

ENROLLED ORIGINAL

A RESOLUTION

15-493

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the appointment of Mr. Marc W. Ellin to the Washington Convention Center Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention Center Authority Board of Directors Marc W. Ellin Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Marc W. Ellin
1000 H Street, N.W.
Washington, D.C. 20001
(Ward 2)

as a public member of the Washington Convention Center Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 2007.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-494

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the appointment of Mr. Jeffrey L. Humber, Jr., to the Washington Convention Center Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention Center Authority Board of Directors Jeffrey L. Humber, Jr. Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jeffrey L. Humber, Jr.
820 East Capitol Street, N.E.
Washington, D.C. 20003
(Ward 6)

as a public member and Chairperson of the Washington Convention Center Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 2007.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-495

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the appointment of Mr. Mitchell N. Schear to the Washington Convention Center Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention Center Authority Board of Directors Mitchell N. Schear Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Mitchell N. Schear
6672 32nd Place, N.W.
Washington, D.C. 20015
(Ward 4)

as a public member of the Washington Convention Center Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 2007.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

15-496

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the reappointment of Mr. Anthony R. Bolling as a member of the Board of Real Property Assessments and Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Property Assessments and Appeals Anthony R. Bolling Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Anthony R. Bolling
2108 - 31st Street, S.E.
Washington, D.C. 20020
(Ward 7)

as a member of the Board of Real Property Assessments and Appeals, established by D.C. Official Code § 47-825.01, for a term to end July 31, 2008.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-497

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the reappointment of Ms. Paula Iannoti as a member of the Board of Real Property Assessments and Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Property Assessments and Appeals Paula Iannoti Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Paula Iannoti
2213 - 39th Place, N.W.
Washington, D.C. 20007
(Ward 3)

as a member of the Board of Real Property Assessments and Appeals, established by D.C. Official Code § 47-825.01, for a term to end July 31, 2008.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-498

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the reappointment of Mr. Paul E. Strauss as a member of the Board of Real Property Assessments and Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Property Assessments and Appeals Paul E. Strauss Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Paul E. Strauss
2828 Wisconsin Avenue, N.W.
Washington, D.C. 20007
(Ward 3)

as a member of the Board of Real Property Assessments and Appeals, established by D.C. Official Code § 47-825.01, for a term to end July 31, 2008, and as Chairperson for a term to end July 31, 2004.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-499

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the appointment of Mr. Charles Mayo as a member of the Board of Real Property Assessments and Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Property Assessments and Appeals Charles Mayo Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Charles Mayo, Esq.
4201 Massachusetts Avenue, N.W., #4036
Washington, D.C. 20016
(Ward 3)

as a member of the Board of Real Property Assessments and Appeals, established by D.C. Official Code § 47-825.01, completing the unexpired term of Wondimu Mersha, which will end July 31, 2004, and for a full 5-year term to commence thereafter ending July 31, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-500

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the appointment of Mr. Barrett Clyde Evans as a member of the Board of Real Property Assessments and Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Property Assessments and Appeals Barrett Clyde Evans Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Barrett Clyde Evans
1614 Riggs Place, N.W., #3
Washington, D.C. 20009
(Ward 2)

as a member of the Board of Real Property Assessments and Appeals, established by D.C. Official Code § 47-825.01, for a term end July 31, 2008.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-501

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the appointment of Ms. Rayza Rodriquez as a member of the Board of Real Property Assessments and Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Property Assessments and Appeals Rayza Rodriquez Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Rayza Rodriquez
4524 Alton Place, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Board of Real Property Assessments and Appeals, established by D.C. Official Code § 47-825.01, for a term to end July 31, 2008.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

15-502

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the appointment of Ms. Lisa A. Bolden as a member of the Board of Real Property Assessments and Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Property Assessments and Appeals Lisa A. Bolden Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Lisa A. Bolden
5068 Sherrier Place, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Board of Real Property Assessments and Appeals, established by D.C. Official Code § 47-825.01, for a term to end July 31, 2008.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-503

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To confirm the appointment of Mr. Gregory Jeffries to the Zoning Commission for the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Zoning Commission for the District of Columbia Gregory Jeffries Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Gregory Jeffries
1459 Chapin Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Zoning Commission for the District of Columbia, established by section 1 of An Act To regulate the height, area, and use of buildings in the District of Columbia and to create a Zoning Commission, and for other purposes, approved December 24, 1973 (87 Stat. 810; D.C. Official Code § 6-621.01), completing the unexpired term of James H. Hannaham, which will end February 3, 2005.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-504

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To declare the sense of the Council on the importance of improving the quality of care for residents of nursing homes in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council on Improving the Quality of Care in Nursing Homes Resolution of 2004".

Sec. 2. The Council finds that:

(1) Approximately 3,000 citizens of the District of Columbia reside in District of Columbia nursing homes.

(2) These individuals typically are seniors and persons with disabilities having chronic conditions and impairments such that they require the direct provision or supervision of medical care on a daily basis.

(3) Nursing home residents are among the most vulnerable citizens of our community.

(4) On October 31, 2003, a report by the Special Investigations Division of the Committee on Government Reform of the United States House of Representatives found that many nursing homes in the District of Columbia were providing substandard care.

(5) This report found that 95% of District of Columbia nursing homes were not in compliance with federal standards and 43% of District of Columbia nursing homes had violations that caused actual harm to residents.

(6) Nursing homes in the District of Columbia have been cited for failing to provide proper medical care, failing to prevent falls and accidents, and failing to provide adequate nutrition.

(7) District of Columbia nursing home residents suffer from bedsores at one of the highest rates in the country.

(8) In 2002, the care of more than 80% of nursing home residents in the District of Columbia was paid by Medicaid.

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(9) The District of Columbia reimbursed nursing homes at a rate which was the second highest in the country.

Sec. 3. It is the sense of the Council that:

(1) Improving the quality of care provided in the District of Columbia nursing homes is essential not just to nursing home residents and their families, but to the entire community.

(2) The Mayor and the Department of Health should:

(A) Adopt and announce as a public goal of the administration the improvement of the quality of nursing home care in the District of Columbia;

(B) Develop and announce specific measures to be used in achieving that public goal, including enhanced inspection schedules, improved timelines for the investigation of complaints, improved training of surveyors in investigation techniques and new nursing home regulations, improved accuracy in rating the scope and severity of identified deficiencies, implementation and enforcement of the 2002 Nursing Facility Licensure Rules, implementation of the new schedule of fines published in the District of Columbia Register on January 3, 2003, and the assurance that the survey team is adequately staffed and trained to promptly and effectively handle all inspections and complaint investigations;

(C) Utilizing such measures, develop and make public a detailed timeline for monitoring progress towards realizing the goal; and

(D) Report periodically, but not less than semi-annually, on the progress made in achieving this goal to ensure that the public is kept apprised of these results.

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution to the Mayor upon its adoption.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

15-505

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To designate the Committee on the Judiciary Investigation into the current policies and practices of the Metropolitan Police Department related to demonstrations within the District of Columbia as a Special Project of the Council of the District of Columbia; to authorize funding for the Committee on the Judiciary to hire experts in the field of police monitoring to draft legislation based on the recommendations of the report of the investigation; and to authorize the Chairman of the Committee on the Judiciary to hire experts in the field of police monitoring to draft legislation based on the recommendations of the report of the investigation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Committee on the Judiciary Investigation into the Current Policies and Practices of the Metropolitan Police Department Related to Demonstrations Within the District of Columbia Special Project Resolution of 2004".

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

(1) On April 28, 2003, the Committee on the Judiciary ("the Committee") authorized an investigation into the current policies and practices of the Metropolitan Police Department related to demonstrations within the District of Columbia.

(2) The authorization of the investigation was based on allegations made on the public record concerning preemptive actions in April 2000, wrongful arrests made on September 27, 2002, and excessive use of force in April 2003 by the Metropolitan Police Department.

(3) The Committee conducted a 9-month investigation that included the issuance of multiple subpoenas *duces tecum* and *ad testificandum*, numerous oral and written depositions, and 2 days of public hearings.

(4) The investigation resulted in a report released by the Committee in March 2004 that included several serious findings, including:

(A) Metropolitan Police Department use of undercover officers to infiltrate political organizations in the absence of criminal activity and in the absence of policy guidance meant to protect the constitutional rights of those individuals being monitored;

(B) A pattern and practice of misrepresentation and evasion on the part of leaders of the Metropolitan Police Department with regard to actions by the department;

(C) Repeated instances of what appear to be preemptive actions taken against demonstrators, including preemptive arrests;

(D) Failure of the Metropolitan Police Department to effectively police its own members for misconduct associated with demonstrations;

(E) Failure of the Metropolitan Police Department to acknowledge and to protect the rights of individuals to privacy, and to free speech and assembly; and

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(F) Repeated instances of the Metropolitan Police Department violating its own guidelines for handling demonstrations contained in the *Standard Operating Procedures for Mass Demonstrations, Response to Civil Disturbances, and Prisoner Processing*, including guidelines on use of force in defensive situations, de-escalation in crowd control, and predicates required for mass arrests.

(5) The Committee found that several of its findings merit legislative remedies, and its March 24, 2004 report made a series of recommendations to be incorporated into statutory guidelines.

(6) The Committee would like to retain the professional assistance of experts in the field of police monitoring to draft legislation incorporating the recommendations of the investigation.

(7) All outside professional legal assistance given to the Committee thus far during the investigation has been *pro bono* and such assistance is no longer available to the Committee.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute reasons for a Special Project and hereby authorizes funding for the Special Project by the Committee on the Judiciary, including the appointment of expert professional staff, as needed. The Special Project shall be limited to work associated with the drafting of legislation incorporating the recommendations of the report of the Committee on the Judiciary's investigation into the current policies and practices of the Metropolitan Police Department related to demonstrations in the District of Columbia.

Sec. 4. The Council designates this investigation as a Special Project pursuant to Council Rule 253, and authorizes funding of no more than \$20,000 for appropriate personnel from the Fiscal Year 2004 Council budget to end by September 30, 2004. The Committee shall present its findings to the Council upon the conclusion of its investigation.

Sec. 5. This resolution shall take effect immediately.

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A RESOLUTION

15-506

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To declare the existence of an emergency with respect to the need to grant expeditiously a waiver of the obligation to pay transfer taxes in connection with the donation to the Washington Metropolitan Transit Authority of certain land to be occupied by and used for the New York Avenue Metrorail Station.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Metropolitan Area Transit Authority Property Dedication Transfer Tax Exemption Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Washington Metropolitan Area Transit Authority, a District of Columbia instrumentality ("WMATA"), and the District government ("District") have entered into an agreement under which WMATA will build an in-fill Metrorail Station on the Red Line between the Rhode Island Avenue Station and Union Station, near New York Avenue ("Station").

(b) The District has agreed to pay the real estate acquisition and construction costs for this proposed station.

(c) WMATA has negotiated with certain owners of the land upon which the Station will be built and those owners have agreed to donate their land to WMATA, thereby reducing the District's real estate acquisition costs. Under existing law, transfers to the District government (or its agencies and instrumentalities, such as WMATA) are subject to a transfer tax equal to 1.1% of the consideration paid, or, if no or only nominal consideration is paid, 1.1% of the fair market value thereof, and the District's imposition of such tax would discourage the owners from making the donation and is likely to increase the District's acquisition costs for this project.

(d) The District seeks to grant such waiver immediately to avoid additional costs and disruption of the Station construction schedule, and to facilitate extensive mixed-use development in the surrounding neighborhood.

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 Washington Metropolitan Area Transit Authority Property Dedication Transfer Tax Exemption Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-507

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To declare the existence of an emergency with respect to the need to increase civil and criminal penalties for violations of the laws and regulations concerning lead-based paint abatement and control to reduce the incidences of lead poisoning in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Lead-Based Paint Abatement and Control Emergency Declaration Resolution of 2004".

Sec. 2. (a) There exists an immediate crisis regarding children in the District of Columbia who continue to be lead poisoned at a rate that exceeds the national average as a result of persons conducting lead-based paint abatement and control without the use of trained and certified lead abatement contractors and workers.

(b) The current sanctions for failure to abide by the laws and regulations concerning lead-based paint abatement and control are not adequate to provide a deterrent.

(c) Without a significant increase in the penalties for failure to conduct lead-based paint abatement and control activities with trained lead-certified contractors and workers, residents will be subjected to conditions that threaten their lives and well-being.

(d) Without a significant increase in the penalties for failure to ~~conduct~~ lead-based paint abatement and control activities with trained lead-certified contractors and workers, the District of Columbia will not meet the threshold for eligibility and continued grant funding from the United States Environmental Protection Agency to administer and enforce federal lead-based paint statutes and regulations.

(e) The Lead-Based Paint Abatement and Control Temporary Amendment Act of 2003, effective September 23, 2003 (D.C. Law 15-28; 50 DCR 5371), is expected to expire on May 5, 2004. The Lead-Based Paint Abatement and Control Amendment Act of 2004, as introduced on February 5, 2004 (D.C. Bill 15-721), is pending in committee.

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

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lead-Based Paint Abatement and Control Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-508

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To declare the existence of an emergency with respect to the need to allow members of the Board of Education to receive honoraria without restriction.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Honoraria Amendment Emergency Declaration Resolution of 2004".

Sec. 2. (a) There exists an emergency regarding the ability of members of the Board of Education to accept honoraria after appointment or election.

(b) The Honoraria Temporary Amendment Act of 2003 will expire on May 5, 2004.

(c) Prior to the enactment of temporary legislation by the Council, members of the Board of Education were subject to an annual \$10,000 limitation on honoraria.

(d) Since this limitation was enacted in 1989, the composition of the Board has changed to include both elected and appointed members.

(e) When this limitation was enacted, compensation for members of the Board was substantially higher, and the Board had authority to adjust the compensation. This is no longer the case.

(f) It is important to the stability of the Board that the honoraria ~~limit~~ be removed.

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 Honoraria Amendment Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-511

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To declare the existence of an emergency with respect to the need to approve the proposed rules to amend Chapters 1, 2, 6, 7, and 8 of Title 20 of the District of Columbia Municipal Regulations to set new emission standards for volatile organic compounds and oxides of nitrogen.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Air Quality Control Regulation Implementing the Severe Area Non-Attainment Requirements of the Federal Clean Air Act Emergency Approval Declaration Resolution of 2004".

Sec. 2. (a) Pursuant to the District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code § 8-101.01 *et seq.*); Reorganization Plan No. 4 of 1996, effective July 17, 1996; section 4902 of the Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731); and Mayor's Order 98-44, issued April 10, 1998 (45 DCR 2689), the Mayor transmitted to the Council proposed rules to amend Chapters 1, 2, 6, 7 and 8 of Title 20 of the District of Columbia Municipal Regulations to set new emission standards, also known as "thresholds," for volatile organic compounds and oxides of nitrogen in accordance with the federal Clean Air Act, approved December 17, 1963 (77 Stat. 392; 42 U.S.C. § 7401 *et seq.*).

(b) The rules are a necessary part of the District of Columbia's State Implementation Plan ("SIP").

(c) The SIP demonstrates the District of Columbia's ability to attain national ambient air quality standards.

(d) The District of Columbia's SIP must be submitted to the United States Environmental Protection Agency ("EPA") by April 20, 2004.

(e) If the rules are not incorporated into the SIP, the District of Columbia will receive a sanctions letter from EPA and the District of Columbia's SIP could be disapproved.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Air Quality Control Regulation Implementing the Severe Area Non-Attainment Requirements of the Federal Clean Air Act Emergency Approval Resolution of 2004 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-512

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 6, 2004

To approve, on an emergency basis, the proposed rules to amend Chapters 1, 2, 6, 7, and 8 of Title 20 of the District of Columbia Municipal Regulations to set new emission standards for volatile organic compounds and oxides of nitrogen.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Air Quality Control Regulation Implementing the Severe Area Non-Attainment Requirements of the Federal Clean Air Act Emergency Approval Resolution of 2004".

Sec. 2. Pursuant to the District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code § 8-101.01 *et seq.*); Reorganization Plan No. 4 of 1996, effective July 17, 1996; section 4902 of the Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731); and Mayor's Order 98-44, issued April 10, 1998 (45 DCR 2689), the Mayor transmitted to the Council proposed rules to amend Chapters 1, 2, 6, 7, and 8 of Title 20 of the District of Columbia Municipal Regulations to set new emission standards, also known as "thresholds," for volatile organic compounds and oxides of nitrogen. The Council approves the proposed rules, published at 51 DCR 1437, to amend Chapters 1, 2, 6, 7, and 8 of Title 20 of the District of Columbia Municipal Regulations to set new emission standards for volatile organic compounds and oxides of nitrogen as required by the federal Clean Air Act, approved July 17, 1963 (77 Stat. 392; 42 U.S.C. § 7401 *et seq.*).

Sec. 3. 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. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Director of the Department of Health.

Sec. 5. This resolution shall take effect immediately.