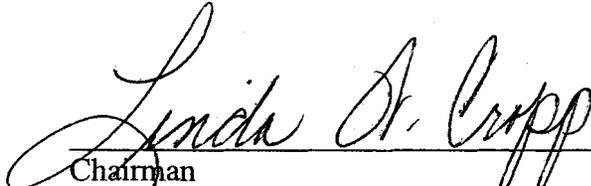
Sec. 4. Effective date.

(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

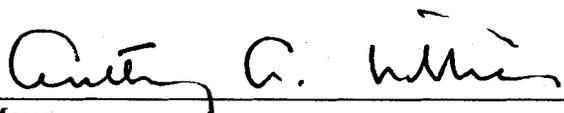
ENROLLED ORIGINAL

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
December 28, 2006

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

JAN 26 2007

Bill Number:	Type: Emergency () Temporary (X) Permanent ()	Date Reported: Nov. 14, 2006
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Subject/Short Title: the "Rent Administrator Hearing Authority Temporary Amendment Act of 2006"

Part I. Summary of the Fiscal Estimates 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 little fiscal impact on spending or revenue. (If "Yes," explain below).	(X)	()

Explanation for NO fiscal impact:

This bill would amend, on an temporary basis, the Office of Administrative Hearings Establishment Act of 2001 to permit the Rent Administrator, and those persons exercising authority delegated by the Rent Administrator, to retain authority to issue final orders in cases in which they have held evidentiary hearings before October 1, 2006. It requires no programmatic change, additional staff, or additional expenditure of District funds.

Part II. Other Impact of the Bill

If you check "Yes" for each question, please explain on separate sheet.

	YES	NO
1. It will affect an agency and/or agencies in the District.	()	(X)
2. Will there be performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is enacted or not enacted?	()	(X)
4. Will the Budget and Financial Plan be affected by this bill?	()	(X)
5. The bill will have NO performance or outcome impact.	(X)	()

Sources of information:	Councilmember: Jim Graham
	Staff Person & Tel: Joel Cohn, 202-724-7807
	Reviewed by Budget Director:
	Budget Office Tel: 202-724-8139

AN ACT
D.C. ACT 16-606

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 28, 2006

To repeal, on a temporary basis, Subtitle M of Title II of the Fiscal Year 2007 Budget Support Emergency Act of 2006 and Subtitle M of Title II of the Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006 to allow consideration of the potential unintended consequences arising from the enactment of changes to the condominium and cooperative conversion fee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vacancy Conversion Fee Exemption Reinstatement Temporary Act of 2006".

Sec. 2. Subtitle M of Title II of the Fiscal Year 2007 Budget Support Emergency Act of 2006, effective August 8, 2006 (D.C. Act 16-477; 53 DCR 7068), is repealed as of August 8, 2006.

Note,
§ 42-3402.04,
§ 42-3402.10

Sec. 3. Subtitle M of Title II of the Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006, effective October 3, 2006 (D.C. Act 16-499; 53 DCR 8818), is repealed as of October 3, 2006.

Note,
§ 42-3402.04,
§ 42-3402.10

Sec. 4. Fiscal impact statement.

The Council adopts the 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)).

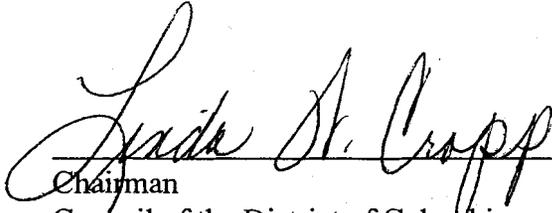
Sec. 5. Effective date.

(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

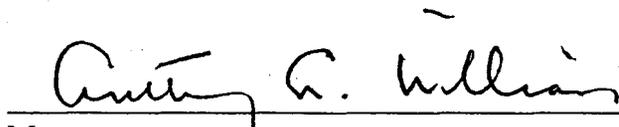
ENROLLED ORIGINAL

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
December 28, 2006

AN ACT
D.C. ACT 16-607

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 28, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
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To amend, on an temporary basis, the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 to exempt from zoning the government's use of parking garages on the ballpark site.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ballpark Parking Completion Temporary Amendment Act of 2006".

Sec. 2. Section 7(a) of the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984, effective May 23, 1990 (D.C. Law 8-129; D.C. Official Code § 1-301.68(a)), is amended as follows:

Note,
§ 1-301.68

(1) Paragraph (1) is amended by striking the phrase "and (4)" and inserting the phrase "(4), and (5)" in its place.

(2) A new paragraph (5) is added to read as follows:

"(5) The government's use of the parking structures that will provide approximately 1,225 parking spaces on areas commonly known as "parcel A" (adjacent to South Capitol Street and N Street, S.E.), "parcel B" (adjacent to N Street and First Street, S.E.), and "parcel C" (adjacent to Potomac Avenue and South Capitol Street, S.E.) within the Ballpark Site, as defined under section 105(a)(2) of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.05(a)(2)), or Ballpark as defined under D.C. Official Code § 47-2002.05(a)(1)(A), shall not be subject to zoning."

Sec. 3. Sunset.

This act shall expire on the earlier of the completion of the construction in 2006 through 2008 of the parking structures on the Ballpark Site or December 31, 2008.

Note,
§ 1-301.68

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

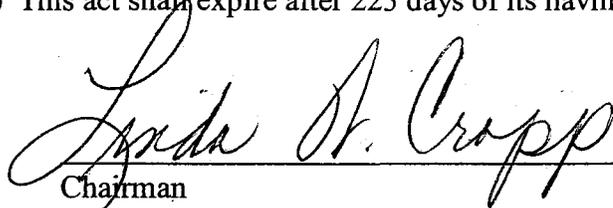
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Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

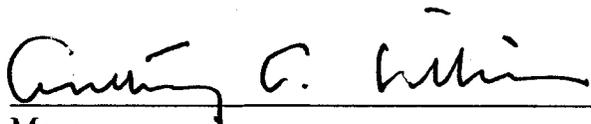
Sec. 5. Effective date.

(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
December 28, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-608

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 28, 2006

*Codification
District of
Columbia
Official Code*

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2007 Winter
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To amend, on a temporary basis, Chapter 5 of Title 24 of the District of Columbia Municipal Regulations to authorize the Director of the Department of Transportation to designate street vending sites, charge street vendors rental fees, issue public space permits to street vendors, establish insurance requirements for the use of public space by street vendors, waive vending stand locations, and develop design standards for vending stands, food carts and roadway vehicles, and to authorize the Director of the Department of Consumer and Regulatory Affairs to coordinate vending activities in the District of Columbia; to amend the Department of Transportation Establishment Act of 2002 to authorize the Director of the Department of Transportation to issue public space occupancy permits and charge public space rental fees to vendors and for sidewalk cafes; and to amend section 47-2834(c) of the District of Columbia Official Code to authorize the Director of the Department of Consumer and Regulatory Affairs to establish appropriate license fees.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Amendment Act of 2006".

Sec. 2. Chapter 5 of Title 24 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Section 501 (24 DCMR § 501) is amended as follows:

(1) Subsection 501.15 is amended by striking the word "Director" and inserting the phrase "Director of the Department of Transportation" in its place.

(2) Subsection 501.16 is amended to read as follows:

"501.16 The Director of the Department of Transportation shall determine all vending site locations, including the addition, deletion, and relocation of a vending site. The listing of sidewalk vending sites in the central vending zone and the neighborhood commercial zones or any other subzones established by the Director of the Department of Transportation, roadway vending sites, and the fee schedule for public space rental shall be adopted by the Director of

the Department of Transportation by regulation. The Director of the Department of Transportation may revoke any public space permit issued pursuant to this chapter at any time and require the permittee to vacate.”

(3) A new subsection 501.19 is added to read as follows:

“501.19 The Director of the Department of Consumer and Regulatory Affairs shall be authorized to coordinate all vending activities in the District of Columbia, including the distribution of public space permits authorized by the Director of the Department of Transportation. District residents shall receive preference points. The Director of the Department of Consumer and Regulatory Affairs and the Director of the Department of Transportation shall consult with each other for the efficient issuance of vending public space permits.”

(b) Section 502.2 (24 DCMR § 502.2) is amended by adding a new second sentence to read as follows:

“502.2 No person, so licensed, may vend from public space in the District of Columbia without a public space occupancy permit authorized by the Department of Transportation pursuant to subsection 501.16 and D.C. Official Code § 50-921.04(4)(G).”

(c) Section 510.24 (24 DCMR § 510.24) is amended to read as follows:

“510.24 The provisions of this chapter shall not apply to vending designs or sites approved for evaluation in a vending demonstration zone hereafter created and authorized. When authorizing vending demonstration zones designated by the Director of the Department of Consumer and Regulatory Affairs, the Director of the Department of Transportation may waive the provisions of section 510 and 515 (Restricted Vending Locations) if the Director of Transportation determines that waiver is in the public interest.”

(d) Section 512.1 (24 DCMR § 512.1) is amended to read as follows:

“512.1 The Director of the Department of Transportation, with the approval of the Director of the Department of Consumer and Regulatory Affairs, shall have the authority develop design standards for vending stands, food carts (including ice cream), and roadway vehicles.”

Sec. 3. Section 5(4) of The Department of Transportation Establishment Act of 2002, D.C. Law 14-137, May 21, 2002 (D.C. Official Code § 50-921.04), is amended as follows:

(a) Subparagraph (E) is amended by striking the word “and” at the end.

(b) Subparagraph (F) is amended by inserting the word “and” at the end.

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

“(G) Authorize permits and establish permit fees to occupy public space, for distribution by the Director of the Department of Consumer and Regulatory Affairs, including permits and fees for sidewalk cafes and sidewalk and roadway vendors; and”

Sec. 4. Section 47-2834(c) of the District of Columbia Official Code is amended to read as follows:

Note,
§ 50-921.04

Note,
§ 47-2834

ENROLLED ORIGINAL

“(c) The Director of the Department of Consumer and Regulatory Affairs may, by rule, establish and revise every 2 years a site specific schedule of license fees to replace the fees listed under subsection (a) of this section to reflect the adoption of a regulatory system that assigns specific vending sites and assesses a license fee that reflects the administrative cost of licensure and periodic inspection of food and merchandise vendors.”

Sec. 5. Rulemaking.

Pursuant to 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.*), the Department of Transportation, the Department of Consumer and Regulatory Affairs, the Department of Health, and the Metropolitan Police Department may promulgate rules specific to their vending responsibilities, incorporating the best practices for the planning, cart design, management, site identification, fees and applicable taxes, and enforcement of sidewalk and roadway vendors to ensure public health and safety. The proposed rules shall be submitted to the Council for a 30-day period of review. If the Council does not approve or disapprove the proposed rules by resolution within the 30-day review period, the proposed rules shall be deemed disapproved. In no event shall there be an interpretation of this section that rulemaking shall be necessary for the issuance of licenses or permits.

Sec. 6. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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.

(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

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

Bill Number: 16-1016	Type: Emergency () Temporary (x) Permanent ()	Date Reported: 12/19/06
----------------------	---	-------------------------

Subject/Short Title: Vending Consolidation of Public Space and Licensing Authorities Temporary Act of 2006

Part I. Summary of the Fiscal Estimates 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.	()	()
b) It will affect federal expenditures.	()	()
c) It will affect private/other expenditures.	()	()
d) It will affect intra-District expenditures.	()	()
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(x)
a) It will impact local revenue.	()	()
b) It will impact federal revenue.	()	()
c) It will impact private/other revenue.	()	()
d) It will impact intra-District revenue.	(x)	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).		
This amendment will have no fiscal impact since it simply clarifies that no vending licenses shall be proliferated without a valid public space permit. This language exists in a latter section of the bill, but can be construed as unclear in the section this amendment deals with.		

Part II. Other Impact 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?	()	(x)
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	()

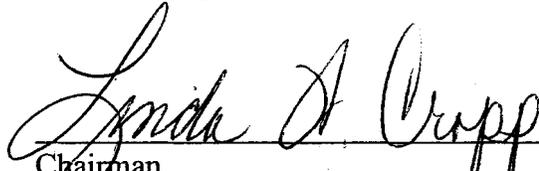
Sources of information:	Councilmember: Phil Mendelson
	Staff Person & Tel: J. Shedlock 724-8779
	Council Budget Director's Signature: <i>[Signature]</i>

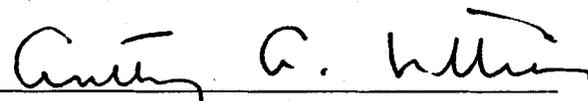
12/15/06

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
December 28, 2006

AN ACT

D.C. ACT 16-609

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on a temporary basis, the Rental Housing Conversion and Sale Act of 1980 to clarify that tenants who become owners only after the exercise of their rights under the Tenant Opportunity to Purchase Act of 1980 are qualified to vote in a condominium or cooperative conversion election.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tenant-Owner Voting in Conversion Election Clarification Temporary Amendment Act of 2006".

Sec. 2. Section 203(d) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3402.03), is amended by striking the phrase "required by this act" and inserting the phrase "required by this act; provided, that tenants who meet the other requirements of this section and become owners only after the exercise of their rights under Title IV shall be qualified to vote" in its place.

Note,
§ 42-3402

Sec. 3. The Council adopts the attached fiscal impact statement 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. (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

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

ENROLLED ORIGINAL
JAN 26 2007

Bill Number:	Type: Emergency () Temporary (X) Permanent ()	Date Reported:
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Subject/Short Title: The "Tenant-Owner Voting in Conversion Election Clarification Temporary Amendment Act of 2006"

Part I: Summary of the Fiscal Estimates 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 little fiscal impact on spending or revenue. (If "Yes," explain below).	(X)	()

Explanation for NO fiscal impact:

This temporary legislation is necessary to clarify that in addition to other qualified tenants, tenants who become owners only after the exercise of their rights under the Tenant Opportunity to Purchase Act (TOPA), are qualified to vote in a condominium or cooperative conversion election. No expenditure of District money is required.

Part II: Other Impact of the Bill

If you check "Yes" for each question, please explain on separate sheet.

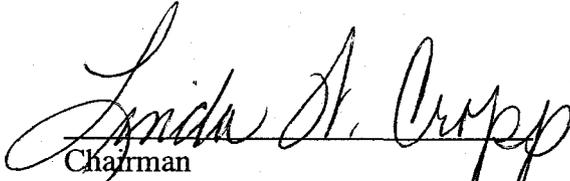
	YES	NO
1. It will affect an agency and/or agencies in the District.	()	(X)
2. Will there be performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is enacted or not enacted?	()	(X)
4. Will the Budget and Financial Plan be affected by this bill?	()	(X)
5. The bill will have NO performance or outcome impact.	(X)	()

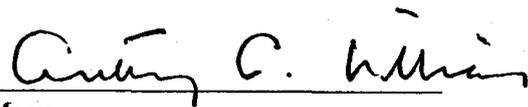
Sources of information:	Councilmember: Jim Graham
	Staff Person & Tel: Barry Weise, 202-727-0068
	Reviewed by Budget Director: <i>[Signature]</i>
	Budget Office Tel: 202-724-8139 <i>12/4/06</i>

ENROLLED ORIGINAL

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
December 28, 2006

A N ACT

D.C. ACT 16-610

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on a temporary basis, the Washington Convention Center Authority Act of 1994 to continue the terms of the current appointees of the Washington Convention Center Authority Advisory Committee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Convention Center Advisory Committee Temporary Amendment Act of 2006".

Sec. 2. Section 218 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.18), is amended as follows:

Note,
§ 10-1202.18

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

(1) The lead-in text of subsection (b) is amended by striking the word "12" and inserting the word "17" in its place.

(2) Paragraph (2) is amended by striking the word "Operations" and inserting the phrase "Operations (or successor officer)" in its place.

(3) Paragraph (4) is amended by striking the phrase "Committee on Economic Development" and inserting the phrase "committee with oversight over the Washington Convention Center" in its place.

(4) Paragraph (7) is amended to read as follows:

"(4) Two members appointed by the Chairperson of the Council's committee with oversight over the Washington Convention Center;"

(5) Paragraph (8) is amended by striking the phrase "One member" and inserting the phrase "Two members" in its place.

(6) Paragraph (10) is amended by striking the word "and".

(7) Paragraph (11) is amended by striking the period at the end and inserting a semi-colon in its place.

(8) Paragraphs (12), (13), and (14) are added to read as follows:

"(12) One member chosen by the local chapter of the Metropolitan Washington Council, AFL-CIO;

ENROLLED ORIGINAL

“(13) One member chosen by the local chapter of the American Institute of Architects; and

“(14) One member chosen by the local chapter of the American Planning Association.”.

(b) Subsection (e) is amended by striking the phrase “Committee on Economic Development” and inserting the phrase “committee with oversight over the Washington Convention Center” in its place.

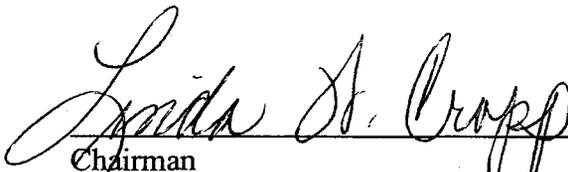
Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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)).

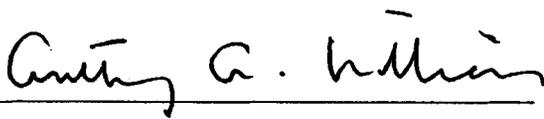
Sec. 4. Effective date.

(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
December 28, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-611

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2006

To authorize, on a temporary basis, the deposit of the net proceeds from the sale of the real property known as Old Engine Company 12, 1626 North Capitol Street, N.W., into the Commercial Trust Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Old Engine Company 12 Deposit of Sale Proceeds Temporary Act of 2006".

Sec. 2. Authorization for deposit and expenditure of proceeds of sale.

(a) The net proceeds from the sale of the real property known as Old Engine Company 12, 1626 North Capitol Street, N.W., Square 3103, Lot 1, shall be deposited into the Commercial Trust Fund and expended for the authorized purposes of the Commercial Trust Fund.

(b) For purposes of this section, the term "Commercial Trust Fund" means Fund 0622, a nonlapsing, special revenue fund established within the General Fund of the District of Columbia and located in the budget of the Office of the Deputy Mayor for Planning and Economic Development.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director, dated December 4, 2006 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.

(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

Bill Number:	Type: Emergency () Temporary (X) Permanent ()	Date Reported: December 4, 2006
--------------	---	---------------------------------

Subject/Short Title: "Old Engine Company 12 Deposit of Sale Proceeds Temporary Act of 2006".

Part I. Summary of the Fiscal Estimates 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.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	
<p>The sale of the Old Engine Company 12 Building was included in the Fiscal Year 2007 budget and financial plan. This funding was designated in the budget to fund the Great Streets program. This emergency act merely approves the deposit of the proceeds from this sale into the Great Streets program as was contemplated in the budget. There is no unfunded fiscal impact from depositing these funds.</p>		

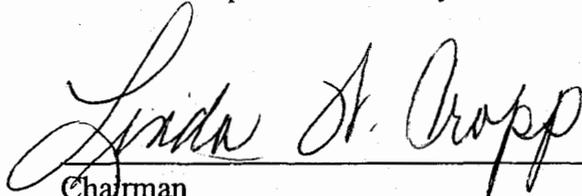
Part II. Other Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(x)
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	()	(x)
<p>The net proceeds from the sale of the Old Engine Company 12 building have been reflected in the FY2007 budget and financial plan. If the deposit of sale proceeds is not approved, there will be a budget shortfall for the Commercial Trust Fund and the District would not be able to honor its existing commercial revitalization commitments.</p>		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

Sources of information:	Councilmember: Evans
	Staff Person & Tel: Eric Goulet, (202) 727-8206.
	Council Budget Director's Signature: <i>[Signature]</i>

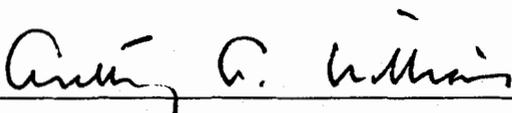
ENROLLED ORIGINAL

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
December 28, 2006

AN ACT
D.C. ACT 16-612

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 28, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on a temporary basis, section 47-4403 of the District of Columbia Official Code to allow the Office of Tax and Revenue to enter into a closing agreement for any taxable period.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing Agreement Temporary Act of 2006"

Sec. 2. Section 47-4403 of the District of Columbia Official Code is amended by striking the phrase "for a period ending before the date of the agreement" and inserting the phrase "for any taxable period" in its place.

Note,
§ 47-4403

Sec. 3. Applicability.
Section 2 shall apply as of December 1, 2006.

Sec. 4. Fiscal impact statement.
The Council adopts the attached fiscal impact statement 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

Bill Number:	Type: Emergency () Temporary (X) Permanent ()	Date Reported: December 4, 2006
--------------	---	---------------------------------

Subject/Short Title: "Closing Agreement Temporary Act of 2006".

Part I. Summary of the Fiscal Estimates 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.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	
This legislation allows the Office of Tax and Revenue to enter into one closing agreement for all taxable periods. This legislation has no adverse fiscal impact, and may have a positive fiscal impact by reducing litigation costs and encouraging settlements.		

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?	()	(x)
The Office of Tax and Revenue will have to continue to perform multiple closing agreements to resolve tax matters.		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

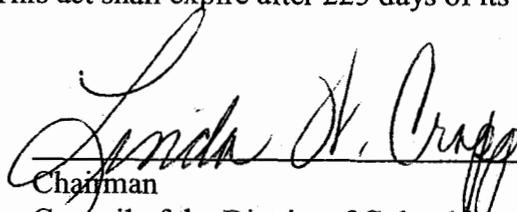
Sources of information:	Councilmember: Evans
	Staff Person & Tel: Eric Goulet, (202) 727-8206.
	Council Budget Director's Signature: <i>Andrew R. Evans</i>

12/4/06

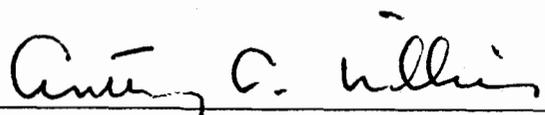
ENROLLED ORIGINAL

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
December 28, 2006

AN ACT
D.C. ACT 16-613

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2006

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2007 Winter
 Supp.

West Group
 Publisher

To amend, on an temporary basis, Title 47 of the District of Columbia Official Code to provide that the owner of a property that is receiving erroneously the homestead deduction and senior/disabled real property tax relief has a duty to inform the Chief Financial Officer, that the benefits shall be rescinded prospectively on the sale of real property to a non-qualifying purchaser, and that a former owner that received the benefits shall be personally liable for the amount of benefits improperly received.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Real Property Tax Benefits Revision Temporary Act of 2006".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-850.02 is amended as follows:

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

(A) Paragraph (1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or current owner if there is no applicant)" in its place.

(B) Paragraphs (4) and (5) are amended by striking the phrase "(for which notification is required under this subsection)".

(C) A new paragraph (6) is added to read as follows:

"(6) Notwithstanding the rescission of the deduction pursuant to paragraphs (4) and (5) of this subsection, if all of the applicant's ownership interest in the real property is transferred to a new owner, shareholder, or member who does not apply or qualify for the deduction, the real property shall be entitled to the apportioned amount of the deduction applicable to the installment payable during the half tax year during which the ownership interest was transferred. At the end of such half tax year, the deduction shall cease. If the applicant purchases another real property or interest in a housing cooperative for which he or she shall make application for the deduction, and the application and purchase occurs during the same half tax year when the transfer occurred, §§ 47-850(d), 47-850.01(b), and 47-850.04 shall not apply to the extent that both real properties may benefit from the deduction during that half

Note,
 § 47-850.02

JAN 26 2007

tax year and, thereafter, only the newly purchased real property or housing cooperative in which the applicant acquired newly an interest shall benefit from the applicant's deduction.

Notwithstanding the foregoing, a real property shall not benefit from more than one deduction in any half tax year; provided, that in the case of a housing cooperative, the real property shall not benefit from more than one deduction related to a dwelling unit in any half tax year."

(2) Subsection (c)(1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or former owner if there is no applicant)" in its place.

(b) Section 47-863 is amended as follows:

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

(A) Paragraph (1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or former owner if there is no applicant)" in its place.

(B) Paragraphs (4) and (5) are amended by striking the phrase "(for which notification is required under this subsection)".

(C) A new paragraph (6) is added to read as follows:

"(6) Notwithstanding the rescissions of the deduction pursuant to paragraphs (4) and (5) of this subsection, if the applicant's required ownership interest in the real property is transferred to a new owner, shareholder, or member who does not apply or qualify for the deduction, the real property shall nevertheless be entitled to the apportioned amount of the deduction applicable to the installment payable during the half tax year during which such ownership interest was transferred. At the end of the half tax year, the deduction shall cease. If the applicant purchases another real property or interest in a housing cooperative for which he or she shall make application for the deduction, and the application and purchase occurs during the same half tax year when the transfer occurred, subsections (i) and (j) of this section shall not apply to the extent that both real properties may benefit from the deduction during that half tax year and, thereafter, only the newly purchased real property or housing cooperative in which the applicant acquired newly an interest shall benefit from the applicant's deduction.

Notwithstanding the foregoing, a real property shall not benefit from more than one deduction in any half tax year; provided, that in the case of a housing cooperative, the real property shall not benefit from more than one deduction related to an eligible household in any half tax year."

(2) Subsection (g)(1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant(or former owner if there is no applicant)" in its place.

(3) Subsection (l) is amended by striking the word "decrease" and inserting the word "deduction" in its place.

Sec. 3. Applicability.

(a) Section 2(a)(1)(A) and (B), 2(a)(2), 2(b)(1)(A) and (B), and 2(b)(2) shall apply for

Note,
§ 47-863

JAN 26 2007

tax years beginning after September 30, 2001.

(b) Section 2(a)(1)(C) and 2(b)(1)(C) shall apply as of January 2, 2007.

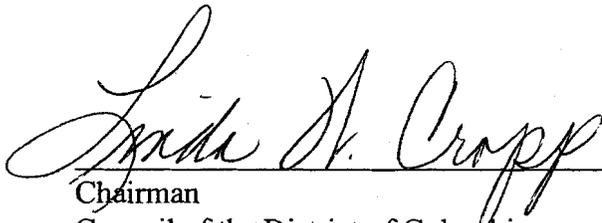
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director dated December 4, 2006 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)).

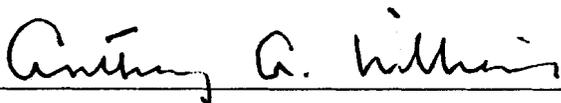
Sec. 5. Effective date.

(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
December 28, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-614

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on a temporary basis, section 47-3503(c)(5) of the District of Columbia Official Code to delay implementation by one tax year of the owner-occupant residential tax credit to real properties that were under the lower income homeownership cooperative housing association 5-year exemption, to clarify that to receive the credit there must be continuous ownership, and to clarify that no credits will be granted for tax years prior to Tax Year 2007.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lower Income Homeownership Cooperative Housing Association Re-Clarification Temporary of 2006".

Sec. 2. Section 47-3503(c)(5) of the District of Columbia Official Code is amended as follows:

Note,
§ 47-3503

- (a) The existing text is designated as subparagraph (A).
- (b) A new subparagraph (B) is added to read as follows:

“(B) The application of subparagraph (A) of this paragraph shall be limited as follows:

“(i) The credit under § 47-864 that may result for the tax year beginning October 1, 2006 shall be nonrefundable and shall be applied to the real property tax owed for the tax year beginning October 1, 2007, and thereafter.

“(ii) No credit under § 47-864 shall be allowed for a tax year prior to the tax year beginning October 1, 2006.

“(iii) Subparagraph (A) of this paragraph shall not apply if the ownership has not been continuous from the date that the exemption provided by this subsection has been validly in effect.”.

Bill Number:	Type: Emergency () Temporary (X) Permanent ()	Date Reported: December 4, 2006
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Subject/Short Title: "Lower Income Homeownership Cooperative Housing Association Re-Clarification Temporary Act of 2006".

Part I. Summary of the Fiscal Estimates 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.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	
<p>This legislation makes further clarifications to the Lower Income Homeownership Cooperative Housing Association Program and delays the implementation of the re-assessed taxable assessments until the values can be calculated by linking the prior Real Property Tax 2000 system with the Office of Tax and Revenue's current computer system. At the request of the Office of Tax and Revenue, the Council included subtitle I-I in the "Fiscal Year 2007 Budget Support Act of 2006" to ensure that residents receive the benefit of the property tax cap even though they are not paying taxes during that period. The implementation of this legislation needs to be delayed because of the unanticipated difficulty in determining continuous ownership and retroactively adjusting the property tax cap. The Office of Tax and Revenue will provide property tax credits for Tax Year 2007 for anyone who is impacted by the one year delay. This legislation will have no overall impact on the budget and financial plan, but will require the Office of Tax and Revenue to apply the savings that a homeowner would have realized in Fiscal Year 2007 as a credit to their tax bill in Fiscal Year 2008.</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?	()	(x)
<p>The Office of Tax and Revenue will not be able to delay implementation of subtitle I-I in the "Fiscal Year 2007 Budget Support Act of 2006" to ensure that residents receive the benefit of the property tax cap even though they are not paying taxes during that period.</p>		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

Sources of information:	Councilmember: Evans
	Staff Person & Tel: Eric Goulet, (202) 727-8206.
	Council Budget Director's Signature: <i>[Signature]</i>

12/4/06

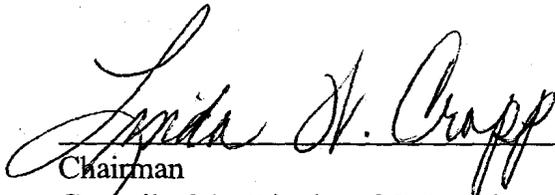
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director, dated December 4, 2006, 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)).

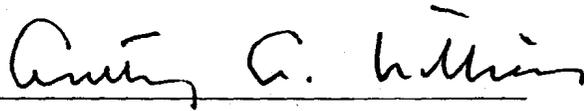
Sec. 4. Effective date.

(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
December 28, 2006