

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-372

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
Supp.West Group
Publisher

To amend, on an emergency basis, Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation real property owned by the Far Southeast Community Organization, located on lots 73, 74, and 75, square 5753 that is to be used for inclusive housing, and to provide equitable real property tax relief.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Far Southeast Community Organization Tax Exemption and Forgiveness for Accrued Taxes Emergency Act of 2006".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the section designation "47- 1073. Far Southeast Community Organization; lots 73, 74, and 75, square 5743."

(b) A new section 47-1073 is added to read as follows:

"§ 47-1073. Far Southeast Community Organization; lots 73, 74, and 75 in square 5743.

Note,
§ 47-1073

"(a) For the purposes of this section, the term "inclusive housing" means a housing development in which units are rented to occupying households with not more than 80% of area median income (adjusted for household size) for a rent not exceeding 30% of household income as such amounts are determined by the United States Department of Housing and Urban Development.

"(b) The real property located at lots 73, 74, and 75, square 5753, shall be exempt from taxation so long as the property is owned by Far Southeast Community Organization and the property is used for inclusive housing. If the real property is sold or is not used for the purpose of inclusive housing, the exemption shall terminate as of the beginning of the year in which the sale or non-compliant use occurred."

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Sec. 3. Forgiveness of taxes; redemption of real property.

The Council orders that all unpaid real property taxes, interest, penalties, fees and other related charges assessed against real property located at lots 73, 74, and 75, square 5753 shall be forgiven, and the amount necessary to redeem the real property under § 47-1316 shall be deposited with the Chief Financial Officer on behalf of Far Southeast Community Organization.

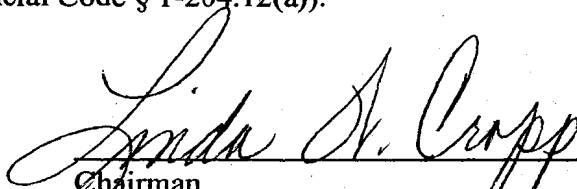
Sec. 4. The fiscal effect of this act shall be subject to inclusion in a budget and financial plan.


Sec. 5. 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. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-373

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006

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

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Without Walls Development Project Congressional Review Emergency Amendment Act of 2006".

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

Note,
§ 10-801

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

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

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

ENROLLED ORIGINAL

agreed upon by both parties;

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

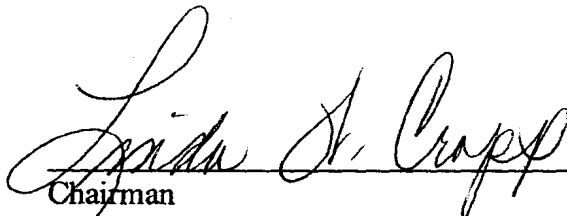
"(4) All proceeds of the sale of the portion of the School Without Walls property and the density rights shall remain with DCPS and be used to renovate and expand the existing school building on the remaining School Without Walls property."

Sec. 3. Fiscal impact statement.

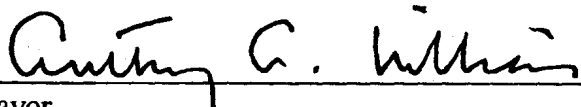
The Council adopts the February 3, 2006 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 19, 2006

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AN ACT
D.C. ACT 16-374IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 19, 2006*Codification
District of
Columbia
Official Code*

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To amend, on an emergency basis, the Health Care Privatization Amendment Act of 2001 to specify that a health maintenance organization that has a contractual obligation to provide health care services to persons enrolled in the D.C. HealthCare Alliance is required to provide Alliance enrollees only with the health benefits specified in the health maintenance organization's contract with the District, and that health maintenance organizations or health insurers under contract to the District to deliver services to persons enrolled in the Alliance are not required to reimburse non-participating hospitals for services provided to Alliance enrollees.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Care Privatization Benefit and Reimbursement Exemption Emergency Amendment Act of 2006".

Sec. 2. Section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405), is amended by adding new subsections (c) and (d) to read as follows:

Note,
§ 7-1405

"(c) Notwithstanding any other provision of the District's health insurance laws, a health maintenance organization that has a contractual obligation to provide health care services to persons enrolled in the D.C. HealthCare Alliance ("Alliance") shall be required to provide to persons enrolled in the Alliance only those health benefits specified in its contract with the District of Columbia.

"(d) A health maintenance organization or health insurer under contract to the District to deliver services to persons enrolled in the Alliance is not required to reimburse non-participating hospitals for services provided to Alliance enrollees."

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

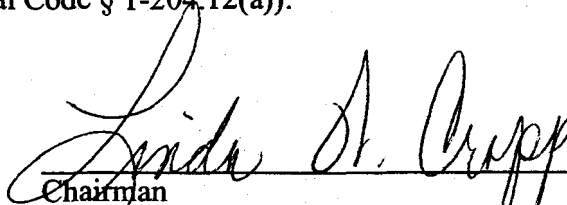
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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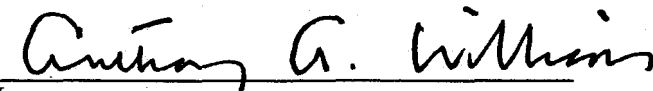
DISTRICT OF COLUMBIA REGISTER

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-375IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 19, 2006*Codification
District of
Columbia
Official Code*

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2006 Fall
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To establish, on an emergency basis, due to Congressional review, a dedicated fund and grant program for nonprofit providers of emergency shelter to victims of domestic violence.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Victims of Domestic Violence Fund Establishment Congressional Review Emergency Act of 2006".

Sec. 2. Victims of Domestic Violence Fund.

(a) There is hereby established within the general fund of the District of Columbia a segregated, nonlapsing dedicated fund, known as the Victims of Domestic Violence Fund ("Fund"). Moneys shall be deposited into the Fund from sources identified pursuant to District law. Moneys may also be deposited from the District's Victims Services Fund, any federal grant or other federal funds, or from any other sources, both private and public, that may be used for the purposes of the Fund.

(b) The Fund shall be administered by the Director of the Department of Human Services. At the end of each fiscal year, the Director shall make a grant of the full amount of the Fund in equal allotments, to licensed nonprofit providers of emergency shelter housing for victims of domestic violence in the District of Columbia.

Sec. 3. Fiscal impact statement.

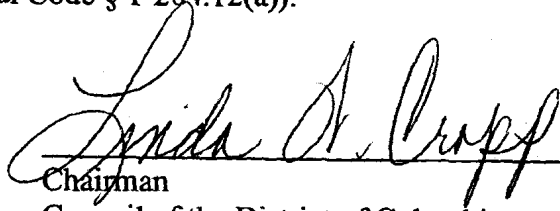
The Council adopts the fiscal impact statement of the Budget Director, dated May 1, 2006, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

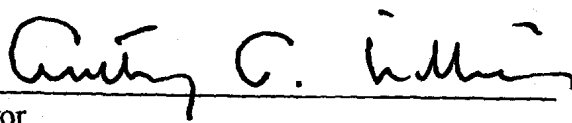
Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-376

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006*Codification
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To amend, on an emergency basis, section 47-2501 of the District of Columbia Official Code to tax natural gas based on the number of therms delivered to consumers, to tax home heating oil based on the number of gallons delivered to consumers, and to clarify the definition of a residential ratepayer for utility tax amendments in the Ballpark Omnibus Financing and Revenue Act of 2004; and to amend Title 47 of the District of Columbia Official Code to make technical amendments to utility tax rates of the utility taxes to be deposited in the Ballpark Revenue Fund and to correct the basic tax rate for electricity users.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Natural Gas and Home Heating Oil Taxation Relief and Ratepayer Clarification Emergency Act of 2006".

TITLE I. NATURAL GAS AND HOME HEATING OIL TAXATION RELIEF AND RATEPAYER CLARIFICATION.

Sec. 101. Section 47-2501 of the District of Columbia Official Code is amended as follows:

*Note,
§ 47-2501*

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

(1) The lead-in text is amended to read as follows:

"(a) Before the 21st day of each calendar month, each telephone company that sells public utility services or commodities within the District, and each nonpublic utility who sells artificial gas that is delivered, by any method of delivery, to an end-user in the District shall:"

(2) Paragraph (1) is amended by striking the phrase "the delivery of heating oil to an end-user in the District or sale of natural or artificial gas" and inserting the phrase "or the sale of artificial gas" in its place.

(3) New paragraphs (5) and (6) are added to read as follows:

"(5) After December 1, 2005, pay to the Mayor:

"(A) 11% of these gross receipts from the sales included in bills rendered

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after December 1, 2005, for nonresidential customers and 10% of these gross receipts from sales included in bills rendered after December 1, 2005, for residential customers for a telephone company;

“(B) 11% of these gross receipts from deliveries made after December 1, 2005, for nonresidential customers and 10% of these gross receipts from deliveries made after December 1, 2005, for residential customers for a person who delivers heating oil to an end-user in the District; or

“(C) 11% of those gross receipts from the sales of artificial gas delivered by any method after December 1, 2005, for nonresidential customers and 10% of those gross receipts from sales of artificial gas delivered by any method after December 1, 2005, for residential customers by a nonpublic utility to an end-user in the District.

“(6) After September 30, 2006, pay to the Mayor:

“(A)(i) 11% of these gross receipts from the sales included in bills rendered after September 30, 2006, for nonresidential customers and 10% of these gross receipts from sales included in bills rendered after September 30, 2006, for residential customers for a telephone company;

“(ii) For the purposes of sub-subparagraph (i) of this subparagraph, in determining whether a particular customer is a residential or nonresidential customer, a telephone company may rely upon existing customer classifications, such as “individual,” “consumer,” “enterprise,” “business,” “corporate,” or “government.”

“(B) 11% of those gross receipts from the sales of artificial gas delivered by any method after September 30, 2006, for nonresidential customers and 10% of those gross receipts from sales of artificial gas delivered by any method after September 30, 2006, for residential customers by a nonpublic utility to an end-user in the District.”

(b) Subsection (a-2) is amended by striking the phrase “pursuant to subsection (a)(3) and (4) of this section” and inserting the phrase “pursuant to subsection (a)(3), (4), (5), and (6) of this section” in its place.

(c) New subsections (a-3) and (a-4) are added to read as follows:

“(a-3) For sales included in bills rendered after December 1, 2005, before the 21st day of each month beginning January 2006, each gas company that provides distribution services to District customers shall:

“(1) File an affidavit with the Mayor indicating the number of therms of natural gas delivered for final consumption in the District for the preceding billing period; and

“(2)(A)(i) Pay to the Mayor a tax of \$0.0703, beginning December 2, 2005 and ending September 28, 2006, for each therm of natural gas delivered to end-users in the District for the billing period;

“(ii) Pay to the Mayor a tax of \$0.0707, beginning September 29, 2006, for each therm of natural gas delivered to end-users in the District for the preceding billing period; and

ENROLLED ORIGINAL

“(B)(i) Pay to the Mayor an additional tax of \$0.00983, beginning December 2, 2005 and ending September 28, 2006, for each therm of natural gas delivered to nonresidential end-users in the District for the billing period;

“(ii) Pay to the Mayor an additional tax of \$0.00707, beginning September 29, 2006, for each therm of natural gas delivered to nonresidential end-users in the District for the preceding billing period.

“(iii) Revenues received by the District pursuant to this subparagraph shall be deposited in the Ballpark Revenue Fund established by § 10-1601.02. Payments under this subparagraph shall be in addition to any other payments under this section.

“(iv) For the purposes of this subparagraph, for meter readings on or after June 28, 2006, residential end-use customers with group-metered accounts shall be residential customers. Group-metered accounts shall include service to any multiple dwelling building or property with 4 or more dwelling units.

“(3) Each gas company that provides distribution services to District customers shall be allowed to recover the tax imposed under paragraph (1) of this section in its rates as a surcharge on customers’ bills.

“(4) The tax imposed under paragraph (1) of this subsection shall be reflected as a separate line item on each bill for distribution services sent by each gas company that provides distribution services to District.

“(a-4)(1) For sales included in bills rendered after September 30, 2006, before the 21st day of each month beginning November 1, 2006, each person who delivers heating oil to an end-user in the District shall:

“(A) File an affidavit with the Mayor indicating the number of gallons of home heating oil delivered for final consumption in the District for the preceding billing period; and

“(B)(i) Pay to the Mayor a tax of \$0.17, beginning October 1, 2006, for each gallon of home heating oil delivered to end-users in the District for the preceding billing period; and

“(ii)(I) Pay to the Mayor an additional tax of \$0.017, beginning October 1, 2006, for each gallon of home heating oil delivered to nonresidential end-users in the District for the preceding billing period.

“(II) Revenues received by the District pursuant to this sub-subparagraph shall be deposited in the Ballpark Revenue Fund established by § 10-1601.02. Payments under this subparagraph shall be in addition to any other payments under this section.

“(III) For the purposes of this sub-subparagraph, beginning July 1, 2006, in determining whether a particular customer is a residential or nonresidential customer, all deliveries to a personal place of dwelling shall be considered residential, including end-users living in cooperative housing association units, condominiums, and apartment communities.

“(2) Any gross receipts from sales made on or after October 1, 2006, that are not

ENROLLED ORIGINAL

included in bills rendered after September 30, 2006, and taxed under subsection (a-4) of this section shall be taxed at the appropriate rates provided in subsection (a)(5) of this section and reported in the affidavit due on October 21, 2006.”

“(3) Each person who delivers heating oil to an end-user in the District shall be allowed to recover the tax imposed under paragraph (1) of this section in its rates as a surcharge on customers’ bills.

“(4) The tax imposed under paragraph (1) of this subsection shall be reflected as a separate line item on each bill for heating oil delivered to an end-user in the District sent by each person who delivers heating oil to end-users in the District.”

Sec. 102. Section 47-3902 of the District of Columbia Official Code is amended as follows:

Note,
§ 47-3902

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

“(3) For the purposes of subparagraph (1) of this paragraph, in determining whether a particular customer is a residential or nonresidential customer, a wireless telecommunications company may rely upon existing customer classifications, such as “individual,” “consumer,” “enterprise,” “business,” “corporate”, or “government.”

TITLE II. UTILITY TAX TECHNICAL AMENDMENTS.

Sec. 201. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-368.03(d)(2) is repealed.

Note,
§ 47-368.03
Note,
§ 47-2501

(b) Section 47-2501 is amended as follows:

(1) Subsection (a-1) is repealed.

(2) Subsection (a-2) is amended by striking the phrase “One-eleventh of the total tax collected” and inserting the phrase “Beginning January 1, 2005, one-eleventh of the total tax collected from nonresidential customers” in its place.

(3) Subsection (d-1)(1)(B) is amended as follows:

(A) Sub-subparagraph (i) is amended by striking the phrase “a tax of \$0.0077” and inserting the phrase “, beginning January 1, 2005, a tax of \$0.007” in its place.

(B) Sub-subparagraph (ii)(I) is amended to read as follows:

“(ii)(I) Beginning January 1, 2005, pay to the Mayor a tax of \$0.0007 for each kilowatt-hour of electricity delivered to nonresidential end-users in the District of Columbia for the preceding calendar month.”

(4) Subsection (e) is amended by striking the word “necessary” and inserting the phrase “necessary or appropriate” in its place.

(c) Section 47-3902(d) is amended by striking the phrase “One-eleventh of the total tax collected” and inserting the phrase “Beginning April 8, 2005, one-eleventh of the total tax collected from nonresidential customers” in its place.

Note,
§ 47-3902

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Sec. 202. Applicability.

Section 201(a) and (b)(1) shall apply as of January 1, 2005.

Note,
§§ 47-368.03,
47-2501

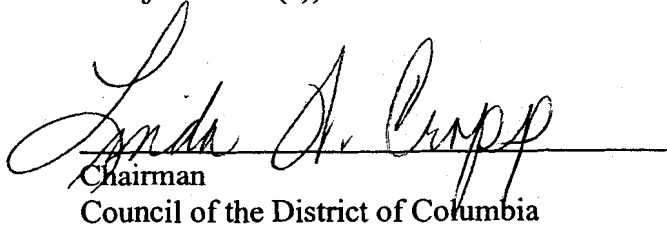
TITLE III. FISCAL IMPACT; EFFECTIVE DATE.

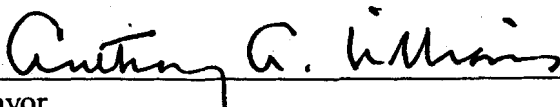
Sec. 301. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Council 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. 302. Effective date.

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-377

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 17, 2006

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To authorize, on an emergency basis, due to Congressional review, the Department of Mental Health to complete ongoing negotiations of collective bargaining agreements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Mental Health Collective Bargaining Agreements Congressional Review Emergency Act of 2006".

Sec. 2. Notwithstanding section 1717(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(b)), the Department of Mental Health may complete ongoing negotiations of collective bargaining agreements.

Note,
§ 1-617.17

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director for the Council of the District of Columbia for the Department of Mental Health Collective Bargaining Agreements Temporary Act, signed by the Mayor on February 27, 2006 (D.C. Act 16-305; 53 DCR 1920), 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. Applicability.

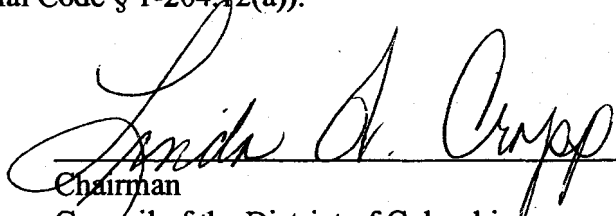
This act shall apply as of April 26, 2006.

Sec. 5. Effective date.

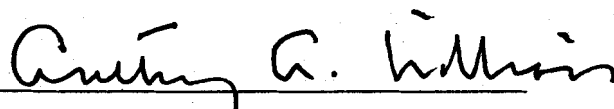
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-378

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006*Codification
District of
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Official Code*

2001 Edition

2006 Fall
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Publisher

To impose, on an emergency basis, due to Congressional review, a \$300 million cap on the District's contribution to the project budget for hard costs and a \$175 million cap on the District's contribution to the project budget for certain soft costs of the proposed ballpark, and to approve the proposed lease agreement between Baseball Expos, L.P., and the District of Columbia Sports and Entertainment Commission under specified conditions for the new Ballpark in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ballpark Hard and Soft Costs Cap and Ballpark Lease Conditional Approval Congressional Review Emergency Act of 2006".

Sec. 2. (a)(1) For the purposes of this act, the term "hard costs" means the direct construction and Builders Contingency costs estimated as \$295,075,993 and \$24,924,007, respectively, in the revised budget for the Ballpark transmitted by the Sports and Entertainment Commission to the Council on February 3, 2006.

Note,
§ 10-1601.05

(2) For the purposes of this act, the term "soft costs" means the soft, ancillary, contingency, completion guarantee fee, and financing fee costs, excluding the land acquisition, environmental remediation, relocation, and demolition costs, estimated at \$111,615,782, and excluding the \$24 million utilized for the renovation of RFK Stadium, as reflected in the revised budget for the Ballpark transmitted by the Sports and Entertainment Commission to the Council on February 3, 2006.

(b) The District's contribution of bond proceeds from public financing to the project budget for hard costs and soft costs of the Ballpark, as that term is defined in section 105 (a)(1) 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)(1)), shall not exceed \$300 million and \$175,184,218, respectively, excluding the costs for land acquisition, environmental remediation, relocation, and demolition currently estimated at approximately \$111,615,782, as reflected in the revised projected budget for the Ballpark transmitted by the Sports and Entertainment Commission to the Council on February 3, 2006.

ENROLLED ORIGINAL

(c) The expenditure limits of \$300 million and \$175,184,218 include in their calculation public dollars from whatever source expended by the District government or any of its independent agencies or instrumentalities.

Sec. 3. (a) Pursuant to section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), the District of Columbia Sports and Entertainment Commission ("Commission") transmitted to the Council for review and approval a revised proposed contract, CA 16-185, the revised proposed lease agreement between the Commission and Baseball Expos, L.P. ("Team"), for a new ballpark stadium in the District, and related exhibits, Non-Relocation Agreement, and Construction Administration Agreement ("CAA"), as modified by a revised transmittal to the Council on February 3, 2006 ("Stadium Lease").

(b)(1) Notwithstanding any other provision of law, and subject to section 2, the Council approves the Stadium Lease between the Commission and the Team, on the condition that prior to March 7, 2006, the Mayor and the Sports Commission submit documentation to the Council, with a certification by the District's Chief Financial Officer, that the Sports Commission and the Team have agreed that any amount of the hard costs for the Ballpark in excess of \$300 million and the soft costs in excess of \$175,184,218 shall be paid by:

- (A) The Team;
- (B) Savings realized from value engineering; or
- (C)(i) Federal;
- (ii) Private; or
- (iii) Other non-District government funds, except that District

government non-General Fund funds may be used if required by the bond indenture to finance the Ballpark project.

(2) The bond indenture fees needed to finance the Ballpark project, referred to in paragraph (1)(C)(iii) of this subsection, includes the approximate \$37 million in baseball revenue collected in 2005 (plus interest), the approximate \$30 million interest earned from the borrowing, and the approximate \$9 million premium received on the sale of the Ballpark bonds. These fees shall not exceed the total cap set forth in this act.

(3) Any revenue derived from development rights on the Ballpark Site, as that term is defined in 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)), by the Anacostia Waterfront Corporation or any District governmental entity, independent agency or instrumentality shall not be used for any overruns on the hard and soft costs of the Ballpark but may be used for any overruns on the land acquisition and remediation costs that are documented.

(4) The Council hereby authorizes the sources listed in paragraph (1) of this subsection to be used to cover any amount of the hard costs of the Ballpark in excess of \$300 million and any amount of the soft costs in excess of \$175,184,218.

ENROLLED ORIGINAL

(c) If the documentation required in subsection (b) of this section is not submitted by the Mayor and the Commission to the Council by close of business on March 6, 2006, the Stadium Lease between the Commission and the Team is disapproved.

Sec. 4. Development rights.

(a) The District government, or one of its instrumentalities such as the Anacostia Waterfront Corporation, shall control development rights on the north side of the Ballpark Site and all but 210,000 (Floor Area Ratio) square feet of development rights reserved for Team purposes on the south side of the Ballpark Site. Development on the east side of the Ballpark Site, on First Street, S.E., shall generate revenue to the District and shall be developed in accordance with a plan approved by the Council.

(b) Any excess revenues derived from development monies that are not used for costs overruns for land acquisition and environmental remediation shall be deposited into the Community Benefits Fund.

Sec. 5. Monthly reports.

The Commission shall submit a monthly report of expenditures to the Council no later than the 15th of each month.

Sec. 6. Conforming amendment.

Section 103 of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.03), is amended by adding a new subsection (j) at the end to read as follows:

Note,
§ 10-1601.03

“(j) Except as provided in sections 2 and 3 of the Ballpark Hard and Soft Costs Cap and Ballpark Lease Conditional Approval Temporary Act of 2006, signed by the Mayor on March 23, 2006 (D.C. Act 16-317; 53 DCR 2542), no General Fund revenues shall be spent on the hard and soft costs for the construction of the Ballpark, as reflected in the revised budget for the Ballpark transmitted by the Sports and Entertainment Commission to the Council on February 3, 2006.”

Sec. 7. Fiscal impact statement.

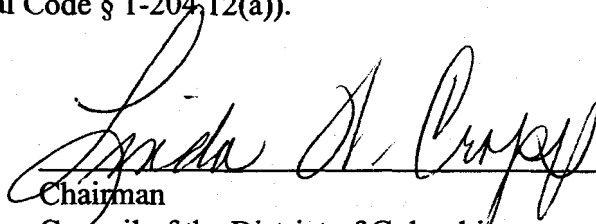
The Council adopts the fiscal impact statement prepared by the Office of the Chief Financial Officer, dated February 7, 2006, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).


Sec. 8. Effective date.

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

ENROLLED ORIGINAL

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-379

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
Supp.West Group
Publisher

To amend, on an emergency basis, the District of Columbia Administrative Procedure Act to exempt from disclosure investigatory records compiled by the Office of Police Complaints for active complaint cases.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office of Police Complaints Emergency Amendment Act of 2006".

Sec. 2. Section 204 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534), is amended as follows:

Note,
§ 2-534

(a) Subsection (a)(3) is amended as follows:

(1) The lead-in language is amended by striking the word "investigations" and inserting the phrase "investigations and investigations conducted by the Office of Police Complaints" in its place.

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

"(A) Interfere with:

"(i) Enforcement proceedings;

"(ii) Council investigations; or

"(iii) Office of Police Complaints ongoing investigations;"

(3) Subparagraph (E) is amended by inserting the word "or" at the end.

(b) Subsection (e) is amended by striking the phrase "executive branch".

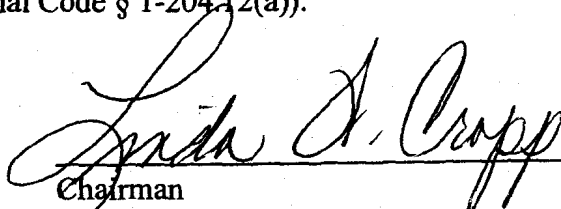
Sec. 3. Fiscal impact statement.

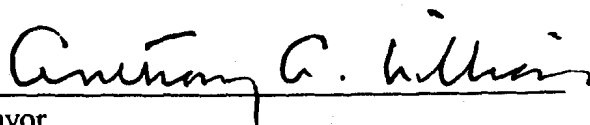
The Council adopts the fiscal impact statement in the committee report for the Office of Police Complaints Amendment Act of 2006, passed on 1st reading on May 2, 2006 (Engrossed version of Bill 16-587), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

ENROLLED ORIGINAL

Sec. 4. Effective date.

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-380IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 19, 2006*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
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To amend, on an emergency basis, the Day Care Policy Act of 1979 to authorize the Mayor to issue rules to implement the provisions of the act; and to amend the Child Care Services Assistance Fund Act of 1988 to extend the Mayor's authority to make grants and loans to create or expand child care facilities in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Day Care Grant-Making and Rulemaking Emergency Amendment Act of 2006".

Sec. 2. Section 14 of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-413), is amended by adding a new subsection (d) to read as follows:

*Note,
§ 44-413*

"(d) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act."

Sec. 3. Section 3(a) of the Child Care Services Assistance Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-220; D.C. Official Code § 7-2002(a)), is amended by striking the phrase "up to \$10,000" and inserting the phrase "up to \$500,000" in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the February 7, 2006 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

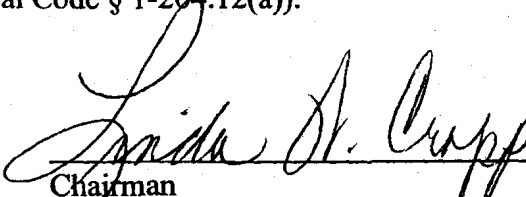
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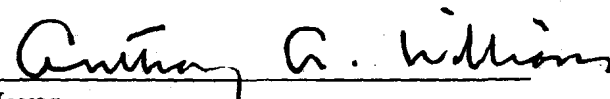
DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

Sec. 5. Effective date.

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-381

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
Supp.West Group
Publisher

To establish an organ and tissue donor registry, to require that the federally designated organ procurement organization maintain the registry, and to require the Department of Motor Vehicles to transfer donor information to the registry on an established basis to ensure that the registry is maintained with accurate and up-to-date information.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Organ and Tissue Donor Registry Establishment Act of 2006".

Sec. 2. Establishment of the organ and tissue donor registry.

There is hereby established an organ and tissue donor registry ("Registry") for residents of the District of Columbia, which shall be maintained by the federally designated organ procurement organization serving the District of Columbia.

Sec. 3. Access to Registry information.

Unless otherwise authorized by District of Columbia or federal law, information in the Registry shall be accessible only to:

- (1) The organ procurement organization serving the District of Columbia; and
- (2) An agency licensed in or authorized by the laws of another state, when a District resident is a donor of an anatomical gift and is not located in the District of Columbia at the time of donor's death or immediately before the time of death.

Sec. 4. Sources of Registry information.

The organ procurement organization:

- (1) May acquire and use donor information from all available sources; and
- (2) Shall acquire and use donor information from the Department of Motor Vehicles submitted in accordance with section 5 and with any regulations promulgated pursuant to this act.

ENROLLED ORIGINAL

Sec. 5. Department of Motor Vehicles transfer of information requirements.

(a) The Department of Motor Vehicles shall transfer to the designated organ procurement organization the name, gender, date of birth, and most recent address of any person who obtains an operator's permit or identification card and who has made or revoked an anatomical gift.

(b)(1) The initial transfer of donor information shall be transferred to the organ procurement organization by the Department of Motor Vehicles within 30 days of receipt of a written request from the organ procurement organization.

(2) All subsequent transfers of donor information, new and revisions to previously submitted information, shall be submitted monthly, or as otherwise determined by the Mayor, at no charge to the organ procurement organization.

Sec. 6. Donor status not dependent on being listed in Registry.

A person shall not be required to be listed in the Registry to be a donor of organs or tissue.

Sec. 7. Rulemaking.

The Mayor is authorized to promulgate rules necessary to implement this act.

Sec. 8. 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)).

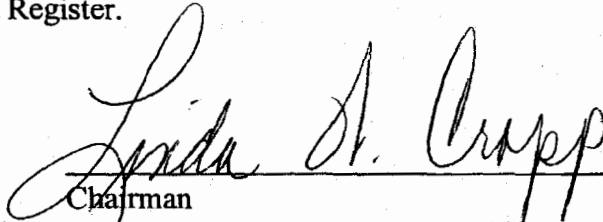
Sec. 9. Effective date.

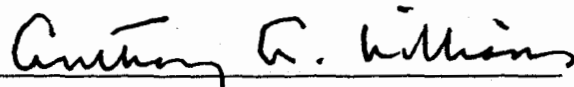
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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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
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-382IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 19, 2006

To order the legal closing of a portion of S Street, S.E., a portion of 13th Street, S.E., and public alleys in Squares 5600 and 5601, bounded by Martin Luther King Jr. Avenue, S.E., Good Hope Road, S.E., and 13th Street, S.E., in Ward 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of S Street, S.E., a Portion of 13th Street, S.E., and Public Alleys in Squares 5600 and 5601, S.O. 04-11912, Act of 2006".

Sec. 2. (a) Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that portions of S Street, S.E., and 13th Street, S.E., abutting Squares 5600 and 5601, as shown on the Surveyor's plat filed under S.O. 04-11912, are unnecessary for street purposes and orders them closed, with title to vest as shown on the Surveyor's plat and that public alleys in Squares 5600 and 5601, as shown on the Surveyor's plat filed under S.O. 04-11912, are unnecessary for alley purposes and orders them closed, with title to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of all conditions as set forth in the official file of S.O. 04-11912.

(b) Pursuant to section 305.11(g)(1) and (2) of Title 10 of the District of Columbia Municipal Regulations, the Council finds that the proposed development qualifies for an exemption from the housing linkage provisions of the Comprehensive Plan because the property is located within an area designated as a new or upgraded commercial center.

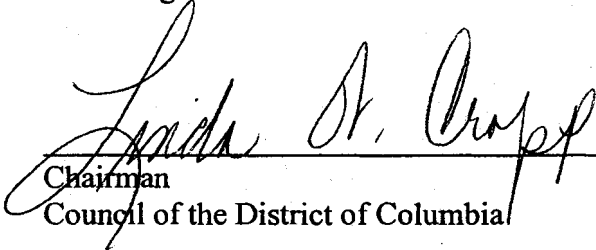
Sec. 3. The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Surveyor of the District of Columbia and the District of Columbia Recorder of Deeds.

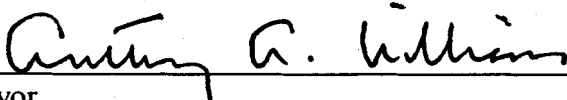
Sec. 4. Fiscal impact statement.
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

ENROLLED ORIGINAL

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and 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
May 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-383

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006Codification
District of
Columbia
Official Code

2001 Edition

2006 Fall
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Publisher

To amend the Tobacco Settlement Trust Fund Establishment Act of 1999 to authorize and provide for the transfer of certain monies to the Tobacco Settlement Financing Corporation; and to amend the Tobacco Settlement Financing Act of 2000 to authorize the Tobacco Settlement Financing Corporation to issue additional bonds to finance the costs of the National Capital Medical Center, healthcare related issues, other capital projects, or for debt defeasance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tobacco Settlement Trust Fund and Tobacco Settlement Financing Amendment Act of 2006".

Sec. 2. The Tobacco Settlement Trust Fund Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code 7-1811.01 *et seq.*), is amended as follows:

(a) Subsection 2302 (D.C. Official Code § 7-1811.01) is amended as follows:

Amend
§ 7-1811.01

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

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

(i) Sub-subparagraph (i) is amended by striking by word "and" at the end.

(ii) Sub-subparagraph (ii) is amended by striking the phrase "Act of 2000." and insert "Act of 2000; and" in its place.

(iii) Add a new sub-subparagraph (iii) to read as follows:

"(iii) All payments under the Residual Bond sold to the District of Columbia Tobacco Settlement Financing Corporation under section 3703 of the Tobacco Settlement Financing Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 7-1831.02) ;".

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

"(B) If the Residual Bond has not been sold by the Fund, all payments received with respect to the Residual Interest, as the term is defined in section 3702(7) of the Tobacco Settlement Financing Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 7-1831.01(7)); and".

(2) Add a new subparagraph (B-i) to read as follows:

ENROLLED ORIGINAL

"(B-i) If the Residual Bond has been sold by the Fund, all payments received under the Remainder Certificate, if any; and".

(3) Add a new subsection (c) read as follows:

"(c) The Fund shall have the power to indemnify or insure members of the board and officers of the Fund as it determines appropriate."

(b) Section 2302a(d) (D.C. Official Code § 7-1811.02(d)) is amended by striking the word "quarter" and inserting the word "year" in its place. Amend § 7-1811.02

(c) Section 2302b (D.C. Official Code § 7-1811.03) is amended as follows:

Amend § 7-1811.03

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

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

(i) Strike the phrase "For fiscal years 2005 through 2008," and insert the phrase "For fiscal year 2005," in its place.

(ii) Add at the end of the subparagraph the following 2 sentences:

"Commencing in fiscal year 2006, 100% of the residual (unless the Residual Bond has been sold) and 100% of the annual savings from debt defeasance and prepayment shall be transferred to the General Fund. Unless the Residual Bond has been sold by the Fund, the Council may direct all or a portion of the residual to be transferred to the Fund."

(B) Add a new paragraph (7) to read as follows:

"(7) If the Residual Bond has been sold by the Fund, 100% of the residual shall be payable to the Corporation for so long as the Bonds issued to purchase the Residual Bond are Outstanding."

(2) Add new subsections (d) and (e) to read as follows:

"(d) For the purpose of financing the costs of the National Capital Medical Center, healthcare related issues, or other capital projects, and repayment of outstanding indebtedness issued for certain capital projects and other undertakings of the District, the Fund may sell to the Corporation all of the Fund's right, title, and interest in and to the Residual Bond, including all the moneys, and any interest thereon, payable to or received by the Fund, in exchange for:

"(1) A cash payment in the amount of the net sales proceeds of the Bonds (other than the Residual Bond); and

"(2) The Remainder Certificate, if any.

"(e) Subject to the authorization and restrictions of this act, the terms and conditions of the Residual Bond Purchase Agreement shall be determined by the Mayor, which determination shall be conclusively evidenced by his execution of the Residual Bond Purchase Agreement. The Mayor may execute and deliver any administrative or other documents or agreements that are necessary or desirable relating to the sale of the Fund's right, title, and interest in and to the Residual Bond or in connection with the issuance of the Bonds. Proceeds from the sale of the Bonds and other moneys received by the Corporation pursuant to the Residual Bond Purchase Agreement shall be used to repay certain outstanding indebtedness of the District, to finance or refinance the National Capital Medical Center, healthcare related issues, or other capital projects or undertakings of the District, to pay costs of issuance of the Bonds, to establish and fund reserve funds, and to pay other expenses

ENROLLED ORIGINAL

and fees related to the issuance of the Bonds.”.

Sec. 3. The Tobacco Settlement Financing Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 7-1831.01 *et seq.*), is amended as follows:

(a) Section 3702 (D.C. Official Code § 7-1831.01) is amended as follows:

Amend
§ 7-1831.01

(1) Paragraph (1) is amended by striking the phrase "obligations), which would include" and inserting the phrase "obligations), which may be issued on a senior or subordinate basis and would include" in its place.

(2) Add a new paragraph (5A) to read as follows:

“(5A) “Remainder Certificate” means a certificate evidencing an interest in the payments to be made under the Residual Bond after payment in full of all outstanding Bonds secured thereby.”.

(3) Add a new paragraph (6A) to read as follows:

“(6A) “Residual Bond Purchase Agreement” means a contract, as authorized under section 3704, between the Corporation and the Fund, under which the Fund sells to the Corporation all or a portion of the Fund’s right, title, and interest in and to the Residual Bond, including all the moneys, and any interest thereon, payable to or received by the Fund thereunder, in exchange for a cash payment from the net proceeds of the sale of the Bonds (other than the Residual Bond) and the Remainder Certificate, if any.”.

(b) Section 3703 (D.C. Official Code § 7-1831.02) is amended as follows:

Amend
§ 7-1831.02

(1) Subsection (a) is amended by striking the phrase "For the purpose of the repayment" and inserting the phrase "For the purpose of financing the costs of the National Capital Medical Center, healthcare related issues, or other capital projects, and the repayment" in its place.

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

(A) Strike the phrase "Purchase Agreement" and insert the phrase "Purchase Agreement or the Residual Bond Purchase Agreement" wherever it appears.

(B) Strike the phrase "indebtedness of the District" and insert the phrase "indebtedness of the District, to finance or refinance the National Capital Medical Center, healthcare related issues, or other capital projects or undertakings of the District," in its place.

(3) Add a new subsection (b-1) to read as follows:

“(b-1) For the purpose of financing the costs of the National Capital Medical Center, healthcare related issues, or other capital projects, and repayment of outstanding indebtedness issued for certain capital projects and other undertakings of the District, the Fund may sell to the Corporation all of the Fund’s right, title, and interest in and to the Residual Bond, including all the moneys, and any interest thereon, payable to or received by the Fund thereunder, in exchange for:

“(1) A cash payment in the amount of the net sales proceeds of Bonds secured by the Residual Bond; and

“(2) The Remainder Certificate, if any.”.

(c) Section 3704 (D.C. Official Code § 7-1831.03) is amended as follows:

Amend
§ 7-1831.03

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

DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

(A) Strike the phrase "by the District), issuing" and insert the phrase "by the District and the Residual Bond, issuing" in its place.

(B) Strike the "Purchase Agreement and" and insert the phrase "Purchase Agreement or the Residual Bond Purchase Agreement and" in its place.

(C) Strike the phrase "including repayment, refinancing," and insert the phrase "including financing the costs of the National Capital Medical Center indebtedness of the District, to finance or refinance the National Capital Medical Center, healthcare related issues, or other capital projects or undertakings of the District, or other capital projects, repayment, refinancing," in its place.

(2) Subsection (c) is amended as follows:

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

(i) Strike the phrase "to refinance" and insert the phrase "to finance or refinance" in its place.

(ii) Strike the phrase "the refinancing of, capital projects and other undertakings" and insert the phrase "the financing or refinancing of the National Capital Medical Center, healthcare related issues, or other capital projects or undertakings" in its place.

(iii) Strike the last sentence.

(B) Paragraph 2(B) is amended as follows:

(i) Sub-subparagraph (i) is amended by striking the phrase "Corporation; and" and inserting the phrase "Corporation;" in its place.

(ii) Sub-subparagraph (ii) is amended by striking the phrase "taxable basis." and inserting the phrase "taxable basis; and" in its place.

(iii) Add a new sub-subparagraph (iii) to read as follows:

"(iii) Whether the Bonds are intended to be issued on a senior or subordinate basis."

(C) Paragraph (3) is amended by striking the phrase "Act of 1999" and inserting the phrase "Act of 1999, and the terms and conditions of the Remainder Certificate, if any, shall be consistent with the provisions of the Residual Bond Purchase Agreement and shall provide that the payments under the Master Settlement Agreement after payment in full of all Bonds outstanding shall be paid to the Tobacco Settlement Trust Fund established by the Tobacco Settlement Trust Fund Establishment Act of 1999." in its place.

(D) Paragraph (6) is amended as follows:

(i) Strike the sentence "The Bonds are special obligations of the Corporation payable solely from, and secured by, the payments received under the Master Settlement Agreement." and insert the following in its place:

"The Bonds issued to purchase the District's right, title, and interest in the Master Settlement Agreement are special obligations of the Corporation payable solely from, and secured by, the payments received under the Master Settlement Agreement. The Bonds issued to purchase the Fund's right, title, and interest in the Residual Bond are obligations of the Corporation payable solely from, and secured by, the payments received under the Residual Bond."

ENROLLED ORIGINAL

(ii) Strike the phrase "Settlement Agreement." in the last sentence and insert the phrase "Settlement Agreement or under the Fund under the Residual Bond." in its place.

(E) Paragraph (9) is amended to read as follows:

"(9) The District pledges, which pledge the Corporation may include in any agreement with the holders of the Bonds, to the Corporation that the District will:

"(i) Continue to diligently enforce the Model Statute against all tobacco product manufacturers selling tobacco products in the District that are not signatories to the Master Settlement Agreement;

"(ii) Enforce the District's rights to receive the payments to be made to the District pursuant to the Master Settlement Agreement to the full extent permitted by the terms of the Master Settlement Agreement;

"(iii) Not amend the Master Settlement Agreement in any way that would materially impair the rights of the holders of Bonds;

"(iv) Not limit or alter rights vested in the Corporation to fulfill agreements made with holders of the Bonds; or

"(v) Not in any way impair the rights and remedies of the holders of the Bonds until the Bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders of the Bonds are fully met and discharged."

(d) Section 3705 (D.C. Official Code § 7-1831.04) is amended as follows:

Amend
§ 7-1831.04

(1) Designate the existing text subsection (a).

(2) Add a new subsection (b) to read as follows:

"(b) The transfer of the Fund's right, title, and interest in and to the Residual Bond to the Corporation or any assignee that the parties have in the governing documentation expressly stated to be a sale or other absolute transfer shall be treated as an absolute transfer of all of the Fund's right, title, and interest, as in a true sale, and not as a pledge or other financing, of the Fund's right, title, and interest in and to the Residual Bond, including the moneys payable or received thereunder and any interest thereon. The grant to the holders of the Bonds of a security interest in, and a lien on, all of the Fund's right, title, and interest in and to the Residual Bond, including the moneys payable or received thereunder and any interest thereon, the provision by the Fund or the District of any credit enhancement with respect to the Bonds (other than the Residual Bond), or the characterization of the transaction for accounting purposes or securities regulation shall not impair or negate the characterization of any transfer as a true sale. The transfer of the Fund's right, title, and interest in and to the Residual Bond to the Corporation or any assignee shall be deemed perfected as against third persons having claims in tort, contract, or otherwise, including any judicial lien creditors, when a sale or transfer of the right, title, and interest in and to the Residual Bond in writing has been executed and delivered by the Fund to the Corporation or any assignee."

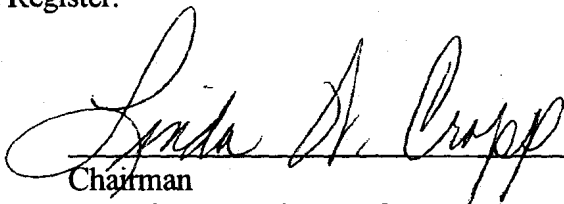
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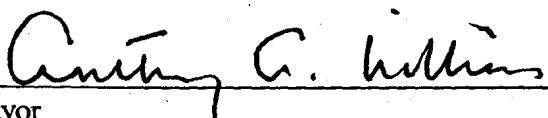
Sec. 4. Fiscal impact statement.

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(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 24, 1973 (87 Stat. 788; D.C. Official Code § 1-602.02(c)(1)) and publication in the District of Columbia Register.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-384

IN THE DISTRICT OF COLUMBIA

MAY 19, 2006

To order the legal closing of portions of Half Street, S.E., O Street, S.E., P Street, S.E., and Potomac Avenue, S.E., and all public alleys in Squares 702, 703, 704, 705, and 706, and in U.S. Reservation 247, bounded on the south by Potomac Avenue, S.E., on the west by South Capitol Street, S.E., on the north by N Street, S.E., and on the east by 1st Street, S.E., in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Public Streets and Alleys in Squares 702, 703, 704, 705, and 706, and in U.S. Reservation 247, S.O. 05-6318, Act of 2006".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that portions of Half Street, S.E., O Street, S.E., P Street, S.E., Potomac Avenue, S.E., and all public alleys in Squares 702, 703, 704, 705, and 706, and in United States Reservation 247, as shown on the Surveyor's plat filed under S.O. 05-6318, are unnecessary for street and alley purposes and orders them closed, with title to the land to vest as shown on the Surveyor's plat. The closure of these public streets and alleys is contingent upon the satisfaction of all the conditions by District agencies and affected public utilities set forth in the official file of S.O. 05-6318 and the filing, in the Recorder of Deeds Division of the Office of Tax and Revenue, of a covenant, as recommended by the National Capital Planning Commission, that requires that the closed portions of Half Street, S.E., O Street, S.E., P Street, S.E., and Potomac Avenue, S.E., be re-established in their original locations and with full rights-of-way when the closed streets and abutting property are no longer used for ballpark purposes.

ENROLLED ORIGINAL

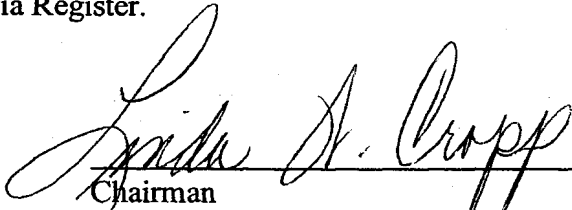
Sec. 3. Fiscal impact statement.

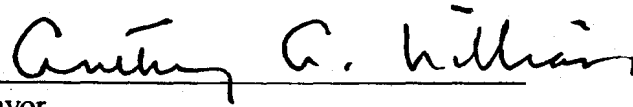
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Mayor, the Office of the Surveyor of the District of Columbia, the District of Columbia Sports and Entertainment Commission, the Anacostia Waterfront Corporation, and the District of Columbia Recorder of Deeds.

Sec. 5. Effective date.

This act shall take effect upon its enactment (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)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788 D.C. Official Code §1-206), and publication in the District of Columbia Register.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-385IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 19, 2006*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
Supp.West Group
Publisher

To direct the Mayor, on a temporary basis, to enter into consultation with the Commanding General of the National Guard of the District of Columbia to establish a plan for the National Guard to assist the Special Operations Division of the Metropolitan Police Department with its functions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "National Guard Operations Coordination Temporary Act of 2006".

Sec. 2. Establishment of a plan to coordinate operations.

The Mayor is hereby directed to consult with the Commanding General of the National Guard of the District of Columbia in order to establish a plan whereby the National Guard Reaction Force provides supplemental manpower to the Special Operations Division of the Metropolitan Police Department to assist it in the performance of its duties. The plan shall be implemented within 180 days of the effective date of the National Guard Operations Coordination Emergency Act of 2006, effective April 26, 2006 (D.C. Act 16-365; 53 DCR ____).

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director for the Council of the District of Columbia 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)).

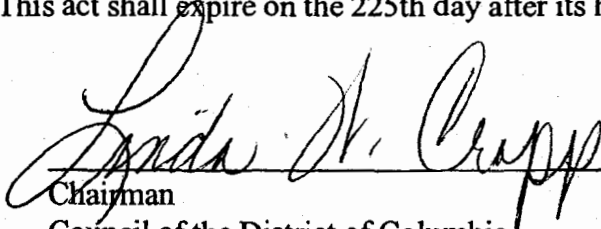
Sec. 4. Effective date.

(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

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 on the 225th day after its having taking effect.



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
APPROVED
May 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-386

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
Supp.West Group
Publisher

To authorize, on a temporary basis, the expenditure through a grant of up to \$1 million of local funds to My Sister's Place, Inc., for its Sanctuary Plus Campaign to raise capital funds to provide shelter assistance for victims of domestic violence.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "My Sister's Place, Inc., Grant Authority Temporary Act of 2006".

Sec. 2. From funds made available in Fiscal Year 2006 for domestic violence programs, section 1016(3) of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7502), the Mayor is hereby authorized to make a grant of up to \$1 million to My Sister's Place, Inc., for its Sanctuary Plus Campaign to raise capital funds to provide shelter assistance for victims of domestic violence.

Sec. 3. The Mayor may promulgate any rules necessary to implement section 2 of this act.

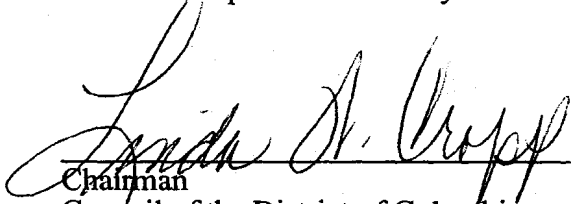
Sec. 4. The Council adopts the fiscal impact statement provided by the Chief Financial Officer, dated April 4, 2006, as the fiscal impact statement required by section 602 (c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

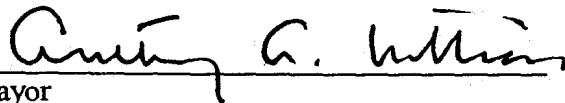
Sec. 5. (a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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
May 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-387

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 19, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
Supp.

West Group
Publisher

To amend, on a temporary basis, the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978 to clarify that this law does not prohibit disclosure and release of information and records of the Mental Retardation and Developmental Disabilities Fatality Review Committee and the Mental Retardation and Developmental Disabilities Incident Management and Investigations Unit.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Disclosure of Mental Retardation and Developmental Disabilities Fatality Review Committee and Mental Retardation and Developmental Disabilities Incident Management and Investigations Unit Information and Records Temporary Amendment Act of 2006".

Sec. 2. Section 512 of the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978, effective March 3, 1979 (D.C. Law 2-137; D.C. Official Code § 7-1305.12), is amended as follows:

Note,
§ 7-1305.12

(a) Designate the existing text as subsection (a).

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

"(b) Nothing in subsection (a) of this section shall be construed to prevent access to, nor disclosure and release of, information and records held, created by, provided to, or received by the Mental Retardation and Developmental Disabilities Fatality Review Committee, established by Mayor's Order 2005 - 143, issued September 30, 2005 (53 DCR 161), and the Mental Retardation and Developmental Disabilities Incident Management and Investigations Unit, including all agency records, committee reports, service provider records, and other government documents; provided, that any disclosure and release of the information and records shall not include the disclosure or release of any customer's identifying information."

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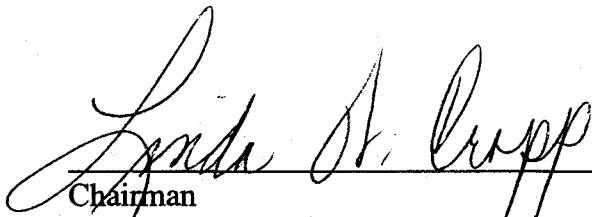
Sec. 3. Fiscal impact statement.

The Council adopts the April 4, 2006 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

UNSIGNED

Mayor
District of Columbia
May 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-388

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 23, 2006Codification
District of
Columbia
Official Code

2001 Edition

2006 Fall
Supp.West Group
Publisher

To amend, on an emergency basis, the Cable Television Communication Act of 1981 to require every cable operator in the District of Columbia to broadcast all Washington Nationals games.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Nationals on T.V. Emergency Amendment Act of 2006".

Sec. 2. The Cable Television Communication Act of 1981, effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code § 34-1251.01 *et seq.*), is amended by adding a new section 503a to read as follows:

Note,
§ 34-1255.03

"Sec. 503a. Baseball programming.

"(a) The Council finds that it is in the public interest that all of the baseball games of Baseball Expos, LP, trading as the Washington Nationals be broadcast.

"(b) The Council directs that each cable operator broadcast all of the baseball games of Baseball Expos, LP, trading as the Washington Nationals, or any assignee or successor ("Washington Nationals").

"(c) If a cable operator is not broadcasting all of the baseball games of the Washington Nationals as of the effective date of this section, the cable operator shall enter into good faith negotiations with the District within 5 days to modify its franchise agreement to comply with subsection (b) of this section."

Sec. 3. 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)).

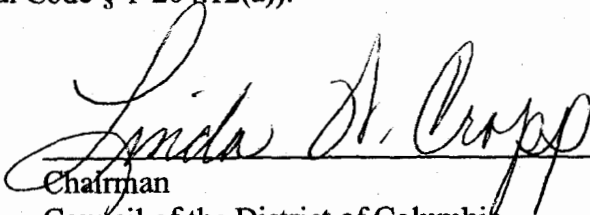
Sec. 4. Effective date.

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

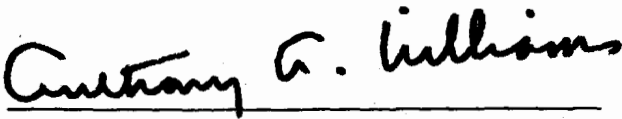
JUN 2 2006

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 23, 2006