

JUN 16 2006

DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 16-343

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
APRIL 21, 2006

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2006 Summer  
Supp.

West Group  
Publisher

To amend Chapter 3 of Title 47 of the District of Columbia Official Code to allow financial institutions to use collateralized mortgage obligations as collateral against District deposit of funds.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Financial Institutions Deposit and Investment Act of 2006".

Sec. 2. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-351.01 is amended by adding a new paragraph (25) to read as follows:  
“(25) “Collateralized mortgage obligations” shall mean securities issued by a government or quasi-governmental agency and backed by a pool of underlying home mortgages packaged and sold in the secondary market.”.

Amend  
§ 47-351.01

(b) Section 47-351.08(b) is amended as follows:  
(1) Paragraph (2) is amended by striking the word “or”.  
(2) Paragraph (3) is amended by striking the period at the end of the sentence and inserting the phrase “; or” in its place.

Amend  
§ 47-351.08

(3) A new paragraph (4) is added to read as follows:  
“(4) Collateralized mortgage obligations.”.

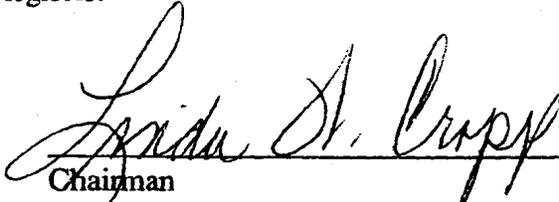
Sec. 4. Fiscal impact statement.

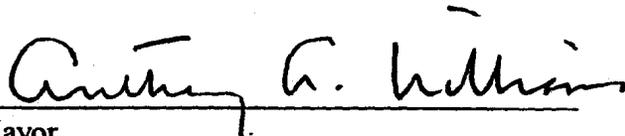
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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

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

  
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Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
April 21, 2006

AN ACT

D.C. ACT 16-344

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2007 Winter  
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To amend the Advisory Commission on Sentencing Establishment Act of 1998 to rename the commission the District of Columbia Sentencing and Criminal Code Revision Commission, to establish authority for the commission to analyze the District of Columbia's current criminal code and administration of existing criminal laws, and to propose reforms in the criminal code to create a uniform and coherent body of criminal law in the District of Columbia, and to revise the membership of the commission; and to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to reflect the change in name of the commission.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Advisory Commission on Sentencing Amendment Act of 2006".

Sec. 2. The Advisory Commission on Sentencing Establishment Act of 1998, effective October 16, 1998 (D.C. Law 12-167; D.C. Official Code § 3-101 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 3-101) is amended as follows:

(1) The section heading is amended by striking the phrase "Sentencing Commission" and inserting the phrase "Sentencing and Criminal Code Revision Commission" in its place.

(2) Subsection (a) is amended by striking the phrase "Sentencing Commission" and inserting the phrase "Sentencing and Criminal Code Revision Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "The Commission" and inserting the phrase "In addition to the duties required under section 2a, the Commission" in its place.

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

"Sec. 2a. Criminal code reform.

"(a) Beginning January 1, 2007, the Commission shall also have as its purpose the preparation of comprehensive recommendations to the Council and the Mayor that:

"(1) Revise the language of criminal statutes to be clear and consistent;

"(2) In consultation with the Codification Counsel in the Office of the General Counsel for the Council of the District of Columbia, organize existing criminal statutes in a

Amend  
§ 3-101

logical order;

“(3) Assess whether criminal penalties (including fines) for felonies are proportionate to the seriousness of the offense, and, as necessary, revise the penalties so they are proportionate;

“(4) Propose a rational system for classifying misdemeanor criminal statutes, determine appropriate levels of penalties for such classes, and classify misdemeanor criminal statutes in the appropriate classes;

“(5) Identify any crimes defined in common law that should be codified, and propose recommended language for codification, as appropriate;

“(6) Identify criminal statutes that have been held to be unconstitutional;

“(7) Propose such other amendments as the Commission believes are necessary;

and

“(8) Enable the adoption of Title 22 as an enacted title of the District of Columbia Official Code.

“(b) No later than March 31, 2007, the Commission shall submit to the Council and the Mayor a work plan and schedule for carrying out the responsibilities authorized by this section. The work of the Commission under this section shall be completed no later than September 30, 2010.

“(c) The Commission shall submit its recommendations in the form of reports. Each report shall be accompanied by draft legislation or other specific steps for implementing the recommendations.”.

(c) Section 3(a) (D.C. Official Code § 3-102(a)) is amended as follows:

(1) The lead-in language is amended by striking the number “13” and inserting the number “15” in its place, and by striking the number “4” and inserting the number “5” in its place.

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

(A) Subparagraph (B) is repealed.

(B) Subparagraph (H) is amended by striking the word “and” at the end.

(C) Subparagraph (I) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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

“(J) Three professionals from established organizations, to include institutions of higher education, devoted to the research and analysis of criminal justice issues, appointed by the Council.”.

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

(A) Subparagraph (C) is amended by striking the word “and” at the end.

(B) Subparagraph (D) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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

“(E) One member of the Council, appointed by the Chairman of the Council.”.

Amend  
§ 3-102

JUN 16 2006

**DISTRICT OF COLUMBIA REGISTER**

**ENROLLED ORIGINAL**

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

(a) Section 406(b)(19) (D.C. Official Code § 1-604.06(b)(19)) is amended by striking the phrase "Sentencing Commission" both times it appears and inserting the phrase "Sentencing and Criminal Code Revision Commission" in its place.

Amend  
§ 1-604.06

(b) Section 903(a)(6C) (D.C. Official Code § 1-609.03(a)(6C)) is amended by striking the phrase "Sentencing Commission" and inserting the phrase "Sentencing and Criminal Code Revision Commission" in its place.

Amend  
§ 1-609.03

**Sec. 4. Applicability.**

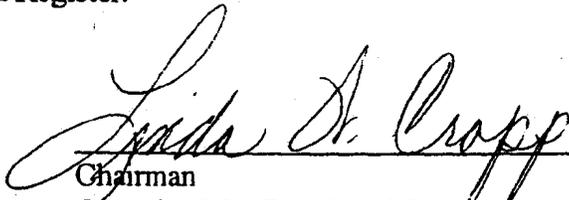
This act shall apply as of January 1, 2007.

**Sec. 5. Fiscal impact statement.**

The Council adopts the February 22, 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. 6. Effective date.**

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

  
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Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
April 21, 2006

JUN 16 2006

DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 16-345

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
APRIL 21, 2006

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District of  
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2006 Summer  
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West Group  
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To amend An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes to prohibit policemen from serving as watchmen at the Municipal Building; to amend the Office of Property Management Establishment Act of 1998 to re-establish the Protective Services Division within the Office of Property Management; and to repeal the Government Facility Security Amendment Act of 2004.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Government Facility Security Amendment Act of 2006".

Sec. 2. An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes, approved March 3, 1909 (Pub. L. No. 60-303; 35 Stat. 689), is amended by adding a new paragraph after the first paragraph under the subheading "FOR CARE OF DISTRICT BUILDING:" to read as follows:

"Policemen shall not be detailed for duty as watchmen at the Municipal Building."

Sec. 3. The Office of Property Management Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1001 *et seq.*), is amended as follows:

(a) Section 1804(3) (D.C. Official Code § 10-1003(3)) is amended by striking the phrase "custodial services," and inserting the phrase "custodial services, security services," in its place.

Amend  
§ 10-1003

(b) Section 1806(a) (D.C. Official Code § 10-1005(a)) is amended as follows:

(1) The lead-in language is amended by striking the word "three" and inserting the word "four" in its place.

Amend  
§ 10-1005

(2) Paragraph (3) is amended by striking the word "and" at the end.

(3) Paragraph (4) is amended by striking the period at the end and inserting the phrase "; and" in its place.

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

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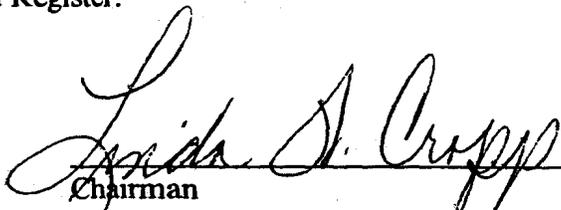
“(5) The Protective Services Division, which will coordinate and manage the security requirements for District government facilities.”.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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UNSIGNED  
Mayor  
District of Columbia  
April 21, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-346

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 21, 2006

To order the closing of a portion of a public alley in square 5230, bounded by 55<sup>th</sup> Street, N.E., Eads Street, N.E., 56<sup>th</sup> Street, N.E. and Dix Street, N.E., in Ward 7.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of a Public Alley in Square 5230, S.O. 04-9922, 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 § 9-202.1), the Council of the District of Columbia finds that the portion of the public alley in Square 5230, as shown on the Surveyor's plat filed under S.O. File 04-9922, is unnecessary for alley purposes and orders it closed, with title to the land 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 set forth in the S.O. File 04-9922.

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.

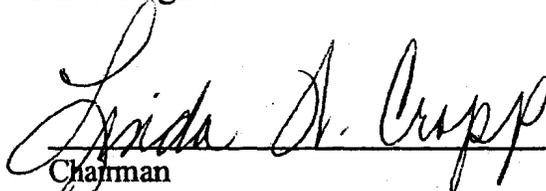
Sec. 4. Fiscal impact statement.

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  
April 21, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-347

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 21, 2006

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To amend the District of Columbia Traffic Act, 1925, and the District of Columbia Revenue Act of 1937 to accommodate a new federal tax exemption associated with the purchase of low-emissions motor vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Low-Emissions Motor Vehicle Tax Exemption Amendment Act of 2006".

Sec. 2. Section 6(j)(3)(J) of the District of Columbia Traffic Act, 1925, effective March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(j)(3)(J)), is amended to read as follows:

Amend  
§ 50-2201.03

"(J) The following low-emissions motor vehicles:

"(i) A new clean fuel or electric vehicle titled in the District of Columbia before January 1, 2006 determined by the United States Internal Revenue Service to be eligible for a federal tax deduction or credit pursuant to sections 30 and 179A of the Internal Revenue Code of 1986, approved Oct. 24, 1992 (100 Stat. 3019; 26 U.S.C. §§ 30 and 179A).

"(ii) A new fuel cell, lean burn technology, hybrid, or alternative fuel motor vehicle titled in the District of Columbia on or after January 1, 2006; provided, that, in each case, the owner presents proof, to the satisfaction of the Mayor, that the purchase of the vehicle entitles the owner to a federal tax credit pursuant to the Energy Policy Act of 2005, approved Aug. 8, 2005 (119 Stat. 594; scattered sections of the United States Code)."

Sec. 3. Section 3(b)(1) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.03(b)(1)) is amended by striking the phrase "A clean fuel or electric vehicle determined by the United States Internal Revenue Service to be eligible for a federal tax deduction or credit pursuant to 26 U.S.C. §§ 30 and 179A for the tax year during which it is being registered" and inserting the phrase "A new clean fuel or electric vehicle titled before January 1, 2006 determined by the United States Internal Revenue Service to be eligible for a federal tax deduction or credit pursuant to sections 30 and

Amend  
§ 50-1501.03

ENROLLED ORIGINAL

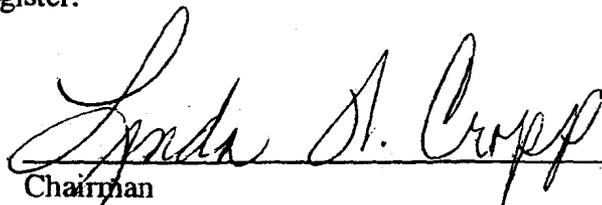
179A of the Internal Revenue Code of 1986, approved Oct. 24, 1992 (100 Stat. 3019; 26 U.S.C. §§ 30 and 179A); and a new fuel cell, lean burn technology, hybrid, or alternative fuel motor vehicle titled on or after January 1, 2006; provided, that the owner presents proof, to the satisfaction of the Mayor, that the purchase of the vehicle entitles the owner to a federal tax credit pursuant to the Energy Policy Act of 2005, approved Aug. 8, 2005 (119 Stat. 594; scattered sections of the United States Code). This provision shall only apply to the first 2 years of the vehicle's registration, after which the vehicle shall be treated as a Class I, Class II, or Class III, whichever is applicable." in its place.

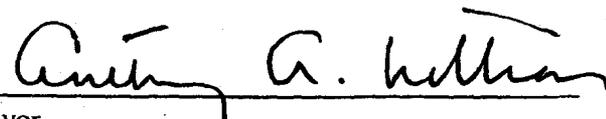
Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 502(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.

  
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Chairman  
Council of the District of Columbia

  
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Mayor  
District of Columbia  
APPROVED  
April 21, 2006

AN ACT

D.C. ACT 16-348

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 21, 2006

Codification  
District of  
Columbia  
Official Code

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To amend Chapter 28 of Title 47 of the District of Columbia Official Code to alter the composition of the Board of Real Estate and the Board of Real Estate Appraisers; to repeal the requirement that individuals and firms practicing as public accountants, but not providing services that require a license, registration, and permit as a certified public accountant or certified public accounting firm, continue to register with or obtain a permit from the Board of Accountancy, and to allow non-licensees to control up to 49% of the financial interests and voting rights of all partners, officers, shareholders, member or managers of firms organized to offer certified public accounting services within the District of Columbia; to allow the Board of Real Estate Appraisers to comply with the licensure and regulatory requirements established by the Appraisal Subcommittee, The Appraisal Foundation, and the Appraisal Qualifications Board pursuant to federal law; to reinstate the Appraisal Education Fund; and to clarify the term "person" is an individual.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Non-Health Related Occupations and Professions Licensure Amendment Act of 2006".

Sec. 2. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) Strike the phrase "47-2853.45. Registration of firms of public accountants." and insert the phrase "47-2853.45. Repealed." in its place.

(2) Add the phrase "47-2853.154. Appraisal Education Fund." after the phrase "47-2853.153. Certain representations prohibited."

(b) Section 47-2853.06 is amended as follows:

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

"(b) There is hereby established a Board of Accountancy to consist of 5 members. Of the members of the Board, one shall be a consumer member and 4 shall be licensed as certified public accountants who, at the time of their appointments, have been engaged in the practice of

Amend  
§ 47-2853.06

public accountancy as certified public accountants in the District for a period of not less than 5 years. The Board shall regulate the practice of public accountants and certified public accountants.”

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

“(g) There is established a Board of Real Estate Appraisers consisting of 5 members, of whom 3 shall be real estate appraisers licensed and in good standing in the District with not less than 3 years experience in real estate appraising immediately preceding his or her appointment to the Board, one of whom shall be a real estate broker licensed and in good standing in the District, and one shall be a consumer member. The Board shall regulate the practice of real estate appraisal, including the functions of a state appraiser certifying and licensing agency under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, approved August 9, 1989 (103 Stat. 511; 12 U.S.C. §§ 3331 through 3351).”

(c) Section 47-2853.42 is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “the written examinations” and inserting the phrase “the examinations” in its place.

(2) Paragraph (3) is amended by striking the phrase “a written examination” and inserting the phrase “an examination” in its place.

(d) Section 47-2853.43 is amended as follows:

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

(A) Strike the phrase “under §§ 47-2853.44 and 47-2853.45” and insert the phrase “under § 47-2853.45” in its place.

(B) Strike the phrase “, 47-2853.45,”.

(C) Strike the colon at the end of the lead-in text and insert the phrase “licensed as a certified public accountant under this part.” in its place.

(D) Paragraphs (1) and (2) are repealed.

(2) Subsection (b) is amended by striking the phrase “§§ 47-2853.45 and” and inserting a section symbol in its place.

(3) Subsection (d)(1) of this section is amended by striking the phrase “§§ 47-2853.45 and” and inserting a section symbol in its place.

(e) Section 47-2853.44 is amended to read as follows:

“(a) A firm engaged in the District in the practice of certified public accounting may register with the Board as a firm of certified public accountants if it meets the following requirements:

“(1) At least one member is a certified public accountant licensed and in good standing in the District;

“(2) Each member is a certified public accountant licensed and in good standing in the District or in a state;

“(3) At least one member or the resident manager in charge of an office of the firm in the District and each member thereof personally engaged within the District in the

Amend  
§ 47-2853.42

Amend  
§ 47-2853.43

Amend  
§ 47-2853.44

practice of public accounting is a certified public accountant licensed and in good standing in the District;

“(4) Notwithstanding any other provision of law and subject to the provisions of paragraph (5) of this subsection:

“(A) At least 51% of the ownership interest and voting rights of all partners, officers, shareholders, members, or managers in the firm of certified public accountants shall be owned by individuals licensed as certified public accountants in the District or in any other state; and

“(B) Partners, officers, shareholders, members, or managers whose principal place of business is in the District or who perform professional services in the District shall be licensed under this part.

“(5) A firm of certified public accountants which includes owners who are not licensed under this part shall be subject to the following requirements:

“(A) The firm shall designate an individual who is licensed in the District to be responsible for the proper registration of the firm and notify the Board.

“(B) All owners who are not licensed in the District shall be active individual participants in the firm of certified public accountants or affiliated entities.

“(C) The firm shall comply with all requirements that the Board may impose by rule.

“(6) A licensed individual who is responsible for supervising services requiring licensure as a certified public accountant and signs, or authorizes another person to sign, the accountant's report on the financial statements on behalf of the firm shall meet the competency requirements set forth in the professional standards for such services.

“(7) A licensed individual who signs, or authorizes another person to sign, the accountants' report on the financial statements on behalf of the firm shall meet the competency requirements set forth in the professional standards.

“(b) Subject to subsection (a)(4) of this section, a firm that is a corporation organized for the practice of certified public accounting shall also comply with Chapter 4 of Title 29, and any rules promulgated thereunder, governing the issuance, ownership, and transferability of shares and be in compliance with such regulations as may be issued for such corporations.

“(c) A firm that is registered pursuant to this section and holds a permit issued by the Board may use the words "certified public accountants" or the abbreviation "CPA" in connection with its firm name. A registered firm shall notify the Board within one month after the admission or withdrawal of a member or shareholder in practice in the District from any firm so registered. Firms shall not offer certified public accounting services unless registered pursuant to this section.

“(d) An applicant firm for initial issuance or renewal of a permit to practice under this section shall register each office of the firm within the District with the Board and demonstrate that all attest and compilation services rendered in the District are under the charge of a person licensed under this part, or the corresponding provision of prior law or some other state.

“(e) An applicant firm for initial issuance or renewal of permits under this section shall, in its application, list all states (including the District) in which the firm has applied for or has been issued permits as a CPA firm and list any past denial, revocation, or suspension of a permit by the District or any other state, and each licensee or applicant for a permit under this section shall notify the Board in writing, within 30 days after its occurrence, of any change in the identities of partners, officers, shareholders, members, or managers whose principal place of business is in the District, any change in the number or location of offices within the District, any change in the identity of the persons in charge of such offices, and any issuance, denial, revocation, or suspension of a permit by any other state.

“(f) Firms that fall out of compliance with the provisions of this section due to changes in firm ownership or personnel shall take corrective action as quickly as possible. The Board may grant a reasonable period to take corrective action. Failure to bring the firm back into compliance within a reasonable period, as defined by the Board, shall result in the suspension or revocation of the firm permit.”

(f) Section 47-2853.45 is repealed.

(g) Section 47-2853.46 is amended by striking the phrase “; or by a public accountant or a firm of public accountants;”.

(h) Section 47-2853.47(a) is amended by striking the phrase “public accounting” and inserting the phrase “certified public accounting” in its place.

(i) Section 47-2853.151 is amended by striking the phrase “value of real estate” and inserting the phrase “value of real property and real estate” in its place.

(j) Section 47-2853.152 is amended to read as follows:

“Section 47-2853.152. Eligibility requirements.

“(a) The Board shall establish, by rule, the education, experience, and examination requirements that individuals must meet or exceed to obtain licensure, certification, or registration as an appraiser trainee, a licensed residential real property appraiser, a certified residential real property appraiser, or a certified general real property appraiser.

“(b) The licensure requirements established by the Board shall meet or exceed any applicable federal requirements that are necessary for the federal financial institution's regulatory agencies to recognize and accept licenses for licensed residential real estate appraisers, certified residential real estate appraisers, and certified general real estate appraisers licensed by the Board. If the federal requirements change and the rules of the Board do not satisfy the minimum federal standards, the federal standards established by the Appraisal Qualifications Board and the Appraisal Standards Board of the Appraisal Foundation when reviewing an application for licensure, certification, or registration shall apply until the Board rules satisfy minimum federal standards.

“(c) The Board shall establish, by rule, the requirements that individuals licensed in jurisdictions other than the District of Columbia as a certified residential real property appraiser or a certified general real property appraiser must satisfy to obtain a temporary license from the Board. The Board's requirements shall comply with applicable federal law, but the Mayor may

Repeal  
§ 47-2853.45  
Amend  
§ 47-2853.46  
Amend  
§ 47-2853.47

Amend  
§ 47-2853.151

Amend  
§ 47-2853.152

require the applicant to pay a license fee to the Department and may place restrictions on the temporary license.

“(d) The Board shall establish rules governing the supervision of appraiser trainees, the definition and enforcement of standards of professional appraiser practice, and the disposition of complaints from any person or from any federal agency or instrumentality regarding improper appraiser conduct.

“(e) The Board shall establish, by rule, continuing education requirements necessary for renewal or reinstatement of any license, certification, or registration that meet or exceed the continuing education requirements established under the authority of federal law.

“(f) The Board may establish, by rule, practice requirements or standards. The Board may enforce requirements or standards established under federal law.”.

(k) Section 47-2853.153 is amended as follows:

Amend  
§ 47-2853.153

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

(A) Strike the phrase “or certification”.

(B) Strike the phrase “or certificate”.

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

(A) Strike the phrase “or certification”.

(B) Strike the phrase “real estate” and insert the phrase “real property or real estate” in its place.

(C) Strike the phrase “and that the use of the term does” and insert the phrase “and that the use of the term “certified” does” in its place.

(3) Subsection (c) is amended by striking the phrase “perform real estate” inserting the phrase “perform real estate or real property” in its place.

(4) Subsection (d) is amended by striking the phrases “or certificate” and “or certified” wherever they appear.

(5) Subsection (e) is amended to read as follows:

“(e) Any person who is not licensed or certified under this part may assist a licensed or certified real estate appraiser in the performance of an appraisal if he or she registers with the Board as an appraiser trainee, complies with the registration and practice requirements established by the Board, by rule, and is actively and personally supervised by the licensed or certified real estate appraiser. An appraisal report rendered in connection with the appraisal and drafted by the appraisal trainee shall be reviewed and signed by the licensed or certified real estate appraiser.”.

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

(A) Strike the phrase “or certified” wherever it appears.

(B) Strike the phrase “If a licensed or certified real estate appraiser” and insert the phrase “If a licensee or appraiser trainee” in its place.

(7) Subsection (h) is amended by striking the phrase “appraise real estate” and inserting the phrase “appraise real estate or real property” in its place.

(l) A new section 47-2853.154 is added to read as follows:

**“§ 47-2853.154 Appraisal Education Fund.**New Section  
§ 47-2853.154

**“(a) There is established a fund designated as the Appraisal Education Fund (“Fund”), which shall be separate from the General Fund of the District of Columbia. All funds obtained from an appraisal education fund fee to be established by the Mayor (which shall be in addition to licensing and renewal fees established by the Mayor) and civil penalties imposed by the Board or the Office of Administrative Hearings pursuant to this part, and all interest earned on those funds, shall be deposited into the Fund without regard to fiscal year limitation pursuant to an act of Congress and used solely to pay the costs of operating and maintaining the Fund. All funds, interest, and other amounts deposited into the Fund shall not be transferred or revert to the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall continually be available for the uses and purposes set forth in this section, subject to authorization by Congress in an appropriations act.**

**“(b)(1) The funds deposited in the Fund shall be used by the Board for the purpose of raising the standards of practice and the competency of licensees by:**

**“(A) Promoting the advancement of education and research for the benefit of any licensee under this part;**

**“(B) Underwriting educational seminars, workshops, and any other similar form of educational project for the benefit of any licensee under this part; and**

**“(C) Contracting for particular education or other projects intended to further the purposes of this part.**

**“(2) The funds deposited in the Fund shall also be used by the Board to defray the expenses to discharge the administrative and regulatory duties as prescribed by this part.**

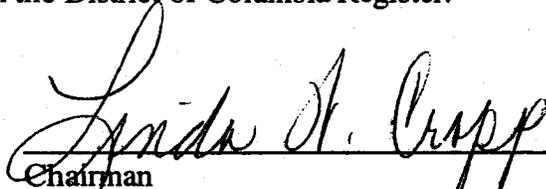
**“(c) The Board may establish minimum and maximum balances for the Fund, procedures for continuing and discontinuing assessing licensees, and rules for the implementation and operation of the Fund.**

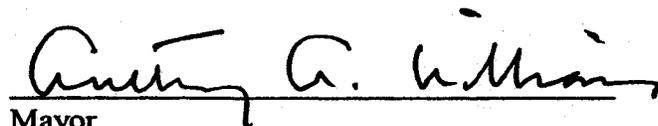
**“(d) If a licensee fails to pay the appraisal education fee within the time prescribed by rule, his or her license shall be automatically suspended. The Board shall send a notice of the suspension, by certified mail, to the address of record within 5 days after the suspension. The license shall be restored only upon the actual receipt by the Mayor of the delinquent fee.”.**

**(m) Section 47-2853.181(2) is amended by striking the word “person” and inserting the word “individual” wherever it appears.**

**Sec. 3. 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. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
April 21, 2006

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 16-349

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
APRIL 21, 2006

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2006 Summer  
Supp.

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Publisher

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation real property owned by the New Columbia Community Land Trust, located at 20th and Channing Streets, N.E., that is used as a public park 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 "New Columbia Community Land Trust 20th and Channing Streets, N.E. Tax Exemption Act of 2006".

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

New Section  
§ 47-1072

(a) The table of contents is amended by adding the section designation "47-1072. New Columbia Community Land Trust; lots 803, 804, 805, 806, 807, 808 in square 4110."

(b) A new section 47-1072 is added to read as follows:

"§ 47-1072. New Columbia Community Land Trust; lots 803, 804, 805, 806, 807, and 808 in square 4110.

"(a) The real property located at lots 803, 804, 805, 806, 807, and 808 in square 4110 shall be exempt from taxation so long as the property is owned by the New Columbia Community Land Trust and the property is used as a public park.

"(b)(1) The Council orders that all unpaid real property taxes, interest, penalties, fees, and other related charges assessed against real property located at lots 803, 804, 805, 806, 807, and 808 in square 4110, shall be forgiven; provided, that if the property is used or sold for any purpose other than as a public park or for the provision of affordable housing, the sum of all such unpaid real property tax and penalties and all real property taxes accruing thereafter, plus 5% interest, shall be paid to the District of Columbia from the proceeds from the sale; provided further, that this subsection shall constitute a lien against the real property to secure the repayment of such amounts.

"(2) For the purposes of this subsection, the term "affordable housing" means residential real property provided under the standards of any affordable housing program in the District of Columbia.

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DISTRICT OF COLUMBIA REGISTER

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“(c) The exemption under this section shall be subject to the provisions of §§ 47-1007 and 47-1009.”.

Sec. 3. The Office of the Chief Financial Officer shall include the fiscal effect of this act in its February 15, 2006 revenue estimates, subject to the priorities in section 1042 of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503).

Sec. 4. Applicability.

This act shall take effect subject to:

- (1) The inclusion of its fiscal effect in an approved budget and financial plan; and
- (2) The payment by the New Columbia Community Land Trust of all legal and administrative costs of the purchaser at tax sale of the property located at lots 803, 804, 805, 806, 807, and 808 in square 4110 from the tax sale of the property.

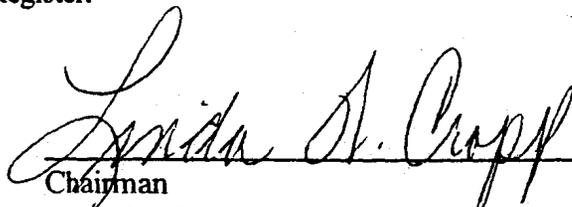
Note,  
§ 47-1072

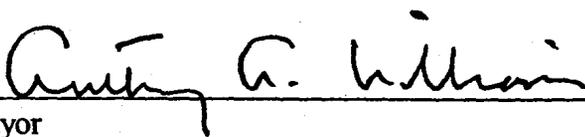
Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED

April 21, 2006  
Certification District of Columbia Official Code, 2001 Edition

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West Group Publisher, 1-800-328-9378.

4726

AN ACT

D.C. ACT 16-350

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 21, 2006

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2006 Summer  
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West Group  
Publisher

To establish a nonlapsing, dedicated fund, funded by 0.5% of retail sales tax revenue, to provide additional funding for maintaining and improving the transportation system of the Washington Metropolitan Area Transit Authority ("WMATA") to become effective upon enactment by Congress of legislation providing federal grants to WMATA for such purposes and passage of legislation by the Maryland General Assembly and the Virginia General Assembly dedicating an equivalent amount of revenue in those jurisdictions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Metropolitan Area Transit Authority Fund Act of 2006".

**Sec. 2. Creation of the Washington Metropolitan Area Transit Authority Fund.**

(a) There is hereby established a fund designated as the Washington Metropolitan Area Transit Authority Fund, which shall be separate from the General Fund of the District of Columbia. An amount equal to 0.5% of sales tax revenue collected annually under Chapter 20 of Title 47 of the District of Columbia Official Code, apportioned from the proceeds of such annual sales tax revenues other than dedicated taxes as defined under section 490(n)(5) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 807; D.C. Official Code § 1-204.90(n)(5)), shall be deposited into the Washington Metropolitan Area Transit Authority Fund without regard to fiscal year limitation pursuant to an act of Congress and shall not revert to the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available as a dedicated funding source for the uses and purposes set forth in subsection (b) of this section, subject to authorization by Congress in an appropriations act.

(b)(1) Funds deposited in the Washington Metropolitan Area Transit Authority Fund shall be used to maintain and improve the transportation system of the Washington Metropolitan Area Transit Authority and, for such purpose, shall be available to comply with any federal grant matching funds requirement, a decision by the District to match federal funds received, or to provide revenue to the Washington Metropolitan Area Transit Authority.

(2) The amount of annual expenditures from the Fund shall not exceed the contributions by Maryland or Virginia. For the purpose of this subsection, the contributions of Maryland or Virginia shall not include any payments made pursuant to the Washington Metropolitan Area Transit Authority subsidy allocation formulas.

**Sec. 3. Applicability.**

Section 2 shall apply upon:

(1) Enactment by Congress of legislation providing federal grants to the Washington Metropolitan Area Transit Authority for the purpose of maintaining and improving the transportation system of the Washington Metropolitan Area Transit Authority;

(2) Passage of legislation by the Maryland General Assembly and the Virginia General Assembly:

(A) If each jurisdiction dedicates an amount of revenue at least equal to the contribution of the District to the Washington Metropolitan Area Transit Authority as provided under this act; or

(B) Implementing any act of Congress providing federal grants to the Washington Metropolitan Area Transit Authority for the purpose of maintaining and improving the transportation system of the Washington Metropolitan Area Transit Authority; and

(3) Inclusion of the fiscal effect of this act in an approved budget and financial plan.

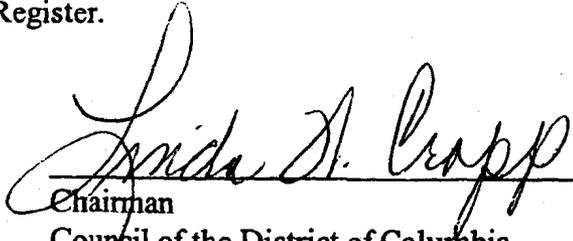
**Sec. 4. Fiscal impact statement.**

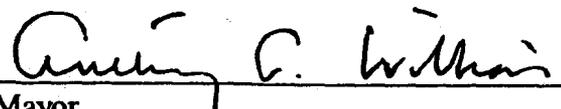
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

**Sec. 5. Effective date.**

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

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  
April 21, 2006

AN ACT

D.C. ACT 16-351

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 21, 2006

To order the legal closing of a portion of the alley system in Square 743N, bounded by South Capitol Street, S.E., L Street, S.E., New Jersey Avenue, S.E., and M 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 Alleys in Square 743N, S.O. 04-12457, 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 of the District of Columbia finds that portions of the alley system in Square 743N, as shown on the Surveyor's plat filed under S.O. 04-12457, are unnecessary for alley purposes and orders them closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of the closing of these public alleys is contingent upon the satisfaction by District agencies and affected public utilities of all conditions set forth in the official file of S.O. 04-12457.

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 Office of Planning, the Building and Land Regulation Administration of the Department of Consumer and Regulatory Affairs, and the District of Columbia Recorder of Deeds.

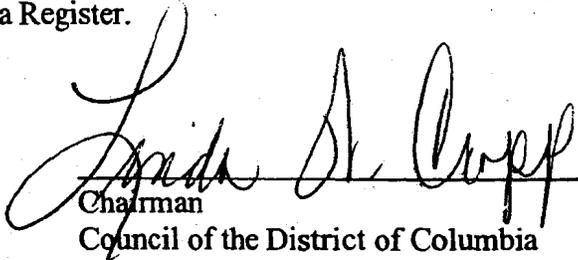
Sec. 5. Effective date.

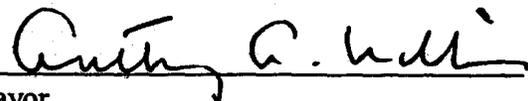
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as

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ENROLLED ORIGINAL

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  
April 21, 2006

AN ACT

D.C. ACT 16-352

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 21, 2006

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

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District Department of Transportation DC Circulator Temporary Amendment Act of 2006".

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

Note,  
§ 2-1831.03

(a) Paragraph (7) is amended by striking the word "and" after the semicolon.

(b) Paragraph (8) is amended by striking the period at the end of the text and inserting the phrase "; and" in its place.

(c) A new paragraph (9) is added to read as follows:

"(9) All adjudications involving infractions of rules established pursuant to sections 9c, 9d, 9e, and 9f of the Department of Transportation Establishment Act of 2002, effective March 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), and Chapter 15 of Title 18 of the District of Columbia Municipal Regulations."

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

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DISTRICT OF COLUMBIA REGISTER

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(a) Section 2 (D.C. Official Code § 50-921.01) is amended by striking the phrase "and coordinating the transportation system," and inserting the phrase ", coordinating, and operating the transportation system, including local transit facilities," in its place.

Note,  
§ 50-921.01

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

"Sec. 2a. Definitions.

"For the purposes of this act, the term:

"(1) "Department" means the District Department of Transportation.

"(2) "DC Circulator" means a local transit facility passenger bus service that provides a network of fixed-route bus service within the District of Columbia.

"(3) "Local transit facility" means all real and personal property necessary or useful to render transit service within the District of Columbia, by means of rail, bus, watercraft, aircraft, or any other mode of travel on tracks, rights of way, bridges, tunnels, subways, or any other thoroughfare and includes stations, terminals, ports, and parking areas and all equipment, fixtures, buildings, structures, and services incidental to or required in connection with the local transit service.

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

"(5) "Transit Fund" means the Local Transit Facilities Fund established by section 9d.

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

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

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

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

(3) Add a new subparagraph (L) to read as follows:

"(L) Operate, develop, and finance the DC Circulator."

(d) Add new sections 9c, 9d, 9e, and 9f to read as follows:

"Sec. 9c. Local transit facilities.

"(a) The Department shall have the power to:

"(1) Construct, acquire, own, operate, maintain, control, sell, and convey real and personal property and any interest therein by contract, purchase, lease, license, mortgage, or otherwise as is necessary or useful in connection with local transit facilities or related activities;

"(2) Plan, develop, finance, operate, control, and regulate all local transit facilities owned or controlled by the District, including concomitant fares, charges, tickets, and fines;

"(3) Sell space on and within local transit facilities for the display of advertisements and enter into one or more agreements with entities to sell such space on and

Note,  
§ 50-921.04

within local transit facilities in return for a fee, a percentage of such revenues, or as a donation of services approved by the Mayor; and

"(4) Enter into contracts with WMATA for the procurement, construction, operation, and maintenance of local transit facilities.

"(b) During any period of time in which a contract with WMATA is in effect, payments or revenues received pursuant to subsection (a) of this section may be, with the written consent of the Chief Financial Officer for the District of Columbia and pursuant to the terms of the contract, deposited in a WMATA account and used by WMATA to offset its costs of contract performance, but only to the extent that Congress has appropriated funds to the District to perform or procure those services.

"(c) Except as otherwise provided by subsection (b) of this section, all revenues collected under this section shall be deposited in the Transit Fund established by section 9d.

"Sec. 9d. Local Transit Facilities Fund establishment.

"There is hereby established the Local Transit Facilities Fund as a nonlapsing, revolving special purpose revenue fund, the funds of which shall be for the Department to pay for goods, services, property, or for any other authorized purpose, subject to authorization by Congress, into which shall be deposited all revenue collected pursuant to section 9c by the District, WMATA, or their agents, and all monetary gifts intended to be used to assist in the funding of local transit facilities.

"Sec. 9e. Fares; structure; purpose.

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

"(1) Pay the operating expenses and provide for repairs, maintenance, and depreciation of the local transit facilities owned or controlled by the District;

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

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

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

"Sec. 9f. Rulemaking; enforcement.

"(a) The Mayor, or his designee, may promulgate, amend, or repeal rules to implement the provisions of the District Department of Transportation DC Circulator Temporary Amendment Act of 2006, passed on 2<sup>nd</sup> reading on April 4, 2006 (Enrolled version of Bill 16-636), including the manner and amount of any fares, fees, or fines, pursuant to the Mayor's authority under Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

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

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

DCMR

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

“CHAPTER 15      DC CIRCULATOR  
“1500              GENERAL PROVISIONS

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

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

“1501              ROUTES

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

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

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

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

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

“(e)      North-South Loop – Mt. Vernon Square, 7<sup>th</sup> or 9<sup>th</sup> Street,

NW, the National Mall, and Water Street, SW; and

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

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

“1502 FARES

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

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

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

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

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

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

“(a) Daily Pass	\$3.00
“(b) Three-Day Pass	\$7.00
“(c) Weekly Pass	\$11.00
“(d) Monthly Pass	\$40.00
“(e) Yearly Pass	\$450.00

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

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

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

“1599 DEFINITIONS

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

“Department – District Department of Transportation.

“Metrobus – A bus operated by the Washington Metropolitan Area Transit Authority.

“Metrorail – A train operated by the Washington Metropolitan Area Transit Authority.

“Rechargeable fare media – a plastic, permanent farecard issued by the Department or WMATA embedded with a computer chip that keeps track of the fare value of the farecard. A WMATA SmartTrip Card is an example of a rechargeable fare media.

“WMATA or Metro – the Washington Metropolitan Area Transit Authority.”.

(b) Subsection 2603.1 (18 DCR § 2603.1) is amended by adding the following:

“Boarding a DC Circulator bus without depositing payment, using a rechargeable fare card, presenting a DC Circulator pass, or displaying a valid pass, transfer, or MetroAccess card (§ 1502.4) \$25.00.”.

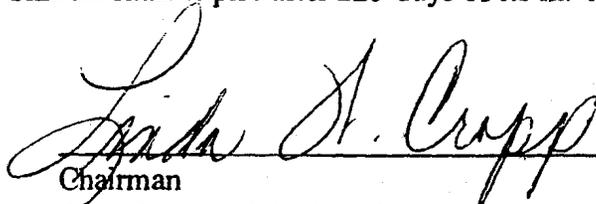
Sec. 5. Fiscal impact statement.

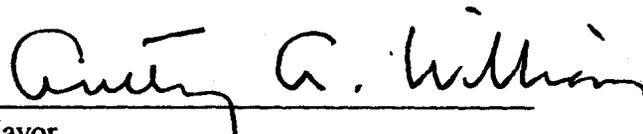
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 6. Effective date.

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

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

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED

AN ACT  
D.C. ACT 16-389

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 2, 2006

To approve the request of the District of Columbia government for appropriation and authorization for the fiscal year ending September 30, 2007.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2007 Budget Request Act".

Sec. 2. The Council of the District of Columbia approves the following expenditure levels and appropriation language for the government of the District of Columbia for the fiscal year ending September 30, 2007.

**DIVISION A  
DISTRICT OF COLUMBIA APPROPRIATION REQUEST**

**TITLE I--FEDERAL FUNDS  
DISTRICT OF COLUMBIA COURTS**

**Federal Payment to the District of Columbia Courts**

For salaries and expenses for the District of Columbia Courts, \$196,629,000, to be allocated as follows: for the District of Columbia Court of Appeals, \$9,401,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$89,646,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$46,653,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$50,929,000, to remain available until September 30, 2008, for capital improvements for District of Columbia courthouse facilities: *provided*, That funds made available for capital improvements shall be expended consistent with the General Services Administration ("GSA") master plan study and building evaluation report: *provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate: *provided further*, That 30 days after providing written notice to the

Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than \$1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4% of the funds provided under this heading for facilities.

#### **Defender Services in District of Columbia Courts**

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, or such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and payments for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$43,475,000, to remain available until expended: *provided*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$50,929,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate.

#### **Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia (Including Transfer of Funds)**

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia and the Public Defender Service for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$214,363,000, of which not to exceed \$2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which not to exceed \$400,000 for the Community Supervision program and \$160,000 for the Pretrial Services program, both to remain available until September 30, 2008, are for Information Technology infrastructure enhancement acquisitions; of which \$135,457,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to

protection orders or the provision of services for or related to such persons; of which \$46,196,000 shall be available to the Pretrial Services Agency; and of which \$32,710,000 shall be transferred to the Public Defender Service for the District of Columbia: *provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost reimbursable basis: *provided further*, That for this fiscal year and subsequent fiscal years, the Public Defender Service is authorized to charge fees to cover costs of materials distributed and training provided to attendees of educational events, including conferences, sponsored by the Public Defender Service, and notwithstanding section 3302 of title 31, United States Code, said fees shall be credited to the Public Defender Service account to be available for use without further appropriation.

#### DISTRICT OF COLUMBIA GENERAL AND SPECIAL PAYMENTS

##### Federal Payment for Resident Tuition Support

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$35,100,000, to remain available until expended: *provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education: *provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income, and need of eligible students, and such other factors as may be authorized: *provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *provided further*, That not more than \$1,300,000 of the total amount appropriated for this program may be used for administrative expenses.

**Federal Payment for Emergency Planning and Security Costs in the District of Columbia**

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, \$15,000,000 to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *provided*, That any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

**Federal Payment to the District of Columbia Water and Sewer Authority**

For a Federal payment to the District of Columbia Water and Sewer Authority, \$7,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *provided*, That the District of Columbia Water and Sewer Authority provides a 100% match for this payment.

**Federal Payment for the Anacostia Waterfront Initiative**

For a Federal payment to the District Department of Transportation, \$5,000,000, to remain available until September 30, 2007, for design and construction of a continuous pedestrian and bicycle trail system from the Potomac River to the District's border with Maryland.

**Federal Payment to the Criminal Justice Coordinating Council**

For a Federal payment to the Criminal Justice Coordinating Council, \$1,300,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

**Federal Payment for School Improvement**

For a Federal payment for a school improvement program in the District of Columbia, \$40,800,000, to be allocated as follows: for the District of Columbia Public Schools, \$13,000,000 to improve public school education in the District of Columbia; for the State Education Office, \$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2008; for the Secretary of the Department of Education, \$14,800,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004; approved January 23, 2004 (Public Law 108-199; 118 Stat. 126), of which up to \$1,800,000 may be used to administer and fund assessments.

**Federal Payment for Consolidated Laboratory Facility**

For a Federal payment to the District of Columbia, \$25,000,000, to remain available until September 30, 2008, for costs associated with the construction of a consolidated laboratory facility: *provided*, That the District of Columbia shall provide an additional \$5,000,000 with local funds as a condition of receiving this payment.

**Federal Payment for Navy Yard Metro**

For a Federal payment to the District Department of Transportation, \$20,000,000, to remain available until expended, for costs associated with upgrading and expanding the capacity

of Navy Yard Metro Station.

**Federal Payment for Central Library and Branch Locations**

For a Federal payment to the District of Columbia, \$30,000,000, to remain available until expended, for the Federal contribution toward costs associated with the construction and renovation of neighborhood branches.

**District of Columbia National Guard**

For a Federal Payment to the District of Columbia National Guard, \$352,000 to provide federal tuition assistance for non-District of Columbia residents under the District of Columbia National Guard Educational Assistance Program.

**ADMINISTRATIVE PROVISIONS**

**Crime Victims Compensation Fund**

TREATMENT OF UNOBLIGATED BALANCES.—Section 16(d) of the Victims of Violent Crime Compensation Act of 1996, effective April 9, 1997 (D.C. Law 11-243; D. C. Official Code § 4-515(d)), is amended to read as follows:

“(d) Any unobligated balance existing in the Fund as of the end of each fiscal year (beginning with fiscal year 2006) shall be transferred from the Fund to the Crime Victims Assistance Fund established by section 16a (D.C. Official Code § 4-515.01) and shall be available for obligation and expenditures without fiscal year limitation. All such expenditures shall be in accordance with a plan developed by the District of Columbia that is submitted to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate, except that under such plan:”.

**TITLE II--DISTRICT OF COLUMBIA FUNDS  
SUMMARY OF EXPENSES**

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2006 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$9,033,680,000 (of which \$5,008,730,000 shall be from local funds, \$2,047,971,000 shall be from Federal grant funds, \$1,897,951,000 shall be from other funds, and \$7,885,000 shall be from private funds), in addition, \$170,752,000 from funds previously appropriated in this Act as Federal payments: *provided further*, That of the local funds, \$226,292,000 shall be derived from the District's general fund balance: *provided further*, That of these funds the District's intradistrict authority shall be \$523,004,000: in addition for capital construction projects there is appropriated an increase of \$2,406,122,000, of which \$1,756,306,000 shall be from local funds, \$49,867,000 from Highway Trust funds, \$52,000,000 from the Local Street Maintenance fund, \$15,000,000 from revenue bonds, \$18,200,000 from Certificates of Participation financing, \$63,000,000 from financing for construction of a baseball stadium, \$212,000,000 from financing for construction of a new hospital or for other health-related facility, \$239,749,000 from Federal grant funds, and a

ENROLLED ORIGINAL

rescission of \$65,859,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$2,340,263,000, to remain available until expended: *provided further*, That the amounts provided under this heading are to be allocated and expended as proposed under Title III of this Act: *provided further*, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: *provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2007, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

### TITLE III--DISTRICT OF COLUMBIA FUNDS--DIVISION OF EXPENSES OPERATING EXPENSES

#### Governmental Direction and Support

Governmental direction and support, \$564,505,000 (including \$330,099,000 from local funds, \$157,746,000 from Federal grant funds, and \$54,659,000 from other funds): *provided*, That not to exceed \$9,300 for the Mayor, \$9,300 for the Chairman of the Council of the District of Columbia, \$9,300 for the City Administrator, and \$9,300 for the Office of the Chief Financial Officer shall be available from this appropriation for official reception and representation expenses: *provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *provided further*, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally generated revenues: *provided further*, That beginning in fiscal year 2007 and each year thereafter, amounts appropriated by this act may be increased by the amount required to pay banking fees for maintaining the funds of the District of Columbia: *provided further*, That no less than 3.2 million shall be available from this appropriation to the Office of the Attorney General for the District of Columbia for the purpose of providing civil legal services to low-income people.

#### Economic Development and Regulation

Economic development and regulation, \$597,050,000 (including \$128,467,000 from local funds, \$133,524,000 from Federal grant funds, \$334,842,000 from other funds, and \$217,000 from private funds) of which \$13,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11-134; D.C. Official Code, sec. 2-1215.01 *et seq.*), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12-26; D.C. Official Code, sec. 2-1215.15 *et seq.*): *provided*, That such funds are available for acquiring services provided by the GSA: *provided further*, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia: *provided further*, That the District is authorized to transfer, either through a grant or as a direct payment, \$1,200,000 in local funds to the Excel Institute: *provided further*, That up to one percent of the local funds appropriated for the Department of Employment Services may be deposited into the Integrated Services Fund for

At-Risk Children, Youth, and Families, established by Title V of the Fiscal Year 2007 Budget Support Act of 2006, passed on 1<sup>st</sup> reading on May 9, 2006 (Engrossed version of Bill 16-679), and used for the purposes set forth in Title V: *provided further*, that amounts appropriated under this heading may be increased by \$115,578,000 to execute a transfer from the District's general funds to establish a special revenue Housing Production Trust fund in accordance with the Housing Production Trust Fund and New Communities Financing Clarification Act of 2006, passed on 1<sup>st</sup> reading on May 9, 2006 (Engrossed version of Bill 16-679).

#### **Housing Production Trust Fund**

For the Housing Production Trust Fund, \$115,578,000 in local funds to remain available until expended for purposes identified by the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq.*).

#### **Public Safety and Justice**

Public safety and justice, \$965,812,000 (including \$888,123,000 from local funds, \$7,385,000 from Federal grant funds, \$70,290,000 from other funds, and \$14,000 from private funds) in addition, \$1,300,000 from funds previously appropriated in this Act under the heading "Federal Payment to the Criminal Justice Coordinating Council:" *provided*, That not to exceed \$750,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *provided further*, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved.

#### **Public Education System**

Public Education System, \$1,450,458,000 (including \$1,203,517,000 from local funds, \$221,677,000 from Federal grant funds, \$20,479,000 from other funds, \$4,785,000 from private funds), in addition, \$35,100,000 from funds previously appropriated in this Act under the heading "Federal Payment for Resident Tuition Support," and \$27,050,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement" to be allocated as follows:

(1) District of Columbia Public Schools.-- \$979,125,000 (including \$808,356,000 from local funds, \$156,060,000 from Federal grant funds, \$10,034,000 from other funds, \$4,675,000 from private funds), in addition, \$13,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement" shall be available for District of Columbia Public Schools: *provided*, That the amount appropriated under this heading may be increased by an amount not to exceed \$14,000,000 to remain available until expended from local fund balance: *provided further*, That notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: *provided further*, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary or secondary school during fiscal year 2007 unless the nonresident pays tuition to the District of

Columbia at a rate that covers 100% of the costs incurred by the District of Columbia that are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *provided further*, That not to exceed \$9,300 for the Superintendent of Schools shall be available from this appropriation for official reception and representation expenses: *provided further*, That no less than \$11,000,000 shall be available from this appropriation for the Metropolitan Police Department's provision of security for the District of Columbia Public Schools: *provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2007, an amount equal to 10% of the total amount of the local funds appropriations request provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2008 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2008.

(2) Teachers' Retirement Fund.— \$14,600,000 from local funds shall be available for the Teacher's Retirement Fund.

(3) State Education Office.— \$89,123,000 (including \$14,507,000 from local funds, \$64,827,000 from Federal grant funds, and \$9,789,000 from other funds), in addition, \$35,100,000 from funds previously appropriated in this Act under the heading "Federal Payment for Resident Tuition Support" shall be available for the State Education Office and \$13,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement" shall be available for the State Education Office: *provided*, That of the amounts provided to the State Education Office, \$1,000,000 from local funds shall remain available until June 30, 2008 for an audit of the student enrollment of each District of Columbia Public Schools and of each District of Columbia public charter schools.

(4) District of Columbia Public Charter Schools.— \$266,066,000 from local funds shall be available for District of Columbia public charter schools: *provided*, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of the fiscal year: *provided further*, That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall remain available until expended for public education in accordance with section 2403(b)(2) of the District of Columbia School Reform Act of 1995, approved November 19, 1997 (Pub. L. No. 105-100, D.C. Official Code, sec. 38-1804.03(b)(2)): *provided further*, That of the amounts made available to District of Columbia public charter schools, \$100,000 shall be made available to the Office of the Chief Financial Officer as authorized by section 2403(b)(5) of the District of Columbia School Reform Act of 1995, approved November 19, 1997 (D.C. Official Code, sec. 38-1804.03(b)(5)): *provided further*, That \$1,096,086 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: *provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2007, an amount equal to 25% of the total amount of the local funds appropriations request provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2008 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2008: *provided further*, That the annual financial audit for the performance of an individual District of Columbia public charter school shall be funded by the charter school.

(5) University of the District of Columbia Subsidy.— \$59,546,000 from local funds shall be available for the University of the District of Columbia subsidy: *provided*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2007, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2007, an amount equal to 10% of the total amount of the local funds appropriations request provided for the University of the District of Columbia in the proposed budget of the District of Columbia for fiscal year 2008 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the University of the District of Columbia under the District of Columbia Appropriations Act, 2008: *provided further*, That not to exceed \$9,300 for the President of the University of the District of Columbia shall be available from this appropriation for official reception and representation expenses.

(6) District of Columbia Public Libraries.— \$41,998,000 (including \$40,442,000 from local funds, \$790,000 from Federal grant funds, \$656,000 from other funds, and \$110,000 from private funds) shall be available for the District of Columbia Public Libraries: *Provided*, That not to exceed \$7,500 for the Public Librarian shall be available from this appropriation for official reception and representation expenses: *provided further*, That not less than \$1,000,000 shall be available for the District of Columbia Public Libraries' operating of full-service and interim branch libraries on Sundays.

#### **Human Support Services**

Human support services, \$2,919,219,000 (including \$1,369,565,000 from local funds, \$1,490,119,000 from Federal grant funds, \$58,401,000 from other funds, \$1,134,000 from private funds): *Provided*, That \$30,280,000 of this appropriation, to remain available until expended, shall be available solely for expenses associated with the District of Columbia employees' disability compensation program: *provided further*, That the funds appropriated in the District of Columbia Appropriations Act, 2006, approved November 30, 2005 (Public Law 109-115; 119 Stat. 2513), for the Grandparent Caregivers Pilot Program shall remain available until September 30, 2007: *provided further*, That notwithstanding the provisions restricting the use of the Medicaid and Special Education Reform Fund in the District of Columbia Fiscal Year 2003 Appropriations Act, approved February 20, 2003 (Public Law 108-7; 117 Stat. 117), the remaining balances shall be available for use by any District of Columbia Government agency in fiscal year 2007 and future fiscal years for the purposes established in sections 1553 and 1554 of the Medicaid and Special Education Reform Fund Establishment Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C. Official Code §§ 4-204.53 and 4-204.54): *provided further*, That the amounts appropriated under this heading may be increased by a District transfer of an amount not to exceed \$13,000,000 from its general fund balance into the Medicaid and Special Education Reform Fund: *provided further*, That the authority to expend funds transferred to the Medicaid and Special Education Reform Fund shall be effective only after certification by the Office of the Chief Financial Officer that the amount to be transferred is necessary to expend for the purposes established in sections 1553 and 1554 of the Medicaid and Special Education Reform Fund Establishment Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C.

Official Code §§ 4-204.53 and 4-204.54): *provided further*, That up to one percent of the local funds appropriated for the Child Family and Services Agency, the Department of Health, the Department of Human Services, the Department of Mental Health, and the Department of Youth Rehabilitation Services may be deposited into the Integrated Services Fund for At-Risk Children, Youth, and Families, established by Title V of the Fiscal Year 2007 Budget Support Act of 2006, passed on 1<sup>st</sup> reading (Engrossed version of Bill 16-679), and used for the purposes set forth in Title V: *provided, further*, That of the amount appropriated for services to the homeless no less than \$300,000 shall be directed to Access Housing for services to homeless veterans.

#### **Public Works**

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$424,963,000 (including \$351,396,000 from local funds, \$18,691,000 from Federal funds, and \$54,614,000 from other funds): *provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

#### **Revised Revenue Estimate Contingency Priority**

If the Chief Financial Officer of the District of Columbia certifies through a revised revenue estimate that \$74,859,000 is available from local funds, the funds shall be allocated in accordance with the Allocation of Additional Revenue Act of 2006 in the District of Columbia 2007 Budget Support Act of 2006, passed on 1<sup>st</sup> reading on May 9, 2006 (Engrossed version of Bill 16-679).

#### **FINANCING AND OTHER**

Financing and Other, \$772,914,000 (including \$749,409,000 from local funds and \$23,505,000 from other funds) to be allocated as follows: for payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (D.C. Official Code, secs. 1-204.62, 1-204.75, and 1-204.90), \$405,114,000 from local funds; for payment of interest on short-term borrowing, \$8,000,000 from local funds; for principal and interest payments on the District's Certificates of Participation, issued to finance the ground lease underlying the building located at One Judiciary Square, \$31,225,000 from local funds; for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government, 15,655,000 from local funds: *provided*, That this appropriation shall not be construed as modifying or affecting the provisions of section 103 of this Act; for expenses associated with the John A. Wilson building, \$4,211,000 from local funds; for workforce investments, \$38,500,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable; to account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget, \$29,677,000 (including \$6,172,000 from local funds and \$23,505,000 from other funds) to be transferred by the Mayor of the District of Columbia within the various appropriations headings in this Act; for Emergency Planning and Security Fund, \$15,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia;" *provided*, That notwithstanding any other law, the District of Columbia may charge obligations and expenditures

that are pending reimbursement under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" to this local appropriations heading; for the cumulative cash reserve established pursuant to section 202(j)(2) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (Pub. L. No. 107-96; D.C. Official Code, sec. 47-392.02(j)(2)), \$50,000,000 from local funds; the amounts appropriated herein may be increased by an amount not to exceed \$9,710,000 from the District's general fund balance for a Tax Increment Financing program as may be necessary to meet the Tax Increment Financing requirements; for Equipment Lease Operating \$43,955,000 from local funds: *provided*, That for equipment leases, the Mayor may finance \$19,453,000 of equipment cost, plus cost of issuance not to exceed 2% of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years; For the emergency reserve fund and the contingency reserve fund under section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.50a), such additional amounts from the District's general fund balance as are necessary to meet the balance requirements for such funds under section 450A.; for Pay-As-You-Go Capital funds in lieu of capital financing, \$87,987,000 from local funds to be transferred to the Capital Fund; for the payment of debt service issuance costs, \$30,000,000 from local funds; for a School Modernization Fund, \$1,650,000 from local funds; for a District Retiree Health Contribution, \$4,700,000 from local funds to be derived from the District's general fund balance: *provided*, That amounts placed in the District Retiree Health Contribution account shall be available to make necessary expenditures; beginning in fiscal year 2007 and each year thereafter, such amounts as may be necessary and as are consistent with the Ballpark Omnibus Financing And Revenue Act of 2004, effective April 08, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.01 *et seq.*), to pay debt service, and to maintain and replenish required reserves for baseball revenue bonds; and for the repayment of revenue bonds \$6,000,000 from local funds.

### ENTERPRISE AND OTHER FUNDS

#### Water and Sewer Authority

For operation of the Water and Sewer Authority, \$311,642,000 from other funds, of which \$73,090,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects and payable to the District's debt service fund. For construction projects, \$285,791,000, to be distributed as follows: \$136,424,000 for the Blue Plains Wastewater Treatment Plant, \$18,834,000 for the sewer program, \$50,000,000 for the combined sewer program, \$37,524,000 for the water program, \$41,252,000 for the Washington Aqueduct capital program, and \$1,757,000 for the capital equipment program; in addition, \$7,000,000 from funds previously appropriated in this Act under the heading "Federal Payment to the District of Columbia Water and Sewer Authority:" *provided*, That the requirements and restrictions that are applicable to general fund capital improvement projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

#### Washington Aqueduct

For operation of the Washington Aqueduct, \$143,174,000 from other funds.

#### Stormwater Permit Compliance Enterprise Fund

For operation of the Stormwater Permit Compliance Enterprise Fund, \$7,000,000 from other funds.

### **Lottery and Charitable Games Enterprise Fund**

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act, 1982, approved December 4, 1981 (Pub. L. No. 97-91; 95 Stat. 1174), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3-172; D.C. Official Code, sec. 3-1301 *et seq.* and sec. 22-1716 *et seq.*), \$256,000,000 from other funds: *Provided*, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board: *provided further*, That the Lottery and Charitable Games Enterprise Fund is hereby authorized to make transfers to the general fund of the District of Columbia, in excess of this appropriation, if such funds are available for transfer.

### **Sports and Entertainment Commission**

For the Sports and Entertainment Commission, \$195,314,000 from other funds to remain available until expended.

### **District of Columbia Retirement Board**

For the District of Columbia Retirement Board, established pursuant to section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Official Code, sec. 1-711), \$34,423,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *provided further*, That the District of Columbia Retirement Board shall provide to the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

### **Washington Convention Center Enterprise Fund**

For the Washington Convention Center Enterprise Fund, \$80,238,000 from other funds.

### **Anacostia Waterfront Corporation**

For the Anacostia Waterfront Corporation, \$36,000,000 from local funds, of which \$31,000,000 shall remain available until expended for capital expenditures.

### **National Capital Revitalization Corporation**

For the National Capital Revitalization Corporation, \$51,592,000 from other funds.

### **University of the District of Columbia**

For the University of the District of Columbia, \$100,095,000 (including \$59,546,000 from local funds, \$18,580,000 from Federal funds, \$20,934,000 from other funds, and \$1,035,000 from private funds): *provided*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2007, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at

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comparable public institutions of higher education in the metropolitan area.

**Unemployment Insurance Trust Fund**

For the Unemployment Insurance Trust Fund, \$180,000,000 from other funds.

**District of Columbia of Personnel Agency Trust Fund**

For the District of Columbia of Personnel Agency Trust Fund, \$1,265,000 from other funds.

**District of Columbia Public Library Trust Fund**

For the District of Columbia Public Library Trust Fund, \$17,000 from other funds.

**CAPITAL OUTLAY**

For capital construction projects, an increase of \$2,406,122,000, of which \$1,756,306,000 shall be from local funds, \$49,867,000 from Highway Trust funds, \$52,000,000 from the Local Street Maintenance fund, \$15,000,000 from revenue bonds, \$18,200,000 from Certificates of Participation financing, \$63,000,000 from financing for construction of a baseball stadium, \$212,000,000 from financing for construction for a new hospital or for other health-related facility, \$239,749,000 from Federal grant funds, and a rescission of \$65,859,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$2,340,263,000, to remain available until expended; in addition, \$5,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for the Anacostia Waterfront Initiative:" *provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *provided further*, That the Office of the Chief Technology Officer of the District of Columbia shall continue to implement the following information technology projects through completion of each such project on behalf of the District of Columbia Public Schools: Student Information System (project number T2240), Student Information System PCS (project number T2241), Enterprise Resource Planning (project number T2242), E-Rate (project number T2243), and SETS Expansion PCS (project number T2244): *provided further*, That renovation of the office space of the Office of Attorney General for the District of Columbia at One Judiciary Square is authorized, subject to approval of financing for that purpose in accordance with laws enacted by the Council.

**TITLE IV--GENERAL PROVISIONS**

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 104. (a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any state legislature.

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter other than:

(1) The promotion or support of any boycott; or

(2) Statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 105. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this title, shall be available for obligation or expenditures for an agency through a reprogramming of funds which:

(1) Creates new programs;

(2) Eliminates a program, project, or responsibility center;

(3) Establishes or changes allocations specifically denied, limited, or increased under this Act;

(4) Increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) Reestablishes any program or project previously deferred through reprogramming;

(6) Augments any existing program, project, or responsibility center through a reprogramming of funds in excess of \$3,000,000 or 10%, whichever is less; or

(7) Increases by 20% or more personnel assigned to a specific program, project, or responsibility center, unless, in the case of federal funds, the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming and in the case of local funds, the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each such local funds reprogramming conducted subject to this subsection.

(b) None the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of \$3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each reprogramming conducted subject to this subsection, except that in no event may the amount of any funds transferred exceed 4% of the local funds in the appropriations.

(c) The District of Columbia Government is hereby authorized to approve and execute reprogramming and transfer requests of local funds under this title through December 1, 2007.

SEC. 106. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 107. Notwithstanding any other provisions of law, the provisions 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, sec. 1-601.01 *et seq.*), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.22(3)), shall apply with respect to the compensation of District of Columbia employees. For pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code; *provided*, That notwithstanding any other law (or 5 USC §8344(a)), the District Government Reemployed Annuitant Offset Elimination Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-207; 51 DCR 8779), shall apply to any individual employed in an appointive or elective position with the District of Columbia government after December 7, 2004.

SEC. 108. No later than 30 days after the end of the first quarter of fiscal year 2007, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2007 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2008. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 109. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3-171; D.C. Official Code, sec.1-123(d)).

SEC. 110. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code, sec. 32-701 *et seq.*) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 111. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia, may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be obligated or expended pursuant to subsection (a) until:

(A) The Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) The Council has reviewed and approved the obligation and the expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the obligation and the expenditure of a grant if:

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(A) No written notice of disapproval is filed with the Secretary to the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) If such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this Act or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.

(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia, to the Committees on Appropriations of the House of Representatives and Senate, and to the President not later than 15 days after the end of the quarter covered by the report.

SEC. 112. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of:

(1) An officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) At the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) The Mayor of the District of Columbia; and

(4) The Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2007, an inventory, as of September 30, 2006, of all vehicles owned, leased, or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned, the year and make of the vehicle, the acquisition date and cost, the general condition of the vehicle, annual operating and maintenance costs, current mileage, and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and residence location.

SEC. 113. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2007 unless:

(1) The audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code, sec. 2-302.08(a)(a)); and

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(2) The audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 114. (a) None of the federal funds contained in this Act may be used by the Attorney General for the District of Columbia or any other officer or entity of the District government to provide assistance for any petition drive or civil action that seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the Attorney General for the District of Columbia from reviewing or commenting on briefs in private lawsuits or from consulting with officials of the District government regarding such lawsuits.

SEC. 115. (a) None of the federal funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 116. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted: *Provided*, That the Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by April 1, 2007 and October 1, 2007, a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 117. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" that provides exceptions for religious beliefs and moral convictions.

SEC. 118. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.42), for all agencies of the District of Columbia government for fiscal year 2007 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section and its reporting requirement shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 119. (a) None of the funds contained in this Act may be made available to pay:

(1) The fees of an attorney who represents a party in an action or an attorney who defends an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act, approved February 14, 2003 (Pub. L. No. 108-6; 20 U.S.C. 1400 *et seq.*) (20 U.S.C. 1400 *et seq.*) in excess of \$4,000 for that action; or

(2) The fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b) In this section, the term "action" includes an administrative proceeding and any ensuing or related proceedings before a court of competent jurisdiction.

SEC. 120. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Education Act, approved February 14, 2003 (Pub. L. No. 108-6; 20 U.S.C. 1400 *et seq.*) ("IDEA") in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia. As part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification. The Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA. The Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 121. The amount appropriated by this Act may be increased by no more than \$42,000,000 from funds identified in the comprehensive annual financial report as the District's fiscal year 2005 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, or economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

- (A) One-time expenditures;
- (B) Expenditures to avoid deficit spending;
- (C) Debt Reduction;
- (D) Program needs; or
- (E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 122. (a) To account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia Funds pursuant to this Act may be increased:

(1) By an aggregate amount of not more than 25%, in the case of amounts proposed to be allocated as "Other-Type Funds" in the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) By an aggregate amount of not more than 6%, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify:

(A) The increase in revenue; and

(B) That the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 123. The Chief Financial Officer of the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.50a): *provided*, That the amount borrowed shall not exceed 50% of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing: *provided further*, That the borrowing shall not deplete either fund by more than 50%: *provided further*, That 100% of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: *provided further*, That in the event that short-term borrowing has been conducted and the emergency or the contingency funds are later depleted below 50% as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50% of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

SEC. 124. (a) None of the federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 125. None of the federal funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 126. The authority that the Chief Financial Officer of the District of Columbia exercised with respect to personnel and the preparation of fiscal impact statements during a control period (as defined in Public Law 104-8) shall remain in effect until September 30, 2007.

SEC. 127. The entire process used by the Chief Financial Officer to acquire any and all kinds of goods, works, and services by any contractual means, including purchase, lease, or rental shall be exempt from all of the provisions of the District of Columbia's Procurement Practices Act: *provided*, That provisions made by this subsection shall take effect as if enacted in D.C. Law 11-259 and shall remain in effect until September 30, 2007.

SEC. 128. The Federal Payment for School Improvement appropriation under Division B of the District of Columbia Appropriations Act, 2006, approved November 30, 2005 (Pub. L. No. 109-115; 119 Stat. 2512), is amended by striking the phrase "\$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2007;" and inserting the phrase "\$13,000,000 to expand quality public charter schools in the District of Columbia, of which \$7,000,000 to remain available until September 30, 2007, and \$4,000,000, which shall be for the direct loan fund, and \$2,000,000, which shall be for credit enhancement, shall remain available until expended;" in its place.

SEC. 129. There is hereby appropriated such additional other type funds as may be necessary to conduct expenditures authorized to be made from the District of Columbia Commodities Cost Reserve Fund, established by section 47-368.04 of the District of Columbia Official Code and the Leasing Fees Working Fund, established by section 5 of the District of Columbia Appropriations Act, 1955, approved July 1, 1956 (68 Stat. 393; D.C. Official Code 10-701).

SEC. 130. Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred shall retain appropriation authority consistent with the provisions of this Act.

SEC. 131. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

This division may be cited as the "District of Columbia Appropriations Act, 2007".

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**DIVISION – B**  
**DISTRICT OF COLUMBIA AUTHORIZATION REQUEST**

SEC. 201. The following proviso under the heading "Lottery and Charitable Games Enterprise Fund" in the District of Columbia Appropriations Act, 1982, approved December 4, 1981 (95 Stat. 1174; Public Law 97-91), is repealed:

"*provided further*, That the advertising, sale, operation, or playing of the lotteries, raffles, bingos, or other games authorized by D.C. Law 3-172 is prohibited on the Federal enclave, and in adjacent public buildings and land controlled by the Shipstead-Luce Act as amended by 53 Stat. 1144, as well as in the Old Georgetown Historic District."

SEC. 202. Section 115(a)(2) of Title III of the District of Columbia Appropriations Act, 2003, approved February 20, 2003 (Pub. L. No. 108-7; 117 Stat. 11), is amended to read as follows:

"(2) EXCEPTION FOR COUNCIL, PUBLIC LIBRARY, BOARD OF EDUCATION, UNIVERSITY OF THE DISTRICT OF COLUMBIA, AND COURTS.— The Council of the District of Columbia, the District of Columbia Public Library, Board of Education, University of the District of Columbia, and the District of Columbia Courts may accept and use gifts without prior approval by the Mayor."

SEC. 203. Section 11201 of the National Capital Revitalization and Self-Government Improvement Act of 1997, approved August 5, 1997 (111 Stat. 734; D.C. Official Code § 24-101), is amended by adding a new subsection (a-1) to read as follows:

"(a-1) Reimbursement to District of Columbia Department of Corrections.— The United States Government shall reimburse the District of Columbia Department of Corrections its costs of providing custody and care for:

"(1) Felons committed by the Superior Court of the District of Columbia from the date of sentencing until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons;

"(2) Previously sentenced felons committed to the Department of Corrections as violators of parole, supervised release, or probation from the date of commitment until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons; and

"(3) Previously sentenced felons held by or committed to the Department of Corrections on writs from the date of commitment until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons."

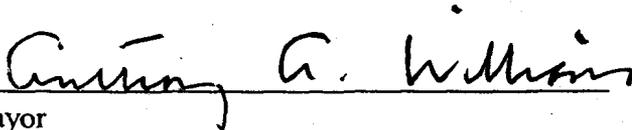
SEC. 204. Notwithstanding any other law, the Smithsonian Institution shall be subject to the general sales tax of the District of Columbia for sales to the public in gift shops, restaurants, and similar facilities.

This Division may be cited as the "District of Columbia Omnibus Authorization Act, 2007".

Sec. 3. This act shall take effect as provided in section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code, sec. 1-204.46).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
June 2, 2006