ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-349

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 14, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Summer Supp.

West Group Publisher

To amend, on an emergency basis, section 47-1812.11c of the District of Columbia Official Code to provide that until the District of Columbia Statehood Delegation Fund Commission convenes, the funds generated by the tax check-off shall be deposited in equal amounts in the District of Columbia statehood funds.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Statehood Delegation Fund Tax Check-off Emergency Act of 2008".

Sec. 2. Section 47-1812.11c of the District of Columbia Official Code is amended as follows:

Note, § 47-1812.11c

(a) Subsection (b) is amended by striking the phrase "The funds" and inserting the phrase "Except as provided in subsection (b-1) of this section, the funds" in its place.

(b) A new subsection (b-1) is added to read as follows:

"(b-1)(1) Until the District of Columbia Statehood Delegation Fund Commission, established by section 12 of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 16, 2005 (D.C. Law 15-226; D.C. Official Code § 1-129.02) ("1979 Initiative"), convenes, the funds generated by the tax check-off shall be deposited in equal amounts in the District of Columbia statehood funds established pursuant to section 4(g) of the 1979 Initiative (D.C. Official Code § 1-123(g)).

"(2) Semiannually, each Representative and Senator shall submit to the Mayor, the Chairman of the Council, and the Chairman of the District of Columbia Board of Election and Ethics an accounting of the expenditures made with the tax check-off funds.".

Sec. 3. Fiscal impact statement.

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

ENROLLED ORIGINAL

Sec. 4. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 14, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-350

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 17, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Spring Supp.

West Group Publisher

To amend, on an emergency basis, the District of Columbia Election Code of 1955 to allow 17-year- olds to pre-register to vote.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Student Voter Registration Emergency Amendment Act of 2008".

Sec. 2. Section 7 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 703; D.C. Official Code § 1-1001.07), is amended as follows: **Note, § 1-1001.07**

(a) A new subsection (a-2) is added to read as follows:

"(a-2) A person who is otherwise qualified may pre-register on or after that person's 17th birthday and may vote in any election occurring on or after that person's 18th birthday, but under no circumstances before the person's 18th birthday.".

(b) Subsection (b) is amended by adding a new paragraph (4) to read as follows:

"(4) The Board shall state on voter registration forms that no one may vote before his or her 18th birthday.".

(c) Subsection (e)(2) is amended by adding a new 2nd sentence to read as follows: "The voter registration notification shall state that the applicant shall not vote before her or his 18th birthday.".

Sec. 3. Fiscal impact statement.

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

ENROLLED ORIGINAL

Sec. 4. Effective date.

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

Vincent C. Orange

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-351

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 17, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Summer Supp.

West Group Publisher

To amend, on an emergency basis, the District of Columbia Housing Authority Act of 1999 to allow the District of Columbia Housing Authority to reserve 55 tenant-based assistance vouchers for extremely low-income veterans of the United States Armed Services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Veterans Rental Assistance Emergency Amendment Act of 2008".

Note, § 6-228

Sec. 2. Section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a new subsection (c) to read as follows:

"(c)(1) The Authority shall reserve 55 tenant-based assistance vouchers supported by funding from the Rent Supplement Fund for persons who:

"(A) Are veterans of the United States Armed Services;

"(B) Are extremely low-income residents of the District of Columbia; and

"(C) Are referred to the Authority by the Office of Veterans Affairs.

"(2) The Authority shall accept referrals for vouchers made pursuant to this subsection for a period of 6 months from the effective date of the Veterans Rental Assistance Emergency Amendment Act of 2008, passed on emergency basis April 1, 2008 (Enrolled version of Bill 17-687). Any tenant-based assistance vouchers not used to support persons who are referred to the Authority within the time period provided by this paragraph shall be available generally for the Rent Supplement Program.".

Sec. 3. Fiscal impact statement.

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

ENROLLED ORIGINAL

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

Vincent C. Orange

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-352

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 17, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Summer Supp.

West Group Publisher

To name, on an emergency basis, the Third District Substation at 750 Park Road, N.W., in Ward 1, as the Gerard W. Burke, Jr. Building in honor of the late Metropolitan Police Department Sergeant.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Gerard W. Burke, Jr. Building Designation Emergency Act of 2008".

Sec. 2. Pursuant to section 401 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 § 9-204.01) the Third District Substation, located at 750 Park Road, N.W., in Ward 1, is designated as the "Gerard W. Burke, Jr. Building".

Note, § 9-204.01

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, after it becomes effective, to the Metropolitan Police Department.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

Codification District of Columbia Official Code

2001 Edition

2008 Summer Supp.

West Group Publisher

AN ACT

D.C. ACT 17-353

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 14, 2008

To amend, on an emergency basis, the Vending Regulation Emergency Act of 2008 to expand vending opportunities in and around the Baseball Stadium through the creation of the Capitol Riverfront Vending Development Zone.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Expanding Opportunities for Street Vending Around the Baseball Stadium Emergency Amendment Act of 2008".

Sec. 2. The Vending Regulation Emergency Act of 2008, effective March 19, 2008 (D.C. Act 17-322; 55 DCR ___), is amended by adding a new section 5a to read as follows:

"Sec. 5a. Capitol Riverfront Vending Development Zone.

"(a) Notwithstanding section 5, but subject to subsection (f) of this section, there is established the Capitol Riverfront Vending Development Zone ("CRVDZ").

"(b) The boundaries of the CRVDZ shall be the same as the boundaries for the Capitol Riverfront BID, established by section 208 of the Business Improvement Districts Act of 1996, effective October 18, 2007 (D.C. Law 17-27; D.C. Official Code § 2-1215.58).

"(c) The Mayor shall issue no fewer than 40 vendor locations, with preference to the vendors who are legally licensed to vend at Robert F. Kennedy Memorial Stadium, within 21 days of the effective date of the Expanding Opportunities for Vending Around the Baseball Stadium Emergency Amendment Act of 2008, passed on emergency basis on April 1, 2008 (Enrolled version of Bill 17-690), and shall designate and assign vending locations within the CRVDZ.

"(d) Vending locations assigned within the CRVDZ shall be assigned by lottery.

"(e) Except as provided in this section, the Mayor may waive the regulatory provisions otherwise applicable to vendors, such as design standards, siting standards, and the types of permitted vending.

"(f) The CRVDZ, and any licenses or permits issued therefor, shall expire if any new development zone is hereafter established with the boundaries of the CRVDZ pursuant to section 5.

ENROLLED ORIGINAL

"(g) Pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), the Mayor may issue rules to implement this section; provided, that the Mayor may also issue emergency rules to implement this section.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

Vincent C. Orange

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-354

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 17, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Summer Supp.

West Group Publisher

To amend, on an emergency basis, the Rental Housing Conversion and Sale Act of 1980 to eliminate the vacancy exception to payment of a condo conversion fee, to not require payment of the condo conversion fee when a unit is sold to a low-income household, or existing tenants, including the elderly or disabled, or leased to the same who are low-income, and to impose penalties for non-payment or submission of the condo conversion fee within 30 days of settlement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vacancy Exemption Repeal Emergency Amendment Act of 2008".

Sec. 2. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended as follows:

Note, § 42-3402.04

(a) Section 204 (D.C. Official Code § 42-3402.04) is amended as follows:

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

"(a) For the purposes of this section, the term "low-income household" shall have the same meaning as provided in section 101(5) of the Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01(5))."

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

"(b) The Mayor shall not require a conversion fee for a condominium unit, or the proportionate share value of a cooperative residence, that:

"(1) Is sold to a low-income household;

"(2) Is sold to the head of household; provided, that the head of household has resided in the unit for at least one year prior to the owner's application to the Mayor for conversion of the housing accommodation to a condominium or cooperative;

"(3) Is sold to an elderly or disabled tenant; provided, that the elderly or disabled tenant has resided in the unit for at least one year prior to the owner's application to the Mayor for conversion of the housing accommodation to a condominium or cooperative; and

"(A) Is 62 years of age or older; or

"(B) Has a disability as defined in section 3(2)(A) of the Americans with

ENROLLED ORIGINAL

Disabilities Act of 1990, approved July 29, 1990 (104 Stat. 329; 42 U.S.C. § 12102(2)(A)), and 29 C.F.R. § 1630.2(g)(1), as determined under section 208(c)(1)(B)(ii); or

"(4) Is not sold, but leased, to those persons set forth in paragraphs (1), (2), or (3) of this subsection; provided, that such person shall be a low-income household. A lease under this subsection shall not require monthly payments greater than 30% of gross household income.".

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

"(b-1)(1) The conversion fee required under this section shall be paid in full into an escrow account at the time of settlement on the sale of the unit or cooperative share, or lease of the unit or cooperative share not covered under subsection (b)(4) of this section.

"(2) An escrow agent, or the lessor or the lessor's agent, shall submit the conversion fee to the Mayor within 30 business days of settlement, together with a copy of the recordation and transfer tax form reflecting the sale price of each condominium unit or cooperative share.

"(3) The Mayor may impose civil fines, penalties, and fees for failure to submit the conversion fee to the Mayor, or any infraction of the provisions of this subsection, or any rules or regulations issued under the authority of this subsection, 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 *et seq.*). Adjudication of any infraction of this act shall be 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 *et seq.*).".

Sec. 3. Repeal.

The Conversion Fee Clarification Emergency Amendment Act of 2008, effective February 22, 2008 (D.C. Act 17-305; 55 DCR 2516), and the Conversion Fee Clarification Temporary Amendment Act of 2008, signed by the Mayor on March 19, 2008 (D.C. Act 17-335; 55 DCR __), are repealed.

Sec. 4. Applicability.

Applications filed on or before March 31, 2008 shall be considered under the law in effect on that date. Applications filed on or after April 1, 2008 shall be considered under the provisions of this act.

Sec. 5. Fiscal impact statement.

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

ENROLLED ORIGINAL

Sec. 6. Effective date.

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

Vincent C. Orange

Chairman
Council of the District of Columbia

Adrian Fenty

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

Codification District of Columbia Official Code

2001 Edition

2008 Summer Supp.

West Group Publisher

AN ACT

D.C. ACT 17-355

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 17, 2008

To amend, on an emergency basis, the Performance Parking Pilot Zone Emergency Act of 2008 to require the Mayor to designate residential permit parking zones on currently undesignated residential blocks and to clarify zone boundaries.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Performance Parking Pilot Zone Emergency Amendment Act of 2008".

Sec. 2. The Performance Parking Pilot Zone Emergency Act of 2008, effective March 19, 2008 (D.C. Act 17-320; 55 DCR __), is amended as follows:

(a) Section 2 is amended by adding a new subsection (b-1) to read as follows:

"(b-1) Within each performance parking pilot zone, the Mayor shall designate residential permit parking zones on currently undesignated residential blocks.".

(b) Section 4(a)(2) is amended by striking the phrase " N.W." and inserting the phrase "N.W., and both sides of the 1400 block of Girard Street, N.W." in its place.

(c) Section 6 is amended by adding a new subsection (c-1) to read as follows:

"(c-1) The Mayor is authorized, after 180 days of operation of each performance parking pilot zone, with the approval of the Ward Councilmember, to expand the boundaries of the pilot zones designated by this act, to achieve the performance parking pilot zone goals.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

Codification District of Columbia Official Code

2001 Edition

2008 Summer Supp.

West Group Publisher

AN ACT

D.C. ACT 17-356

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 17, 2008

To authorize, on a temporary basis, the Mayor to regulate vending in the District of Columbia, to require vendors to vend only from designated locations, to authorize development areas within which alternative forms of regulation of vending may be tested, to authorize the Mayor to charge fees for licenses and other authorizations to vend from public space, to authorize the imposition of civil fines for the violation of this act or rules promulgated pursuant to this act, and to authorize the regulation of public markets; and to amend An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, the Fiscal Year 1997 Budget Support Act of 1996, Title 47 of the District of Columbia Official Code, and An Act Relating to the adulteration of feed and drugs in the District of Columbia, to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Regulation Temporary Act of 2008".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Vending location" means the specific locations on sidewalks, roadways, and other public space from which a person may vend.

(2) "Vending site permit" means a permit or other authorization to vend from a vending location.

Sec. 3. Vending from public space.

(a) Except as set forth in subsection (b) of this section, a person shall not vend from a sidewalk, roadway, or other public space in the District of Columbia unless the person holds:

(1) A basic business license properly endorsed for sidewalk or roadway vending;

(2) A vending site permit; and

(3) Such other licenses, permits, and authorizations as the Mayor may require by rule.

ENROLLED ORIGINAL

(b) The Mayor may authorize the following persons to vend from public space without a basic business license or vending site permit:

(1) An employee or youth assistant of a licensed vendor;

(2) A person vending at a licensed special event; and

(3) A person vending from a public market holding a valid permit issued by the Mayor.

Sec. 4. Vending locations and assignment.

(a) The Mayor shall designate vending locations; provided, that no vending locations shall be established in Ward 2 of the District of Columbia other than those previously authorized under the District of Columbia Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Act of 2006, effective March 8, 2007 (D.C. Law 16-252; 54 DCR 631), who are vending in a location that is in compliance with Chapter 5 of Title 24 of the District of Columbia Municipal Regulations, except as may be established through a vending development zone authorized under section 5; provided further, that no more than 350 vending locations shall be permitted in any single Ward of the District of Columbia.

(b) A person shall not vend from a location other than a vending location unless the person is vending at a special event or public market holding a valid license or permit issued by the Mayor.

(c) A person shall not vend from a vending location without first obtaining a vending site permit from the Mayor.

(d)(1) Except as provided in paragraph (2) of this subsection, vending locations shall be assigned by lottery, unless:

(A) The Mayor establishes an alternate means of assignment by rule; or

(B) The vending location is located in a vending development zone, in which case the vending location may be assigned by lottery or such other means as may be established for the vending development zone pursuant to section 5.

(2) Vendors who received vending site permits for a vending location pursuant to the District of Columbia Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Act of 2006, effective March 8, 2007 (D.C. Law 16-252; 54 DCR 631), who are vending in a location that is in compliance with Chapter 5 of Title 24 of the District of Columbia Municipal Regulations, shall have first right of preference for the issuance of a vending site permit for the same vending location.

Sec. 5. Vending development zones.

The Mayor may establish vending development zones, upon application and after public hearing, in which the Mayor may waive the regulatory provisions, such as the design standards, the standards for designation of vending locations, and the procedure for assigning vending

ENROLLED ORIGINAL

locations, otherwise applicable to vendors; provided, that the Mayor shall establish, by rule, a procedure for reviewing applications for the establishment of a vending development zone.

Sec. 6. Capitol Riverfront Vending Development Zone.

(a) Notwithstanding section 5, but subject to subsection (f) of this section, there is established the Capitol Riverfront Vending Development Zone ("CRVDZ").

(b) The boundaries of the CRVDZ shall be the same as the boundaries for the Capitol Riverfront BID, established by section 208 of the Business Improvement Districts Act of 1996, effective October 18, 2007 (D.C. Law 17-27; D.C. Official Code § 2-1215.58).

(c) The Mayor shall issue no fewer than 40 vendor locations, with preference to the vendors who are legally licensed to vend at Robert F. Kennedy Memorial Stadium, within 21 days of the effective date of the Expanding Opportunities for Vending Around the Baseball Stadium Emergency Amendment Act of 2008, passed on emergency basis on April 1, 2008 (Enrolled version of Bill 17-690), and shall designate and assign vending locations within the CRVDZ.

(d) Vending locations assigned within the CRVDZ shall be assigned by lottery.

(e) Except as provided in this section, the Mayor may waive the regulatory provisions otherwise applicable to vendors, such as design standards, siting standards, and the types of permitted vending.

(f) The CRVDZ, and any licenses or permits issued therefor, shall expire if any new development zone is hereafter established with the boundaries of the CRVDZ pursuant to section 5.

(g) Pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), the Mayor may issue rules to implement this section; provided, that the Mayor may also issue emergency rules to implement this section.

Sec. 7. Public markets.

The Mayor may require the permitting of public markets on public space and may require the licensing of managers of public markets on public space and private space.

Sec. 8. Fees and funding.

(a) The Mayor may establish fees, by rule, for the application for, and issuance of, each license, permit, and authorization required under this act or the rules promulgated pursuant to this act. The Mayor may differentiate the fees based on the class of license, vending location, and other relevant factors.

(b)(1) There is established as a nonlapsing fund within the General Fund of the District of Columbia the Vending Regulation Fund ("Fund"), which shall be used solely for the purposes set forth in this section.

(2) Deposits into the Fund shall include:

ENROLLED ORIGINAL

(A) Fees paid for the application for, and issuance or renewal of, a vending permit;

(B) Fees paid for the application for, and issuance or renewal of, the permit or other authorization issued by the Mayor setting forth the specific location on public space from which a person may vend;

(C) Funds authorized by an act of Congress, reprogramming, or intra-District transfer to be deposited into the Fund;

(D) Any other funds designated by law or rule to be deposited into the Fund; and

(E) Interest on funds deposited in the Fund.

(3) All funds deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in paragraph (4) of this subsection, subject to authorization by Congress.

(4) Funds in the Fund may be used to pay the costs of administering this act, including costs associated with the issuance of licenses and permits described in paragraph (2)(A) and (B) of this subsection and the administration and enforcement of any rules promulgated under this act.

Sec. 9. Penalties.

The Mayor may establish civil penalties for the violation of this act and rules promulgated pursuant to this act, including the establishment of civil penalties 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. 10. Rules.

The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement this act, including rules regulating the design and maintenance of vendor carts, stands, vehicles, and other equipment and rules requiring that persons vending from public space maintain insurance in such form and amount as may be required by the Mayor. The proposed rules shall be submitted to the Council for a 60-day period of review, excluding weekends, holidays, and days of Council recess; provided, that rules regarding fees shall be submitted separately. If the Council does not approve or disapprove the proposed rules, by resolution, within the 60-day review period, the proposed rules shall be deemed disapproved.

Sec. 11. Conforming amendments.

(a) The third paragraph of section 1 of An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, approved January 26, 1887 (24 Stat. 368; D.C. Official Code § 1-303.01(3)), is repealed.

Note, § 1-303.01

ENROLLED ORIGINAL

(b) Section 602(2) of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.02(2)), is amended by striking the phrase "pursuant to paragraph 36 of section 7 of An Act making appropriations for the fiscal year ending June thirtieth, nineteen hundred and three and for other purposes, approved July 1, 1902 (32 Stat. 627; D.C. Code § 47-2834)" and inserting the phrase "issued by the Mayor pursuant to the Vending Regulation Temporary Act of 2008, passed on 2nd reading on April 1, 2008 (Enrolled version of Bill 17-653)" in its place. Note, § 10-1141.02

(c) Title 47 of the District of Columbia Official Code is amended as follows:

(1) Section 47-2002.01 is amended as follows: Note, § 47-2002.01

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

"(a) For the purposes of this section, the term "street vendor" means a person licensed to vend from a sidewalk, roadway, or other public space under the Vending Regulation Temporary Act of 2008, passed on 2nd reading on April 1, 2008 (Enrolled version of Bill 17-653).".

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

(i) Paragraph (2) is amended by striking the phrase "Class A license, Class B license, Class C nonfood license, Class C food license, or any combination of these licenses" and inserting the phrase "license authorizing the vending of merchandise, food, or services from public space or from door to door, including a temporary license," in its place.

(ii) Paragraph (4) is repealed.

(2) Sections 47-2020(d) and 47-2834 are repealed. Note, § 47-2020 Note, § 47-2834

(3) The table of contents for Chapter 28 is amended by striking the phrase "47-2834. Sales on streets or public places." and inserting the phrase "47-2834. Repealed." in its place.

(d) Section 2(5)(A)(iii) of An Act Relating to the adulteration of foods and drugs in the District of Columbia, approved February 17, 1898 (30 Stat. 246; D.C. Official Code § 48-102(5)(A)(iii)), is amended by striking the phrase "unless the vending locations are authorized by the Council pursuant to An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, approved January 26, 1887 (24 Stat. 368; D.C. Official Code § 1-303.01)" and inserting the phrase "unless the vending locations are licensed by the Mayor pursuant to the Vending Regulation Temporary Act of 2008, passed on 2nd reading on April 1, 2008 (Enrolled version of Bill 17-653)" in its place. Note, § 48-102

Sec. 12. 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. 13. Effective date.

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

ENROLLED ORIGINAL

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.

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-357

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 17, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Fall Supp.

West Group Publisher

To amend the District of Columbia Procurement Practices Act of 1985 to exempt procurements of natural gas and electricity when using the reverse auction procurement method from the requirements of the act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Procurement of Natural Gas and Electricity Exemption Amendment Act of 2008".

Sec. 2. The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), is amended as follows:

(a) Section 107 (D.C. Official Code § 2-301.07) is amended as follows: **Amend § 2-301.07**

(1) Paragraph (41A) is re-designated as paragraph (41B).

(2) A new paragraph (41A) is added to read as follows:

"(41A) Reverse Auction" means an online procurement method whereby pre-qualified suppliers compete with one another to provide a good or service, typically commodities, to a buyer or group of buyers.".

(b) Section 320 (D.C. Official Code § 2-303.20) is amended by adding a new subsection (t) to read as follows: **Amend § 2-303.20**

"(t) Procurements for natural gas and electricity shall be exempt from all provisions of this act, except section 105a, when using a Reverse Auction.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-358

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 17, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Fall Supp.

West Group Publisher

To accept the dedication of land for street purposes and approve the establishment of a building restriction line in Square 1346, bounded by Foxhall Road, N.W., and W Street, N.W., and to order the removal of a portion of a 50-foot right-of-way from the Highway Plan on Lot 822, Square 1346, in Ward 3.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act be cited as the "Dedication of Land for Street Purposes, the Establishment of a Building Restriction Line, S.O. 06-9108, and the Removal of a Portion of a 50-foot Right-of-Way from the Highway Plan on Lot 822, in Square 1346, S.O. 06-9107, Act of 2008".

Note, § 9-203.02

Sec. 2. Pursuant to section 302(c) 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 § 9-203.02(3))("Act"), and notwithstanding the requirements of section 304 of the Act (D.C. Official Code § 9-203.04), the Council accepts the dedication, in fee simple absolute, of the land necessary for street purposes and approves the establishment of a building restriction line in Square 1346, bounded by Foxhall Road, N.W., and W Street, N.W., as shown on the Surveyor's plat filed under S.O. 06-9108. The Council's acceptance of this dedication and building line restriction shall be contingent upon the applicant's satisfaction of all conditions set forth in the official file S.O. 06-9108.

Sec. 3. Notwithstanding section 6 of An Act to provide a permanent system of highways in that part of the District of Columbia lying outside the cities, and for other purposes, approved June 28, 1898 (30 Stat. 520; D.C. Official Code § 9-101.06), the Council orders the highway plan right-of-way on Lot 822 in Square 1346, which is bounded by Foxhall Road, N.W., W Street, N.W., and Lot 818 be removed from the permanent system of highways to eliminate the planned extension of the Whitehaven Parkway going eastward from Foxhall Road, N.W., as shown on the Surveyor's plat filed under S.O. 06-9107.

ENROLLED ORIGINAL

Sec. 4. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor, the Office of Planning, the Department of Consumer and Regulatory Affairs, and the Office of the Recorder of Deeds.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

Vincent C. Orange

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 17, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-359

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 22, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Fall Supp.

West Group Publisher

To amend the District of Columbia Public Records Management Act of 1985 to clarify that a public record includes various forms of electronic records, and that the medium upon which information is recorded does not determine whether the record is a public record, to provide that the District's electronic mail shall be retained until rules regarding retention of electronic mail are submitted to the Council and approved, to provide that a record authorized to be disposed of by the Records Disposition Committee shall not be effective until 45 days after publication in the District of Columbia Register, and to provide that any rules be submitted to the Council for a 45-day period of review; and to amend Title 28 of the District of Columbia Official Code to require that the retention of electronic records conform to the District of Columbia Public Records Management Act of 1985.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Electronic Mail Public Record Clarification Amendment Act of 2008".

Sec. 2. The District of Columbia Public Records Management Act of 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1701 *et seq.*), is amended as follows:

(a) Section 2(13) (D.C. Official Code § 2-1701(13)) is amended to read as follows: **Amend § 2-1701**

"(13) "Public record" means any document, book, photographic image, electronic data recording, electronic mail, paper, video recording, sound recording, microfilm, computer disk, or other material, regardless of physical form or characteristic, that documents a transaction or activity made, received, or retained pursuant to law or in connection with the transaction of public business by or with any officer or employee of the District. The medium upon which such information is recorded shall have no bearing on the determination of whether the record is a public record.".

(b) Section 3(e) (D.C. Official Code § 2-1702(e)) is amended by adding 2 new sentences at the end to read as follows: **Amend § 2-1702**

"The Mayor shall submit the proposed rules and regulations to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If

ENROLLED ORIGINAL

the Council does not approve the proposed rules and regulations, by resolution, within the 45-day period, the proposed rules and regulations shall be deemed approved.".

(c) Section 7 (D.C. Official Code § 2-1706) is amended as follows: **Amend § 2-1706**

(1) Subsection (a)(2)(A) is amended by striking the phrase "Committee." and inserting the phrase "Committee; provided, that an authorization approved by the Committee shall not be effective until 45 days after its publication in the District of Columbia Register." in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1) No electronic mail shall be deleted or destroyed until new rules and regulations for the retention of electronic mail are submitted to and approved by the Council pursuant to section 3(e). Such rules and regulations shall be submitted within 60 days of the effective date of the Electronic Mail Public Record Clarification Amendment Act of 2008, passed on 2nd reading on April 1, 2008 (Enrolled version of Bill 17-490).".

Sec. 3. Section 28-4916 of the District of Columbia Official Code is amended to read as follows:

"§ 28-4916. Creation and retention of electronic records and conversion of written records by governmental agencies. **Amend § 28-4916**

"The Mayor shall determine whether, and the extent to which, a governmental agency will create electronic records and convert written records to electronic records. The retention of electronic records shall conform to the requirements and practices established under Chapter 17 of Title 2 of the District of Columbia Official Code.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer, dated March 28, 2008, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 22, 2008

ENROLLED ORIGINAL

Codification District of Columbia Official Code

2001 Edition

2008 Fall Supp.

West Group Publisher

AN ACT

D.C. ACT 17-360

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 22, 2008

To establish a compliance unit within the Office of the District of Columbia Auditor for the purpose of conducting an audit and reporting on compliance issues in real estate development projects receiving government assistance that were previously managed by the dissolved National Capital Revitalization Corporation or Anacostia Waterfront Corporation and placed under the management of the Office of the Deputy Mayor for Planning and Economic Development.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Compliance Unit Establishment Act of 2008".

Sec. 2. Establishment of a compliance unit.

(a) There is established a compliance unit ("Unit") within the Office of the District of Columbia Auditor.

(b) The Unit shall conduct an audit and report on compliance related to real estate development transactions, agreements, or parcels ("projects") receiving government assistance, which were previously managed by the dissolved National Capital Revitalization Corporation and Anacostia Waterfront Corporation and placed under the management of the Office of the Deputy Mayor for Planning and Economic Development, pursuant to the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; 55 DCR 1689).

(c) For the purposes of this act, the term "government assistance" means a grant, loan, tax increment financing, or other financial assistance that results in a financial benefit from an agency, commission, instrumentality, or other entity of the District government. The term "government assistance" may also include PILOT financing, a Tax Abatement, a Tax Incentive, or a discounted lease or sale price for District-owned land.

(d) The Unit's audit shall focus on the following compliance requirements:

(1) Requirements related to developer selection and performance guidelines, as defined in the Mayor's source-selection process;

ENROLLED ORIGINAL

(2) Requirements related to selection of goods and services, as defined in the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*);

(3) Requirements related to living-wage laws pursuant to the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et seq.*);

(4) Requirements related to contracting with, and procuring goods and services from, Certified Business Enterprises ("CBEs") pursuant to the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective March 2, 2007 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.)* ("SLDBE Assistance Act");

(5) Requirements related to equity and development participation by CBEs pursuant to the SLDBE Assistance Act;

(6) Requirements related to environmental standards, including the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 *et seq.*), the Anacostia Waterfront Environmental Standards Act of 2008, effective March 26, 2008 (D.C. Law 17-138; 55 DCR 1689), and where applicable, the Leadership in Energy and Environmental Design ("LEED") Green Building Rating System; and

(7) Requirements related to affordable housing mandates, including the Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01 *et seq.*), the Community Development Block Grant, the Housing Production Trust Fund, the Home Investment Partnerships Program, and the Low-Income Housing Tax Credit program, as applicable.

Sec. 3. Powers of the Unit.

(a) In analyzing compliance for the relevant projects under the purview of the Office of the Deputy Mayor for Planning and Economic Development, the Unit is authorized to look at:

(1) All contracts for completed projects;

(2) All contracts for projects currently being developed;

(3) All contracts for projects developed after the effective date of this act;

(4) All relevant statutes and regulations;

(5) All procurement documents, including requests for proposals, requests for expressions of interest, requests for qualifications, and responses;

(6) All relevant budget documents;

(7) All documents related to payment of contractors;

(8) All staffing schemes and position descriptions related to the project under review; and

(9) Any other relevant books, accounts, records, reports, findings, and all other papers, things, or property belonging to or in use by the District government and contractor necessary to analyzing compliance.

ENROLLED ORIGINAL

(b) To carry out its duties, the Unit is authorized to make site visits and meet with government and private-sector project staff members to evaluate whether each project was completed, or is being completed, in accordance with the documents referenced in subsection (a) of this section.

Sec. 4. Reporting requirements.

(a) The Unit will conduct its audit after the completion of each project, once the project has received a certificate of occupancy. Each project will only be audited one time.

(b) The Unit's reporting requirements that are submitted to the Council after the completion of the project and at the end of each fiscal year shall include an annual written report, including an executive summary, compiling the Unit's findings, which:

(1) Assesses the compliance and enforcement capacity of each District agency required to monitor and enforce requirements set forth in section 2(b), including the number of employees still needed to meet those requirements;

(2) Evaluates each project identifying relevant compliance requirements, such as which contract, procurement, or legislative mandates were met, or not met, and reasons for under-compliance or noncompliance; and

(3) Makes recommendations addressing problems with under-compliance and noncompliance with a goal of 100% compliance for all relevant contract, procurement, or legislative mandates.

(c) The Unit shall provide written and oral testimony to the Council on the findings for each project discussed in subsection (b) at oversight hearings that are to be scheduled by the Council Chairperson at the request of the Unit.

(d) The Unit shall make public the names of any contractor found to be under-compliant or noncompliant after a correction period to be determined at the discretion of the Unit on a per-project basis.

(e) If the Unit's findings reveal under-compliance or noncompliance on a given project, the Unit is required to report such findings to the relevant District agency's director and the Council Chairperson. The relevant District agency shall be responsible for enforcing compliance of any violation found.

(f) Annual reports and written testimony from oversight hearings shall be made available to the general public on the Office of the District of Columbia Auditor's website.

Sec. 5. Section 204(a-1) of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a-1)), is amended as follows: **Amend § 2-534**

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

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

"(2) Disclosure of documents from a District of Columbia government agency, official, or employee to the Council, including an employee of the Office of the District of Columbia Auditor, a Council committee, or a member of the Council acting in an official

ENROLLED ORIGINAL

capacity, shall not constitute a waiver of any privilege that otherwise could be asserted by the District of Columbia to prevent disclosure of the documents in a judicial or administrative proceeding.".

Sec. 6. Applicability.

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

Sec. 7. Fiscal impact statement.

The Council adopts the April 1, 2008 fiscal impact statement of the Chief Financial Officer Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), 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. 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 22, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-361

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 22, 2008

To provide, on an emergency basis, that the Mayor supplement the fiscal year 2009 proposed budget by providing a listing, with accompanying description and detail, of intra-agency funding transfers, delineated by program, activity, and service, and of funding transfers or reductions, delineated by agency, program, activity, and service, that comprise each so-called targeted adjustment, and that the Mayor submit the Fiscal Year 2009 through Fiscal Year 2014 Transportation Improvement Program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2009 Budget Transparency Emergency Act of 2008".

Sec. 2. Supplemental budget submission.

The Mayor shall supplement the proposed budget submitted pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42) ("Home Rule Act"), and related budget documents required by sections 442, 443, and 444 of the Home Rule Act (D.C. Official Code §§ 1-204.42, 1-204.43, and 1-204.44), and the Fiscal Year 2009 Budget Submission Requirements Resolution of 2008, effective December 11, 2007 (Res. 17-446; 54 DCR 12546), by submitting to the Council by April 2, 2008:

(1) A listing, with accompanying description and detail, of intra-agency funding transfers, delineated by program, activity, and service, comparing the proposed budget for the District for fiscal year 2009 to the approved fiscal budget and financial plan for fiscal year 2008 and of funding transfers or reductions, delineated by agency, program, activity, and service, that comprise each targeted adjustment, as that term is used in the proposed budget for the District for fiscal year 2009; and

(2) In advance of the submission to the Council of the updated multiyear capital improvement plan for all highway and other transportation improvements, the Fiscal Year 2009 through Fiscal Year 2014 Transportation Improvement Program.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal

ENROLLED ORIGINAL

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

Sec. 4. Effective date.

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

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
April 22, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-362

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 1, 2008

To amend, on an emergency basis, section 6 of the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008 to revise the applicability provision to clarify the sections that shall apply upon the receipt of reprogramming requests.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Supplemental Appropriations Release of Funds Emergency Amendment Act of 2008".

Sec. 2. Section 6 of the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008, effective March 20, 2008 (D.C. Law 17-121; 55 DCR 1477), is amended as follows:

(a) The lead-in language is amended to read as follows:

"(a) Section 2(a)(1), (2), (3)(A), (4), (11), and (16) and 2(b)(1)(A) and (B), 2(c)(1) and (2) shall apply upon the receipt and approval of reprogramming requests:".

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

"(1)(A) For an amount of $33.5 million in annual operating funds for facility maintenance from the District of Columbia Public Schools to the Office of Public Education Facilities Modernization.

"(B) Notwithstanding a reprogramming of any portion of the $33.5 million, no amounts to be allocated under sections 2(a)(1), (2), (3)(A), (4), (11), and (16) and 2(b)(1)(A) and (B), 2(c)(1) and (2) shall be released until the entire $33.5 million has been reprogrammed as required by this paragraph.".

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

"(b) This section shall apply as of March 20, 2008.".

Sec. 3. Fiscal impact statement.

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

ENROLLED ORIGINAL

Sec. 4. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 1, 2008