

ENROLLED ORIGINAL

A RESOLUTION

16-958

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
December 15, 2006

To approve an amendment to the District of Columbia State Plan for Medical Assistance that increases the allowable amount of home equity interest for long-term care eligibility in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Disqualification for Medicaid Long-Term Care Assistance for Individuals with Substantial Home Equity Interest Approval Resolution of 2006".

Sec. 2. Pursuant to section 1(a)(2) of An Act To enable the District of Columbia to receive Federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02(a)(2)), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance which, when implemented, will increase the allowable amount of home equity interest for long-term care eligibility in the District of Columbia.

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

Sec. 4. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-959

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
December 15, 2006

To approve the renewal application for the District of Columbia Elderly and Persons with Disabilities Waiver Program that authorizes the continuation of home and community-based home health services to the elderly and persons with disabilities in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid Elderly and Persons with Physical Disabilities Waiver Renewal Application Approval Resolution of 2006".

Sec. 2. Pursuant to section 1(a)(2) of An Act To enable the District of Columbia to receive Federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02(a)(2)), the Council of the District of Columbia approves the proposed extension of the District of Columbia Elderly and Persons with Disabilities Waiver Program to continue providing home and community-based health services to District residents with physical disabilities ages 18 through 64 and to persons 65 years of age and older.

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

Sec. 4. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-8

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to expand the jurisdiction of the Office of Administrative Hearings to infractions of rules promulgated pursuant the Department of Transportation Establishment Act of 2002, to authorize the District Department of Transportation to plan, develop, finance, and operate local transit facilities, and to establish the Local Transit Facilities Fund, to establish the routes, fares, and forms of payment for the DC Circulator passenger bus service, and to establish a fine for boarding a DC Circulator bus without a valid form of payment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District Department of Transportation DC Circulator Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) Congress has appropriated \$2 million to implement and operate a downtown circulator transit system.

(b) The Office of the Attorney General determined that the District Department of Transportation ("DDOT") needed specific legal authority to utilize the funds to operate the DC Circulator transit service.

(c) In 2006, the Council enacted emergency and permanent legislation, including the District Department of Transportation DC Circulator Amendment Act of 2006, signed by the Mayor on December 19, 2006 (D.C. Act 16-554; 53 DCR 1966) ("permanent act"), and the District Department of Transportation DC Circulator Temporary Amendment Act of 2006, effective June 16, 2006 (D.C. Law 16-134; 53 DCR 4732) ("temporary act"), which authorized and defined DDOT's authority to establish fares, sell tickets, including bulk tickets, issue passes, tokens, and other forms of payment, sell advertising space, and promote and market the DC Circulator service, and which established a Local Transit Facilities Fund for DC Circulator funds.

(d) The temporary act will expire on January 27, 2007. The permanent act must still complete Congressional review as required by 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 is not projected to become law until after January.

(e) It is important that the provisions of this legislation continue in effect, without interruption, until the permanent act is in effect.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-9

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to revising the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vehicle, revising the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vessel or watercraft, updating the formula for determining a person's alcohol concentration as it pertains to the offense of driving while under the influence of liquor to reflect the measurements and ratios used by current technology, and making conforming amendments to the District of Columbia Municipal Regulations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Anti-Drunk Driving Clarification Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) In 2006, the Council enacted emergency and permanent legislation, including the Anti-Drunk Driving Clarification Amendment Act of 2006, signed by the Mayor on October 18, 2006 (D.C. Act 16-488; 53 DCR 8675) ("permanent act"), and the Anti-Drunk Driving Clarification Second Congressional Review Emergency Amendment Act of 2006, effective October 27, 2006 (D.C. Act 16-518; 53 DCR 9104) ("emergency act"), which created a system whereby there is a rebuttable presumption that drivers whose blood contained 0.05 grams or less per 100 milliliters of blood or per 210 liters of breath or 0.06 grams or less per 100 milliliters of urine are not under the influence, and drivers whose blood contained more than 0.05 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.06 grams per 100 milliliters of urine, but less than 0.08 grams per 100 milliliters of blood or per 210 liters of breath or less than 0.10 grams per 100 milliliters of urine, are neither presumed to be under the influence or not under the influence, but such evidence may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor.

(b) The legislation also applied this same system of presumptions to the operation or physical control of a vessel or watercraft and made technical and conforming amendments in the District of Columbia Official Code and the District of Columbia Municipal Regulations to update the formula for determining a person's alcohol concentration as it pertains to the offense

ENROLLED ORIGINAL

of being under the influence of liquor to reflect the measurements and ratios used by current technology.

(c) The emergency act will expire on January 25, 2007. The permanent act must still complete Congressional review as required by 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 is not projected to become law until February 13, 2007.

(d) It is important that the provisions of the emergency act continue in effect, without interruption, until the permanent act is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Anti-Drunk Driving Clarification Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-10

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

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

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Highway Trust Fund and District Department of Transportation Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) There existed a need to redirect where revenues were authorized to be deposited to ensure that the Great Streets program and the East Washington Traffic Relief program have assured and timely access to their fiscal year 2006 funding.

(b) Dedicated sources of revenue, 100% of bus shelter advertising revenue for the Great Streets Program and 50% of off-street parking taxes for the East Washington Traffic Relief Program, that should have been authorized for deposit into the Local Roads Construction and Maintenance Fund were authorized to be deposited into the District Department of Transportation's ("DDOT") operating fund, but without capital expenditure spending authority. These programs are capital programs and their expenditures must be made from a capital account, not an operating fund.

(c) Additionally, it was intended that these dedicated sources of revenue were to be securitized to fund the associated capital expenditures related to these programs. But 80% of the DDOT operating fund balance transfers into another fund at the end of the fiscal year.

ENROLLED ORIGINAL

(d) As a result of the funds being authorized for deposit into DDOT's operating fund rather than the Local Roads Construction and Maintenance Fund and the fund balance transfer requirement, these programs were in jeopardy of not having access to their funding sources or of losing their fiscal year 2006 funding, which could have meant that their implementation would be delayed and millions of dollars dedicated to them would be unavailable.

(e) The Highway Trust Fund and District Department of Transportation Second Congressional Review Emergency Amendment Act of 2006, effective October 23, 2006 (D.C. Act 16-498; 53 DCR 8842) ("emergency act"), will expire on January 21, 2007.

(f) Permanent legislation, sections 6014 and 6023 of the Fiscal Year 2007 Budget Support Act of 2006, signed by the Mayor on August 8, 2006 (D.C. Act 16-476; 53 DCR 6899), and section 113 of the Technical Amendments Act of 2006, signed by the Mayor on July 31, 2006 (D.C. Act 16-475; 53 DCR 6794), has been transmitted to Congress for the 30-day review period required by 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)), but is not projected to become law until March 4, 2007.

(g) It is important that the provisions of the emergency act continue in effect, without interruption, until the permanent legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Highway Trust Fund and District Department of Transportation Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-11

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to allow for the purchase of compressed natural gas vehicles or vehicles that meet or exceed current compressed natural gas standards by the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Metro Bus Funding Requirement Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Metro Bus Funding Requirement Act of 2004 mandated that the Washington Metropolitan Area Transit Authority ("WMATA") only purchase and operate compressed natural gas ("CNG") buses within the District of Columbia.

(b) Because more options exist today, the District's voting members of the WMATA Board of Directors were given the ability to vote for the purchase of vehicles that meet or exceed CNG natural gas standards as well as CNG buses when the Council enacted legislation, including the Metro Bus Funding Requirement Congressional Review Emergency Amendment Act of 2006, effective October 27, 2006 (D.C. Act 16-519; 53 DCR 1628) ("emergency act"), and the Metro Bus Funding Requirement Temporary Amendment Act, signed by the Mayor on October 18, 2006 (D.C. Act 16-489; 53 DCR 8684) ("temporary act").

(c) The emergency act expires January 25, 2007. The temporary act must still complete Congressional review as required by 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 is not projected to become law until February 16, 2007.

(d) It is important that the provisions of the emergency act continue in effect, without interruption, until the temporary act is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Metro Bus Funding Requirement Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-12

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to clarify the period for Council review of nominations to the Commission on African Affairs, to abolish the Mayor's Advisory Commission on African Community Affairs as of the date that the majority of the members of the Commission on African Affairs are sworn in, or December 31, 2006, whichever occurs first, and to provide for the transfer of all records of the Mayor's Advisory Commission on African Community Affairs to the Commission on African Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Office and Commission on African Affairs Clarification Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an emergency regarding the need to amend the Office and Commission on African Affairs Act of 2006 to clarify the period for Council review of nominations to the Commission, to abolish the existing Commission after a majority of the members are sworn in as members of the Commission on African Affairs, and to provide for the transfer of all records of the Mayor's Advisory Commission on African Community Affairs upon a majority of the 15 public member Commission being sworn in.

(b) The Office and Commission on African Affairs Act of 2006 requires the Mayor to appoint a Commission of 15 public voting members with the advice and consent of the Council.

(c) The current law does not provide for the period for Council approval of nominations that are submitted to the Council.

(d) The Mayor will be transmitting nominations to this established Commission; therefore, the clarification amendment is necessary to clarify the review period.

(e) The Office and Commission on African Affairs Clarification Emergency Amendment Act of 2006, effective October 23, 2006 (D.C. Act 16-501; 53 DCR 9051)("emergency act"), will expire on January 21, 2007.

(f) The Office and Commission on African Affairs Clarification Temporary Amendment Act of 2006, signed by the Mayor on December 4, 2006 (D.C. Act 16-541; 53 DCR

ENROLLED ORIGINAL

9890)(“temporary act”), must still complete Congressional review as required by 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 is not projected to become law until after January 2007.

(g) It is important that the provisions of the emergency act continue in effect, without interruption, until the temporary act is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Office and Commission on African Affairs Clarification Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-13

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to relieve the financial burdens placed upon District of Columbia government employees who serve in the reserve units of the United States Armed Forces and have been or will be called to active duty as a result of Operation Enduring Freedom, or in preparation for or as a result of Operation Iraqi Freedom.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) On September 14, 2001, President George W. Bush issued a proclamation, "Declaration of National Emergency by Reason of Certain Terrorist Attacks," which declared a national emergency due to the September 11, 2001 terrorist attacks on the World Trade Center in New York and the Pentagon. The resulting military operations were named Operation Enduring Freedom.

(b) On September 14, 2001, in furtherance of the aforementioned proclamation, President George W. Bush issued Executive Order 13223, ordering the Ready Reserve of the Armed Forces to active duty, in addition to providing additional authority to the Department of Defense and the Department of Transportation.

(c) The Operation Enduring Freedom Active Duty Pay Differential Emergency Amendment Act of 2001, effective January 8, 2002 (D.C. Act 14-225; 49 DCR 664), provided for payment of a pay differential for each employee called to active duty as a result of Operation Enduring Freedom. D.C. Act 14-225 specified that the pay differential would be paid for any period following the formal inception of Operation Enduring Freedom during which the employee was carried in a non-pay status, from the time the employee is called to active duty until the employee is released from active duty, or until September 30, 2002, whichever occurred first. D.C. Act 14-225 expired on April 8, 2002.

(d) The Operation Enduring Freedom Active Duty Pay Differential Temporary Amendment Act of 2002, effective April 13, 2002 (D.C. Law 14-113; 49 DCR 1416), provided for continuation of payment of a pay differential for each employee called to active duty as a result of Operation Enduring Freedom. D.C. Law 14-113 specified that the pay differential would be paid for any period following the formal inception of Operation Enduring Freedom during which the employee was carried in a non-pay status, from the time the employee is called to active duty until the employee is released from active duty, or until September 30, 2002, whichever occurred first. D.C. Law 14-113 expired on November 24, 2002.

(e) The Operation Enduring Freedom Active Duty Pay Differential Extension Emergency Amendment Act of 2002, effective October 23, 2002 (D.C. Act 14-498; 49 DCR 9795), provided for payment of the pay differential for each employee who, as of September 30, 2002, had been called to active duty from reserve units as a result of Operation Enduring Freedom. D.C. Act 14-498 expired on December 30, 2002.

(f) The Operation Enduring Freedom conflict has not ended and, on March 19, 2003, Operation Iraqi Freedom began. Additional employees have been called to active duty as a result. Accordingly, the District of Columbia authorized a pay differential for employees called to active duty for this purpose as well as the continuation of the payment to employees called to active duty after September 30, 2002, through the enactment of Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Emergency Amendment Act of 2003, effective April 16, 2003 (D.C. Act 15-74; 50 DCR 3619), and the Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Temporary Amendment Act of 2003, effective May 19, 2003 (D.C. Law 15-23; 50 DCR 4339). D.C. Law 15-23 expired on March 3, 2004.

(g) The Council continued the authority for the pay differential through the enactment of the Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Temporary Amendment Act of 2004, effective May 18, 2004 (D.C. Law 15-158), which expired on December 29, 2004.

(h) The Council again continued the authority for the pay differential through the enactment of Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Temporary Amendment Act of 2005, effective March 8, 2006 (D.C. Law 16-64), which expired on October 19, 2006.

(i) The authority has been extended by the Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Emergency Amendment Act of 2006, effective October 25, 2006 (D.C. Act 16-516; 53 DCR 9099), which will expire on January 17, 2007. The Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Temporary Amendment Act of 2006, signed by the Mayor on December 4, 2006 (D.C. Act 16-542; 53 DCR 9892), is pending Congressional review.

(j) This emergency is necessary to prevent a gap in the legal authority.

(k) The enactment of the proposed emergency will continue authority to provide a pay differential in an amount equal to any difference between the employees' basic District of Columbia government pay and their basic military pay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-14

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to approve measures that are necessary to support action taken on the District's fiscal year 2007 proposed budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2007 Budget Support Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) In 2006, the Council enacted the Fiscal Year 2007 Budget Support Act of 2006, signed by the Mayor on August 8, 2006 (D.C. Act 16-476; 53 DCR 6899) ("permanent act"), which contains measures necessary to support the Fiscal Year 2007 Budget and Financial Plan, and the Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006, effective October 23, 2006 (D.C. Act 16-499; 53 DCR 8845) ("emergency act"), to insure that the time-sensitive provisions of the permanent act were in effect for fiscal year 2007. The emergency act will expire on January 21, 2007.

(b) The permanent act, which was originally transmitted to Congress on September 5, 2006, for the 30-day review period required by 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)), but which did not complete the review period prior to the end of the 109th Congress, must complete its 30-day review period under the 110th Congress and will, therefore, not become law until after January.

(c) It is vital that the provisions of the emergency act continue in effect until the permanent act is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-15

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Neighborhood Investment Act of 2004 to clarify its purposes, to authorize the Office of the Deputy Mayor for Planning and Economic Development to make grants and loans from the Neighborhood Investment Fund, to expand the commercial area in the Deanwood Heights target area, and to establish goals for certain target areas.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Neighborhood Investment Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Neighborhood Investment Act of 2004 ("Act") became effective March 30, 2004 .

(b) The Act states that monies received and credited to the Neighborhood Investment Fund shall be used to carry out the objectives of the Act, but there were no stated objectives in the Act.

(c) Target Areas #10, #11, and #12 have no stated goals that would allow for spending on any projects in these target areas.

(d) The Act does not authorize the making of loans and grants from the Neighborhood Investment Fund.

(e) On April 4, 2006, the Council passed Res. 16-596, the Neighborhood Investment Act Spending Plan for Fiscal Year 2006 Resolution of 2006 ("Resolution"), to approve the Mayor's spending plan to implement the Act for fiscal year 2006. Included in the Resolution were spending plans for projects for all target areas, including those project areas without stated goals.

(f) The Resolution also identified specific spending mechanisms, such as loans and grants, to be used to accomplish certain goals. Spending authorized by the Resolution cannot begin until the Act is amended to identify its objectives, to add stated goals to 3 of the 12 target areas, and to authorize the making of loans and grants from the Neighborhood Investment Fund.

(g) On October 18, 2006, the Council passed D.C. Act 16-517, the Neighborhood Investment Emergency Amendment Act of 2006, and on October 3, 2006 approved a temporary bill to be submitted to Congress. The emergency act is scheduled to expire on January 25, 2007, prior to the date that the temporary bill can complete Congressional review. This Congressional review emergency bill is necessary to prevent a gap in legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Neighborhood Investment Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-16

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend Titles 16 and 23 of the District of Columbia Official Code to create a rebuttable presumption for detaining certain adults and juveniles charged with robbery or certain handgun violations pending a trial or disposition hearing; to amend Chapter 25 of Title 24 of the District of Columbia Municipal Regulations governing the Metropolitan Police Department's Closed Circuit Television system to authorize its use in prevention, detection, deterrence, and investigation of crime; and to amend Title 16 of the District of Columbia Official Code to require the Family Court of the Superior Court of the District of Columbia and the Director of the Department of Youth Rehabilitation Services to disclose specified information to the Chief of the Metropolitan Police.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Crime Reduction Initiative Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) On July 21, 2006, the Enhanced Crime Prevention and Abatement Emergency Amendment Act of 2006, effective July 21, 2006 (D.C. Act 16-446; 53 DCR 6477), was enacted in response to a rising tide of homicides, robberies, and assaults occurring throughout the District of Columbia.

(b) D.C. Act 16-446 expired on October 19, 2006.

(c) On October 19, 2006, the Crime Reduction Initiative Emergency Amendment Act of 2006, effective October 19, 2006 (D.C. Act 16-491), was enacted and is set to expire on January 17, 2007.

(d) Mayor Anthony A. Williams previously testified to the need for the Enhanced Crime Prevention and Abatement Emergency Amendment Act of 2006 and the Crime Reduction Initiative Emergency Amendment Act of 2006.

(e) D.C. Acts 16-446 and 16-491 both included a number of provisions that give law enforcement officials important tools to reduce crime, such as: establishing curfew hours; ensuring that the police receive information about juvenile arrestees and juveniles adjudicated

delinquent; creating a rebuttable presumption that some adults and juveniles under arrest should be detained pending a trial or disposition hearing; and authorizing the Metropolitan Police Department to purchase and install closed circuit television cameras to combat crime.

(f) The Council, being wary of enacting emergency law enforcement measures without having them more completely vetted through the normal legislative process, held hearings and passed permanent bills incorporating provisions of D.C. Acts 16-446 and 16-491: the use of closed circuit television cameras (D.C. Act 16-642), revisions to the law regarding a rebuttable presumption in favor of pre-trial detainment (D.C. Act 16-643), and the provision to require that information about juveniles be provided to the Metropolitan Police Department (D.C. Act 16-630).

(g) While overall crime has been reduced since the enactment of D.C. Acts 16-446 and 16-491, there have nevertheless been increases of certain violent crimes in some areas of the city, and violent crime remains at an unacceptable level.

(h) The Crime Reduction Initiative Congressional Review Emergency Amendment Act of 2007 will couple law enforcement measures needed to abate existing rates of crime with a comprehensive approach for addressing the root causes of juvenile crime. Its provisions are contained in the Mandatory Juvenile Public Safety Notification Act of 2006, signed by the Mayor on December 28, 2006 (D.C. Act 16-630), the Use of Closed Circuit Television to Combat Crime Amendment Act of 2006, signed by the Mayor on December 28, 2006 (D.C. Act 16-642), and the Rebuttable Presumption to Detain Robbery and Handgun Violation Suspects Act of 2006, signed by the Mayor on December 28, 2006 (D.C. Act 16-643), which are pending Congressional review and are not expected to become law until later in 2007.

(i) This emergency is necessary to prevent a gap in the legal authority between the expiration of D.C. Act 16-491 on January 17, 2007, and the dates on which the 3 permanent measures become law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Crime Reduction Initiative Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-17

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to protect the public safety by enacting provisions of the Omnibus Public Safety Amendment Act of 2006.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Omnibus Public Safety Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) Mayor Anthony Williams requested that the Omnibus Public Safety Amendment Act of 2006, signed by the Mayor on October 17, 2006 (D.C. Act 16-482; 53 DCR 8610), be enacted on an emergency basis.

(b) The Committee on the Judiciary held public hearings on Bill 16-247, the Omnibus Public Safety Amendment Act of 2006, on May 31, 2005, June 30, 2005, and September 22, 2005, and marked it up on April 28, 2006. The Council had first reading on Bill 16-247 on June 6, 2006, and adopted it on final reading on October 3, 2006.

(c) The Omnibus Public Safety Congressional Review Emergency Amendment Act of 2006, effective October 18, 2006 (D.C. Act 16-490; 53 DCR 8686), is expected to expire on January 16, 2007.

(d) Since criminal acts passed by the Council are subject to a 60-day Congressional review period, Bill 16-247 is unlikely to become law until March of 2007.

(e) This emergency legislation is necessary to fill a gap in the legal authority that otherwise would exist between the expiration of D.C. Act 16-490 and the date when Bill 16-247 becomes law. Since gaps in legal authority for criminal provisions cannot be filled retroactively, it is imperative that the Council adopt this emergency.

(f) The protections afforded by the legislation protect the well-being and safety of the residents of the District of Columbia and are needed immediately.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Omnibus Public Safety Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-18

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency with respect to the need to require all exploratory committees to file informational reports with the Office of Campaign Finance, to establish individual and aggregate contribution limits, to treat exploratory contributions as campaign contributions, and to define terms in the District of Columbia Campaign Finance Reform and Conflict of Interest Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exploratory Committee Regulation Emergency Declaration Resolution of 2007".

Sec. 2. The Council of the District of Columbia finds that:

- (1) Before deciding to campaign for elected office, an individual may first want to "test the waters" or explore the feasibility of becoming a candidate.
- (2) An individual may formally organize a committee for testing the waters.
- (3) Residents of the District have a right to be informed of the financial activities of established exploratory committees.
- (4) Proper reporting of exploratory committee finances is critical to government and the people it serves.
- (5) It is important to provide reporting and accountability guidelines for exploratory committees.
- (6) Current District law fails to provide for adequate public review of exploratory committees.
- (7) The Council previously passed emergency and temporary legislation to regulate exploratory committees, but that legislation expired June 2, 2006.
- (8) It is important to clarify the term "exploratory committee" to distinguish between those activities that could be classified as exploratory activities and those that could be classified as campaign activities, and to otherwise regulate exploratory committees.
- (9) Exploratory committee contributions should have individual and aggregate contribution limits to prevent exploratory committees from being used as campaign committees.
- (10) Contributions to exploratory committees should be treated as campaign contributions once candidacy is declared in order to prevent double dipping.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exploratory Committee Regulation Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-19

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency with respect to the need to maintain the previously established caps on the District's contribution to the project budget for certain hard and soft costs of the ballpark.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Ballpark Hard and Soft Costs Cap Emergency Declaration Resolution of 2007".

Sec. 2. (a) In 2006, the Council enacted the Ballpark Hard and Soft Costs Cap and Ballpark Lease Conditional Approval Temporary Act of 2006, effective June 8, 2006 (D.C. Law 16-115; 53 DCR 2542) ("2006 act"), to approve a lease for the new baseball stadium, under specified conditions, and to establish a cap on the expenditure of local funds for the hard and soft costs of constructing the new baseball stadium. The 2006 act will expire on January 19, 2007.

(b) It is of vital importance that the expenditure-cap provisions of the 2006 act remain in effect until permanent legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Ballpark Hard and Soft Costs Cap Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-20

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency with respect to the need to authorize additional funding from the Neighborhood Investment Fund to the Lower Georgia Avenue Job Training Center to enable it to continue to provide job training, skill building, and employment services to residents.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Lower Georgia Avenue Job Training Center Funding Authorization Emergency Declaration Resolution of 2007".

Sec. 2. (a) The lower Georgia Avenue neighborhood is an area in need of revitalization.

(b) Job training services and education provided at the Lower Georgia Avenue Job Training Center, located at 633 Park Road, N.W., contribute to the revitalization of lower Georgia Avenue.

(c) There is a critical and immediate need to authorize additional funding from the Neighborhood Investment Fund in an amount not to exceed \$250,000 to the Lower Georgia Avenue Training Center to ensure that the important job training and educational services that were provided in fiscal year 2006 are able to continue in fiscal year 2007.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lower Georgia Avenue Job Training Center Funding Authorization Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-21

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To declare the existence of an emergency with respect to the need to reprogram \$150,000 of the fiscal year 2007 local budget authority from the personal services budget to the nonpersonal services budget to facilitate the transition of the Office of the Chairman of the Council of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Reprogramming of \$150,000 for the Office of the Chairman of the Council of the District of Columbia Approval Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Mayor has submitted a reprogramming request to the Council to reprogram \$150,000 in Council budget authority from the personal services budget to the nonpersonal services budget to cover the expenses of the transition of the Office of the Chairman of the Council.

(b) Orderly transitions in the office of the Council Chairman are imperative to assure continuity in the execution of the laws and in the conduct of the legislative affairs of the District of Columbia.

(c) The costs of transition staff, as well as the transition itself, represent an unplanned expenditure. Because there is no central funding source for the transition, the agency itself must identify funding internally within the cluster.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Reprogramming of \$150,000 for the Office of the Chairman of the Council of the District of Columbia Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-22

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 9, 2007

To approve, on an emergency basis, a fiscal year 2007 reprogramming of \$150,000 of local budget authority from the personal services budget to the nonpersonal services budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Reprogramming of \$150,000 for the Office of the Chairman of the Council of the District of Columbia Emergency Approval Resolution of 2007".

Sec. 2. (a) Pursuant to the provisions of D.C. Official Code § 47-363, the Council of the District of Columbia approves the \$150,000 reprogramming from the Council of the District of Columbia fiscal year 2007 local budget authority from personal services (object class 0011) to nonpersonal services (object class 0040).

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution to the Mayor upon its adoption.

Sec. 4. This resolution shall take effect immediately.