

ENROLLED ORIGINAL

A RESOLUTION

16-20

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Distracted Driving Safety Act of 2004 to clarify that no points shall be assessed for a violation of this act that does not contribute to an accident.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Distracted Driving Safety Revised Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) The Distracted Driving Safety Act of 2004, effective March 30, 2004 (D.C. Law 15-124; 51 DCR 1541) ("Act"), prohibits distracted driving and provides that no person shall use a mobile telephone or other electronic device while operating a moving motor vehicle in the District of Columbia unless the telephone or device is equipped with a hands-free accessory, except for emergency situations and use by emergency and law enforcement personnel or by a driver of an authorized emergency vehicle, acting within the scope of official duties.

(b) It was the intent of the Council that no points be assessed to a motorist's driving record for violations of the Act that do not contribute to an accident.

(c) In November 2004, the Council enacted the Distracted Driving Safety Revised Congressional Review Emergency Act of 2004, effective November 30, 2004 (D.C. Act 15-616; 51 DCR 11444) ("Emergency Act"), which clarified the Council's intent by amending the Act to explicitly state that no points shall be assessed for a violation of this law that does not contribute to an accident. The Emergency Act expired on January 29, 2005.

(d) Temporary legislation, the Distracted Driving Safety Revised Temporary Amendment Act of 2004, signed by the Mayor on November 30, 2004 (D.C. At 572; 51 DCR 10579), must complete the 30-day Congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until March 2005.

(e) It is important that the clarification in the Emergency Act continue in effect until the temporary legislation is law.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Distracted Driving Safety Revised Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend Title 47 of the District of Columbia Official Code to authorize the Mayor to promulgate rules governing the business of furnishing towing services for motor vehicles, to require that the proposed rules be submitted to the Council for a 45-day period of review, and to provide that if the Council does not approve or disapprove the proposed regulations, in whole or in part, by resolution, within the 45-day review period, the proposed regulations shall be deemed disapproved.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Towing Regulation and Enforcement Authority Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) In October 2004, the Council enacted the Towing Regulation and Enforcement Authority Emergency Act of 2004, effective October 26, 2004 (D.C. Act 15-554; 51 DCR 10364) ("Emergency Act"), which amended Title 47 of the District of Columbia Official Code to authorize the Mayor to promulgate rules governing towing services. The Emergency Act expired on January 24, 2005.

(b) The Towing Regulation and Enforcement Authority Temporary Act of 2004, signed by the Mayor on November 30, 2004 (D.C. Act 15-605; 52 DCR 11244), must complete the 30-day Congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until March 2005.

(c) Emergency legislation is needed to prevent a lapse in the authority of the Mayor to promulgate rules governing the business of furnishing towing services for motor vehicles.

Sec. 3. The Council of the District of Columbia has determined that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Towing Regulation and Enforcement Authority Congressional Review Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to continue a parking meter fee moratorium on Saturday for up to 2 hours, unless current signage permits otherwise, and on other days between 6:30 p.m. and 7:00 a.m.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Parking Meter Fee Moratorium Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) In October 2004, the Council enacted the Parking Meter Fee Moratorium Emergency Act of 2004, effective November 1, 2004 (D.C. Act 15-587; 51 DCR 10681) ("Emergency Act"). This legislation continues a moratorium on the payment of parking meter fees on Saturdays for up to 3 hour, which was changed to 2 hours in the Parking Meter Fee Moratorium Act of 2004, signed by the Mayor on December 29, 2004 (D.C. Act 15-664; 52 DCR \_\_\_) ("permanent act"), to be consistent with other parking time limits, unless current signage permits otherwise, and on other days between the hours of 6:30 p.m. and 7:00 a.m. The Emergency Act expires on January 30, 2005.

(b) The permanent act is pending and must complete the 30-day Congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)) and is not projected to become law until March 2005.

(c) The parking meter fee moratorium program has helped to foster the ongoing revitalization of the District through increased shopping within the commercial corridor. Passage of emergency legislation is necessary to continue this revitalization.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Parking Meter Fee Moratorium Congressional Review Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Historic Landmark and Historic District Protection Act of 1978 to establish a new historic preservation review process for public safety facilities owned by the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Process for Public Safety Facilities Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) The Historic Preservation Review Board has applications pending for numerous firehouses as historic landmarks; almost all are either working fire or emergency medical service facilities, or both.

(b) The lives, health, safety, and property of residents throughout the District of Columbia depend on the timely maintenance and modernization of all public safety operational facilities, including firehouses and police stations.

(c) The operational needs of a public safety facility are so important for the community and the District that those needs must take precedence over historic preservation interests.

(d) In November 2004, the Council enacted the Historic Preservation Process for Public Safety Facilities Congressional Review Emergency Amendment Act of 2004, effective November 30, 2004 (D.C. Act 15-595; 51 DCR 11215) ("Emergency Act"), which required that rehabilitation or new construction for the operational needs of a public safety facility constitute a public interest having a higher priority than historic preservation and established an expedited historic preservation review process for public safety facilities. The Emergency Act expired on January 29, 2005.

(e) Permanent legislation, the Historic Preservation Process for Public Safety Facilities Amendment Act of 2004, signed by the Mayor on October 26, 2004 (D.C. Act 15-568; 51 DCR 10562), must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)) and is not projected to become law until February 23, 2005.

(f) It is important that the provisions of the Emergency Act continue in effect until the

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permanent legislation is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Historic Preservation Process for Public Safety Facilities Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Administrative Procedure Act to clarify that the Freedom of Information Act's law enforcement and investigatory records exemption applies equally to the Council of the District of Columbia's investigatory proceedings, to clarify that the inter-agency memorandum exemption applies to Council records, to provide that the Council may assert exemptions on behalf of public bodies from which it receives information, to exempt from disclosure records that would reveal the identity of a whistleblower, and that final decisions of the Council may not be appealed to the Mayor.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Freedom of Information Legislative Records Clarification Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) The District of Columbia Freedom of Information Act ("FOIA"), enacted in 1977, was modeled after the federal Freedom of Information Act. Both local and federal courts have relied on interpretations of the federal law to interpret the local FOIA law. In 1986, the federal FOIA exemptions governing law enforcement and investigatory records were changed by the Freedom of Information Reform Act of 1986, approved October 27, 1986 (Pub. L. No. 99-570; 100 Stat. 3207). None of these federal changes affecting FOIA exemptions had been incorporated into the D.C. FOIA.

(b) The Freedom of Information Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-283; 48 DCR 1917), amended the D.C. FOIA to provide for disclosure of records in electronic format, to extend coverage to the Council and private contractors performing public functions, to provide disclosure requirements for partially released documents, to clarify categories of information that do not require a written request for information, to provide penalties for arbitrary or capricious violations of the act, to revise the annual reporting requirements, and to provide a training requirement for Freedom of Information Officers. The Freedom of Information Amendment Act of 2000 did not revise the exemptions in section

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204(a), which were revised in federal law in 1986.

(c) The core exemptions in the D.C. FOIA had not been amended since the law was enacted in 1977. The exemptions specifically were not amended in 2001, when the Council was made subject to FOIA.

(d) In October 2004, the Council enacted the Freedom of Information Legislative Records Clarification Emergency Amendment Act of 2004, signed by the Mayor November 1, 2004 (D.C. Act 15-591; 50 DCR 10729) ("Emergency Act"), which clarified and strengthened protection of records and information related to Council investigations. The Emergency Act expired on January 30, 2005.

(e) The Freedom of Information Legislative Records Clarification Amendment Act of 2004, signed by the Mayor on November 30, 2004 (D.C. Act 15-631; 52 DCR \_\_\_\_), must complete the 30-day Congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until February or March.

(f) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the permanent legislation is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Freedom of Information Legislative Records Clarification Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

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## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to keep the District's documents administrative cost assessment in closer conformity with the federal administrative cost schedule.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Documents Administrative Cost Assessment Amendment Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) There was a need to bring the District's documents administrative cost assessment into closer conformity with the federal administrative cost schedule.

(b) The Council had been responding to requests for documents dating back more than 5 years. Retrieval and replication required a significant expenditure of staff time as well as resources that far exceeded the \$10 maximum previously set forth in the law.

(c) In the public interest, the Council, in October 2004, enacted the Documents Administrative Cost Assessment Emergency Amendment Act of 2004, effective November 1, 2004 (D.C. Act 15-592; 51 DCR 10732) ("Emergency Act"), to substantially conform District law to the federal requirements. The Emergency Act expired on January 30, 2004.

(d) Permanent legislation, the Documents Administrative Cost Assessment Amendment Act, signed by the Mayor on November 30, 2004 (D.C. Act 15-599; 51 DCR 11229), must complete the 30-day Congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until February or March.

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

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Documents Administrative Cost Assessment Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

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Sec. 4. This resolution shall take effect immediately.

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## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to adding domestic partners to the individuals excepted from paying the excise tax for the issuance of a subsequent certificate of title if an individual is only adding his or her partner and not selling the motor vehicle or trailer.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Certificate of Title Excise Tax Exemption Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) Current law requires individuals to pay an excise tax for the issuance of a subsequent certificate of title for a motor vehicle. Excepted from this requirement are instances where the transfer of title is made as a bona fide gift between spouses or between parent and child.

(b) The law had been that an individual could not add his or her registered domestic partner to the title and obtain a subsequent certificate of title reflecting the new joint ownership without paying the excise tax, even though the transfer was a bona fide gift.

(c) In November 2004, the Council enacted the Certificate of Title Excise Tax Exemption Emergency Amendment Act of 2004, effective November 30, 2004 (D.C. Act 15-615; 51 DCR 11441) ("Emergency Act"), to provide an exemption for registered domestic partners. The Emergency Act expires on February 28, 2005.

(d) In December 2004, the Council enacted the Certificate of Title Excise Tax Exemption Temporary Amendment Act of 2004, signed by the Mayor on January 4, 2005 (D.C. Act 15-709; 52 DCR \_\_\_\_), which must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until March.

(e) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the temporary legislation is in effect.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Certificate of Title Excise Tax Exemption Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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16-27

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to raise the minimum wage from \$6.15 an hour to \$6.60 an hour beginning January 1, 2005.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Minimum Wage Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) In November 2004, the Council enacted the Minimum Wage Emergency Amendment Act of 2004, effective November 30, 2004 (D.C. Act 15-614; 51 DCR 11438) ("Emergency Act"), to raise the minimum wage from \$6.15 an hour to \$6.60 an hour beginning January 1, 2005 and from \$6.60 an hour to \$7.00 an hour beginning January 1, 2006. In addition, the legislation established a minimum wage of \$2.77 an hour for employees who receive gratuities, but requires employers to ensure that the sum of \$2.77 an hour plus gratuities is not less than the District of Columbia's minimum wage. The Emergency Act expires on February 28, 2005.

(b) In December 2004, the Council enacted the Minimum Wage Amendment Act of 2004, signed by the Mayor on December 29, 2004 (D.C. Act 15-692; 52 DCR \_\_\_), which must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until March 2005.

(c) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the permanent legislation is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Minimum Wage Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to appropriate \$7.241 million from the funds distributed to the District of Columbia pursuant to section 903(d) of the Social Security Act to improve the administration of the Unemployment Compensation Program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Unemployment Compensation Additional Funds Appropriation Authorization Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) There exists an ongoing need to improve the administration of the District's Unemployment Compensation Program. The improvements include:

- (1) Installation of a security application portal that will allow for one password to work on all DOES systems;
- (2) Conversion of the Automated Benefit System from the present mainframe platform to a Web-based environment, which offers greater flexibility in service;
- (3) Installation of the Benefit Audit, Recovery and Tracking System, which will support the auditing of Unemployment Compensation benefit payments to verify that payments were made accurately, identify improperly paid claims, and facilitate recapture of overpaid benefits;
- (4) Installation of Unemployment Insurance ("UI") systems for the Educational Stepladder program as required by the Fiscal Year 2005 Budget Support Act of 2004;
- (5) Providing UI customers not enrolled in direct deposit program debit cards to access benefits;
- (6) Providing residents with access to thousands of untapped job listings on association and corporate web pages;
- (7) Providing for the exchange of data via a common database between the Web-Enabled Benefits Services benefit payment system and the Virtual One-Stop re-employment services;
- (8) Installation of an automated customer service UI Help Desk;
- (9) Changing the Unemployment Compensation Benefit and Tax Systems

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Mainframe programming language from COBOL II to COBOL 390, as mandated by the Office of the Chief Technology Officer;

(10) Providing for changes to the automated tax system that are required by recently enacted federal legislation to detect and prevent State Unemployment Tax dumping, known as SUTA, a manipulation by employers to inappropriately lower their UI tax rate; and

(11) Providing for the support of the Information Technology Support Center in Remote System Development.

(b) There are funds available to defray the costs of these necessary changes without additional costs to the District of Columbia from the funds distributed to the District of Columbia's account in the Unemployment Compensation Trust Fund pursuant to Section 903(d) of the Social Security Act (42 USC § 1103(d)).

(c) In October 2004, the Council enacted the Unemployment Compensation Additional Funds Appropriation Authorization Emergency Act of 2004, effective November 1, 2004 (D.C. Act 15-585; 51 DCR 10678) ("Emergency Act"). The Emergency Act expired on January 30, 2005.

(d) In November 2004, the Council enacted the Unemployment Compensation Additional Funds Appropriation Authorization Temporary Act of 2004, signed by the Mayor on November 30, 2004 (D.C. Act 15-601; 51 DCR 11233), which must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until February or March.

(e) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Unemployment Compensation Additional Funds Appropriation Authorization Congressional Review Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

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## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to clarify and revise the criminal and civil penalties to be imposed upon persons under the age of 21 who purchase, attempt to purchase, possess, or drink an alcoholic beverage, persons who make false representations or possess or present fraudulent identification for the purchase, possession, or drinking of an alcoholic beverage, and persons who present fraudulent identification for the purpose of entering certain establishments.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Penalty Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) On September 21, 2004, the Council passed Bill 15-823, the Alcoholic Beverage Penalty Act of 2004, which amends section 25-1002 of the District of Columbia Official Code. That bill is now D.C. Act 15-529 and is expected to become effective on February 22, 2005.

(b) On November 9, 2004, a Congressional review emergency version of Bill 15-823 was passed. Bill 15-1094, the Alcoholic Beverage Penalty Congressional Review Emergency Act of 2004, was enacted on November 30, 2004 and expired on January 29, 2005.

(c) The Committee on Consumer and Regulatory Affairs held a public roundtable on the permanent legislation on June 16, 2004. The purpose of the Alcoholic Beverage Penalty Act of 2004 is to clarify and revise the criminal and civil penalties to be imposed upon persons under age 21 who purchase, attempt to purchase, possess, or drink an alcoholic beverage, as well as persons who make false representations or possess or present fraudulent identification for the purpose of purchasing, possessing, or drinking an alcoholic beverage, or for the purpose of entering certain establishments.

(d) In order to avoid a gap in enforcement due to Congressional review of the permanent legislation prior to Bill 15-823 becoming effective, it is necessary to pass the Alcoholic Beverage Penalty Congressional Review Emergency Act of 2005.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Alcoholic Beverage Penalty Congressional Review Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 1, 2005

To declare the existence of an emergency due to Congressional review with respect to the need to amend An Act To regulate the manufacturing, dispensing, selling, and possession of narcotic drugs in the District of Columbia to authorize the District of Columbia Housing Authority Police Department to obtain and act on search warrants for controlled substances.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Authority Police Department Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) On October 5, 2004, the Council passed Bill 15-1046, the District of Columbia Housing Authority Police Department Emergency Amendment Act of 2004, that amends An Act To regulate the manufacturing, dispensing, selling, and possession of narcotic drugs in the District of Columbia, to authorize the District of Columbia Housing Authority Police Department ("DCHAPD") to obtain and act on search warrants for controlled substances. That bill was enacted on October 26, 2004 and expired on January 24, 2005.

(b) On November 9, 2004, the Council passed the temporary version of Bill 15-1046. That temporary bill is now D.C. Act 15-606 and is pending Congressional review. Moreover, the Council passed Bill 15-1076, the District of Columbia Housing Authority Amendment Act of 2004 on December 21, 2004. Bill 15-1076 is a permanent bill that incorporates the provisions of the District of Columbia Housing Authority Police Department Emergency Amendment Act of 2004. It was enacted as D.C. Act 15-752 on January 19, 2005. It too is pending Congressional review.

(c) By clarifying and establishing the authority for the DCHAPD to obtain all the kinds of search warrants, including those for drug enforcement cases, this act will enhance immediately the ability for DCHAPD to effectively combat reported and unreported crime and the detrimental impact of criminal activity in and around the properties owned and operated by the District of Columbia Housing Authority.

(d) The ability for DCHAPD to obtain and act on search warrants, as the police that are most active and knowledgeable of the activity in and around Housing Authority properties, is a

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key procedural step in order to enhance law enforcement in these areas.

(e) In order to avoid a gap in enforcement due to Congressional review of both the temporary and permanent legislation, it is necessary to pass the District of Columbia Housing Authority Police Department Congressional Review Emergency Amendment Act of 2005 and to make it applicable after January 24, 2005.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Housing Authority Police Department Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.