

AN ACT

D.C. ACT 15-332

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 29, 2004*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.West Group
Publisher

To create a Neighborhood Investment Fund to finance economic development in certain District neighborhoods, develop a Neighborhood Investment Program for designated Target Areas and to designate 12 District neighborhoods as the initial Target Areas.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Neighborhood Investment Act of 2004".

Sec. 2. Creation of Neighborhood Investment Fund.

(a) There is established, as a nonlapsing, revolving fund outside the General Fund of the District of Columbia, a fund designated as the Neighborhood Investment Fund. Subject to appropriations, there shall be deposited annually into the Neighborhood Investment Fund 15% of the personal property tax imposed by section 47-1522(a) of the District of Columbia Official Code; provided, that the amount deposited into the Neighborhood Investment Fund from the personal property tax shall not exceed \$10 million annually. Subject to the applicable laws relating to the appropriation of District funds, monies received and credited to the Neighborhood Investment fund shall be used to carry out the objectives of this act. All funds deposited into the fund shall not revert to the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the purposes of the act, subject to authorization by Congress in an appropriations act.

(b) The Mayor shall submit to the Council, as part of the annual budget, a request for an appropriation for expenditures from the Neighborhood Investment Fund.

(c) Within 9 months of the effective date of this act, the Mayor shall develop an implementation plan for the first year of a 5-year program. In subsequent years, the yearly implementation plan shall be submitted to the Council prior to the start of the fiscal year. These implementation plans shall contain specific references to the amount to be spent each year by:

- (1) Targeted area;
- (2) Type of project; and
- (3) Specific project, where known.

(d) The Mayor shall provide the Council with a report, within 90 days of the end of the fiscal year, detailing the expenditures from the Neighborhood Investment Fund by:

- (1) Targeted area;
- (2) Type of project; and
- (3) Specific project.

(e) The plans developed pursuant to subsection (c) of this section shall be submitted by the Mayor to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed plan, in whole or in part, by resolution within this 45-day review period, the proposed plan shall be deemed disapproved.

(f) The implementation plans for the 4th and subsequent years may include additional Neighborhood Investment Program Target Areas. Such neighborhoods shall be proposed by the Mayor and approved by the Council; provided, that:

- (1) All new Target Areas must be areas that have:
 - (A) A historic or ongoing lack of private investment; and
 - (B) Areas of concentrated poverty where 30% or more of the population

is below the federal poverty level.

- (2) No more than 3 additional target neighborhoods are designated.

(3) The Deputy Mayor for Planning and Economic Development shall announce and hold a public hearing after the selection of proposed new Target Areas and prior to Council approval, to gain input from District residents, businesses, Advisory Neighborhood Commissions, and community associations on the goals associated with the proposed Target Area.

Sec. 3. Neighborhood Investment Program.

(a) The Mayor shall develop a neighborhood investment plan designed to accomplish the goals of this act for each targeted area, which shall be:

- (1) Developed with input from Advisory Neighborhood Commissions, community groups, neighborhood institutions, the faith community, representatives of the business community, and other neighborhood stakeholders;
- (2) Submitted to the affected Advisory Neighborhood Commissions, community groups, neighborhood institutions, the faith community, representatives of the business community, and other neighborhood stakeholders for a comment period of one month; and

(3) Submitted by the Mayor to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed plan, in whole or in part, by resolution within this 45-day review period, the proposed plan shall be deemed approved.

(b) The neighborhood investment plans shall detail, where appropriate, the use of the following tools for neighborhood investment:

- (1) The establishment of a pooled or subsidized revenue bond for the use of businesses and organizations within the Neighborhood Investment Program target areas;

(2) The use of tax increment financing districts for the Neighborhood Investment Program target areas;

(3) The specific dedication of District and other resources for the improvement of infrastructure and public spaces, such as roads, sidewalks, lighting, streetscape, parks, community centers, and libraries;

(4) An inventory of each property within the target area detailing the ownership, and, if the property is owned by the District government, a plan for the disposition or improved use of vacant, abandoned, underutilized, or negatively utilized lots, or if owned by the federal government, recommendations for the improved use of vacant, abandoned, underutilized, or negatively utilized lots;

(5) The use of payments in lieu of taxes or tax abatements to facilitate development; and

(6) Increased dedication of the resources of the Metropolitan Police Department, for the purposes of neighborhood stabilization, where necessary.

(c) The Department of Housing and Community Development may give priority scoring to the use of Housing Production Trust Funds or Community Development Block Grants in the targeted areas defined in section 4 or to the targeted areas proposed by the Mayor pursuant to section 3(f).

(d) The plans shall outline the potential roles and responsibilities of the Housing Finance Agency, the National Capital Revitalization Corporation, the RLA Revitalization Corporation, the Office of Property Management, and the Board of Education where appropriate.

(e) The plans shall be designed to ensure that expenditures from the Neighborhood Investment Fund are used to supplement, rather than supplant, operating and capital dollars already appropriated to District of Columbia agencies for similar purposes. The plans shall also seek to coordinate the expenditures of operating and capital dollars already appropriated to District of Columbia government agencies to support neighborhood goals.

(f) The plans shall outline how funds will be used to develop, maintain, and improve physical facilities and infrastructure owned by the District of Columbia, particularly for projects or improvements in neighborhood plans that do not qualify for capital budget funding.

Sec. 4. Neighborhood Investment Program Target Areas.

There are established the following Neighborhood Investment Program Target Areas:

(1)(A) Target Area #1 - Shaw. The Shaw target area is defined as starting at the corner of 9th Street and Florida Avenue, N.W., east along Florida Avenue, N.W., to North Capitol Street, south along North Capitol Street to Massachusetts Avenue, west along Massachusetts Avenue, N.W., to 9th Street, N.W., and north along 9th Street, N.W., to Florida Avenue, N.W.

(B) Among the goals of this target area are increasing foot and bicycle police patrols, the preservation of project based Section 8 multifamily affordable housing,

increasing homeownership opportunities for neighborhood residents, and renovating and upgrading the Watha T. Daniel public library.

(2)(A) Target Area #2 – Logan Circle. The Logan Circle target area is defined as starting at the corner of 9th Street, N.W., and Florida Avenue, N.W., south on 9th Street, N.W., to Massachusetts Avenue, N.W., west on Massachusetts Avenue, N.W., to 16th Street, N.W., north on 16th Street, N.W., to U Street, N.W., and east on U Street, N.W., to Florida Avenue, N.W.

(B) Among the goals of this target area are preserving affordable housing, including project based Section 8 housing, housing code enforcement and receivership of slum properties, acquisition, preservation, and redevelopment of 15 to 20 multifamily buildings for low-income residents, development of special-needs housing paired with social service delivery systems, and better library and recreation facilities, especially for neighborhood youth.

(3)(A) Target Area #3 – Deanwood Heights. The Deanwood Heights target area is defined as starting at the corner of Division Avenue, N.E., east along Nannie Helen Burroughs Avenue, N.E., southeast along Eastern Avenue, N.E., southwest along Southern Avenue, S.E., west along East Capitol Street, and north along Division Avenue, N.E.

(B) Among the goals of this target area are the acquisition and demolition of abandoned properties, the acquisition and demolition of slum multifamily properties, the building of affordable housing, including housing for senior citizens and assisted living housing, the building of a full service recreation center, the revitalization of neighborhood commercial areas on Eastern and Division Avenues, infrastructure improvements to curbs, sidewalks, and roadways throughout the target area, and the development of a full service restaurant in the neighborhood.

(4)(A) Target Area #4 – Washington Highlands. The Washington Highlands target area is defined as starting at the corner of Southern Avenue and South Capitol Street, S.E., north along South Capitol Street, north along Livingston Road, S.E., northeast along Valley Avenue, S.E., southeast along Wheeler Road, S.E., and southwest along Southern Avenue, S.E.

(B) Among the goals of this target area are the acquisition and demolition of abandoned properties, the building of affordable housing, including housing for senior citizens and assisted living housing, the building of recreational and entertainment facilities such as a bowling alley and ice skating rink on South Capitol Street, the building of a full-service supermarket, and the revival of neighborhood commercial strips to include book stores, florists, and other retail uses.

(5)(A) Target Area #5 – Columbia Heights. The Columbia Heights target area is defined as starting at the corner of Spring Road and Sherman Avenue, N.W., northeast along Rock Creek Church Road, N.W., to Warder Street, N.W., south along Warder Street, N.W., to 4th Street, N.W., southwest along 4th Street, N.W., to Gresham Place, N.W., west along Gresham Place, N.W., to Sherman Avenue, N.W., south along Sherman Avenue to Florida Avenue,

ENROLLED ORIGINAL

N.W., west along Florida Avenue to W Street, N.W., west along W Street, N.W., to 16th Street, N.W., west along Florida Avenue, N.W. to Champlain Street, N.W., north along Champlain Street, N.W., to Columbia Road, N.W., northeast along Columbia Road, N.W., to Mt. Pleasant Street, N.W., northwest along Mt. Pleasant Street, N.W., to Park Road, N.W., west along Park Road, N.W., to Mt. Pleasant Street, N.W., north on Mt. Pleasant Street, N.W., to Piney Branch Park, east through Piney Branch Park to Spring Road, N.W., and east along Spring Road, N.W., to Sherman Avenue, N.W.

(B) Among the goals of this target area are housing code enforcement, and receivership of slum properties, the acquisition, preservation, and redevelopment of 15 to 20 multifamily properties in the area to preserve affordable housing, especially for immigrant families, rent stabilization measures, and the improvement of the Mt. Pleasant Street commercial corridor.

(6)(A) Target Area #6 – Brightwood and Upper Georgia Avenue. The Brightwood and Upper Georgia Avenue target area is defined as starting at the corner of Kennedy Street, N.W., and 16th Street, N.W., north along 16th Street, N.W., to Alaska Avenue, N.W., northeast along Alaska Avenue, N.W., to Fern Street, N.W., east along Fern Street, N.W., to Fern Place, N.W., east along Fern Place, N.W., to Blair Road, N.W., southeast along Blair Road, N.W., to 5th Street, N.W., south along 5th Street, N.W.; to Kennedy Street, N.W., and west along Kennedy Street, N.W., to 16th Street, N.W.

(B) Among the goals of this target area are a comprehensive revitalization plan for Georgia Avenue, the development of a full service restaurants to serve the neighborhood, affordable housing for senior citizens and assisted living housing, the development of neighborhood oriented retail establishments such as coffee shops, ice cream parlors, books stores, and neighborhood recreation and entertainment centers such as a bowling alley and movie theater, and the enhancement of neighborhood parking.

(7)(A) Target Area #7 – Bloomingdale and Eckington. The Bloomingdale and Eckington target area is defined as starting at New York Avenue, N.W., northwest along Florida Avenue, to 4th Street, N.W., north along 4th Street, N.W., to 5th Street, N.W., east along Michigan Avenue, N.W., to Franklin Street, N.E., east along Franklin Street, N.E., to 4th Street, N.E., south on 4th Street, N.E., to the CSX rail yard, south along the rail yard to New York Avenue, N.E., southwest along New York Avenue, N.E., to Florida Avenue.

(B) Among the goals of this target area are to clean and seal abandoned buildings, to create affordable housing, build a new recreation center and playground, increase foot and bicycle patrols by the Metropolitan Police Department and to eliminate drug trafficking and street prostitution, eradicate rodents through better vector control; revitalize Bloomingdale and Eckington neighborhood commercial areas, and build affordable housing at the Soldier's Home and McMillan Reservoir sites.

(8)(A) Target Area #8 – Brookland and Edgewood. The Brookland and Edgewood target area is defined as starting at 4th Street, N.E., and Rhode Island Avenue, N.E., north along 4th Street, N.E., to Michigan Avenue, N.E., northeast along Michigan Avenue to

South Dakota Avenue, N.E., southeast along South Dakota Avenue, N.E., to Rhode Island Avenue, N.E., and southwest along Rhode Island Avenue, N.E., to 4th Street, N.E.

(B) Among the goals of this target area are to revitalize the neighborhood commercial areas in Brookland, along 12th Street, N.E., and upper Rhode Island Avenue from 13th Street to South Dakota Avenue, N.E., eradicate prostitution in the Rhode Island Avenue corridor, build affordable housing in Ft. Lincoln, rebuild the Woodridge Library, and build a new youth recreation center.

(9)(A) Target Area #9 – Anacostia. The Anacostia target area is defined as starting at the Anacostia waterfront and Good Hope Road, S.E., southeast along Good Hope Road, S.E., to Naylor Road, S.E., southeast on Naylor Road, S.E., to Alabama Avenue, S.E., southwest on Alabama Avenue, S.E., to the Suitland Parkway, northwest along the Suitland Park to 18th Street, S.E., north on 18th Street, S.E., to Erie Street, S.E., west on Erie Street, S.E., to Morris Road, S.E., and northwest on Morris Road, S.E., to the Anacostia waterfront.

(B) Among the goals of this target area are to clean and seal abandoned buildings, demolish blighted properties and replace them with affordable housing, build a recreation center for youth, revitalize the Good Hope Road neighborhood commercial district, build a new supermarket to serve the area, and renovate area schools and playgrounds.

(10) Target Area #10 – H Street, N.E. The H Street, N.E., target area is defined as the area within 2 blocks north or south of H Street, N.E., Benning Road, N.E., and Maryland Avenue, N.E., between North Capitol Street and 17th Street, N.E.

(11) Target Area #11 – Congress Heights. The Congress Heights target area is defined as the area bounded by a line starting at Mississippi Avenue, S.E., and 13th Street, S.E., and running north along 13th Street, S.E., to Alabama Avenue, S.E., then west along Alabama Avenue, S.E., to the southwestern boundary of the St. Elizabeths campus, then northwest along the southwest boundary of the St. Elizabeths campus, then on a line parallel to Lebaum Street, S.E., to Interstate 295, then southwest along Interstate 295 to a line parallel to 4th Street, S.E., then along a line parallel to 4th Street, S.E. to 4th Street, S.E., then along 4th Street, S.E., to Mississippi Avenue, S.E., then along Mississippi Avenue, S.E., to the starting point.

(12) Target Area #12 – Bellevue. The Bellevue target area is defined as the area bounded by Galveston Street, S.W., on the south, First Street, S.E., on the east, Halley Street, S.E., on the north, and Interstate 295 on the west.

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)).

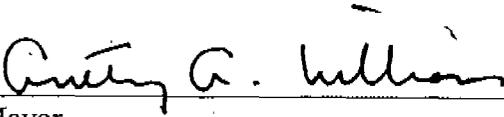
Sec. 6. Effective date.

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

ENROLLED ORIGINAL

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED
January 29, 2004

AN ACT
D.C. ACT 15-333

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 29, 2004

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2004 Spring
 Supp.

West Group
 Publisher

To amend section 104 of the District of Columbia Public Works Act of 1954 to improve the efficiency and amount of collections, to increase compliance with payment of the bills, and to aid in the enforcement of delinquent water and sewer liens.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Water and Sewer Authority Collections Clarification Amendment Act of 2004".

Sec. 2. Section 104(a) of the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 102; D.C. Official Code § 34-2407.02), is amended to read as follows:

Note,
 § 34-2407.02

"(a)(1) Except as provided in subsections (c) and (d) of this section, if an owner of real property fails to pay District water and sanitary sewer service charges in full accordance with section 103, for all bills rendered which remain unsatisfied for 60 days or more the Mayor may file a certificate of delinquency with the Recorder of Deeds.

"(2) Upon filing, the certificate of delinquency shall constitute a continuing lien against the real property and show the amount of unpaid charges for District water and sanitary sewer services. The continuing lien shall be for the current full amount of the unpaid water and sanitary sewer service charges, penalties, interest, and administrative costs.

"(3) The Mayor may enforce the lien if any water and sanitary sewer service charges remain unpaid for more than 180 days from the date the bill is rendered or for more than 15 days after a final decision of an appeal challenging the bill, whichever is later in the same manner that real property tax liens are enforced pursuant to Chapter 13 and Chapter 13A, Subchapter IV of Title 47 of the District of Columbia Official Code.

"(4) The real property may be sold for the unpaid water and sanitary sewer charges, penalties, interest and administrative costs at a tax sale in accordance with the provisions for the sale of property for delinquent real property taxes pursuant to Chapter 13 of Title 47 of the District of Columbia Official Code.

"(5) If any real property sold for unpaid water and sanitary sewer service charges is not redeemed by the owner within 180 days from the date of sale, including payment of 2% interest for each month until the property is redeemed, the Mayor shall furnish a deed to the purchaser or holder of the certificate of sale in accordance with D.C. Official Code § 47-1304.

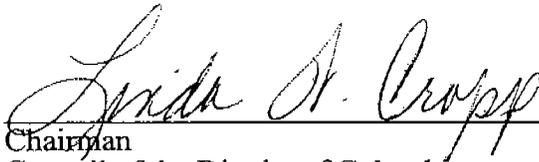
"(6) Proceeds from the sale that represent unpaid water charges shall be credited to the Water and Sewer Enterprise Fund of the District of Columbia as established by D.C. Official Code § 47-375(g)."

Sec. 3. Fiscal impact statement.

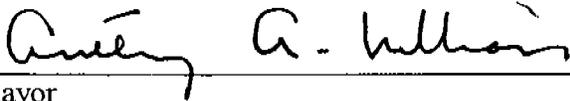
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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 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
January 29, 2004

ENROLLED ORIGINAL

AN ACT
D.C. ACT 15-334

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 29, 2004

To order the closing of a public alley in Square 316, bounded by 11th Street, N.W., K Street, N.W., 12th Street, N.W., and L Street, N.W., in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 316, S.O. 03-2973, Act of 2003".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the public alley in Square 316, as shown on the Surveyor's plat filed under S.O. 03-2973, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of the conditions of the District Department of Transportation, the District of Columbia Water and Sewer Authority, the District of Columbia Office of Planning, and any other District agencies and affected public utilities as set forth in the official file on S.O. 03-2973.

Sec. 3. Fiscal impact statement.

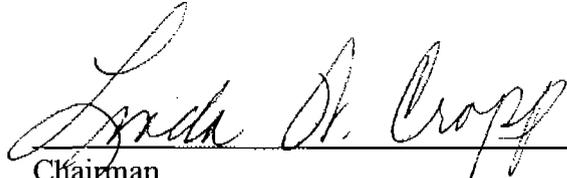
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

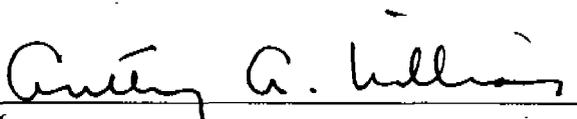
Sec. 4. The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Surveyor of the District of Columbia and the District of Columbia Recorder of Deeds.

Sec. 5. Effective date.

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

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED
January 29, 2004

ENROLLED ORIGINAL

AN ACT

D.C. ACT 15-335

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 29, 2004*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.West Group
Publisher

To amend, on a temporary basis, An Act To establish a code of law for the District of Columbia to require that an accused person who has been found mentally incompetent to stand trial or to participate in transfer proceedings and is to be released from detention in the criminal or transfer proceeding be remanded by the court to the hospital for detention pending a hearing on a civil commitment petition that was filed prior to the court's determination that the person be released, to provide that a person who is so detained may request a probable cause hearing within 7 days of the remand order, to require that the requested probable cause hearing be held within 24 hours of receipt of the request, and to require that a court stay for a period not to exceed 48 hours execution of an order releasing an accused person who has been found mentally incompetent to stand trial or to participate in transfer proceedings, and for whom a civil commitment petition has not been filed, to afford the appropriate authority an opportunity to initiate proceedings for the person's emergency hospitalization under Chapter 5 of Title 21 of the District of Columbia Official Code.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prevention of Premature Release of Mentally Incompetent Defendants Temporary Amendment Act of 2004".

Sec. 2. Section 927 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1340; D.C. Official Code § 24-501), is amended by adding a new subsection (a-1) to read as follows:

Note,
§ 24-501

"(a-1)(1) If the court determines after a hearing, or pursuant to a report of the superintendent of the hospital to which neither party objects, that the accused person is mentally incompetent to stand trial or to participate in transfer proceedings, and not likely to regain such competence in the reasonable future, and, if after a petition has been filed pursuant to D.C. Official Code § 21-541, the court further determines that the person shall be released from further detention in the criminal or transfer proceeding, the court shall remand the person to the hospital and the hospital may detain the person pending a hearing on the petition conducted

ENROLLED ORIGINAL

pursuant to D.C. Official Code § 21-542. Within 7 days of the remand order, a person so detained may request a probable cause hearing before the Family Court of the Superior Court of the District of Columbia under D.C. Official Code § 21-525 on the person's continued hospitalization, in which case a hearing shall be held within 24 hours after the receipt of the request.

“(2) If the court determines that the accused person shall be released from further detention in the criminal or transfer proceeding, but a petition has not been filed pursuant to D.C. Official Code § 21-541, the court may stay the person's release for a period not to exceed 48 hours and remand the person to the hospital for the period of the stay so that the superintendent of the hospital may have an opportunity to initiate proceedings for the person's hospitalization under subchapter III of Chapter 5 of Title 21 of the District of Columbia Official Code.”

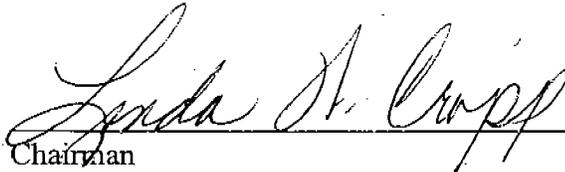
Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

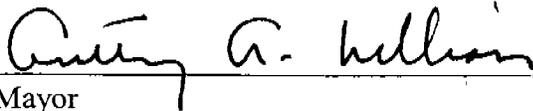
(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

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



Chairman

Council of the District of Columbia



Mayor

District of Columbia

APPROVED

January 29, 2004

Codification District of Columbia Official Code, 2001 Edition

**COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR
FISCAL IMPACT STATEMENT**

Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: 12/17/02
---------	---	-------------------------

ject/Short Title: "Prevention of Premature Release of Mentally Incompetent Defendants Emergency Amendment Act of 2"

Part I. Summary of the Fiscal Estimates of the Bill		
	YES	NO
will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
) It will affect local expenditures.	()	(X)
) It will affect federal expenditures.	()	(X)
) It will affect private/other expenditures.	()	(X)
) It will affect intra-District expenditures.	()	(X)
will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
) It will impact local revenue.	()	(X)
) It will impact federal revenue.	()	(X)
) It will impact private/other revenue.	()	(X)
) It will impact intra-District revenue.	()	(X)
The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	()	(X)
Explanation: This functions is already performed by the Department of Mental Health.		

Part II. Other Impact of the Bill		
	YES	NO
ou check "Yes" for each question, please explain on separate sheet, if necessary.		
It will affect an agency and/or agencies in the District. Department of Mental Health	(X)	()
Are there performance measures/output for this bill?	()	(X)
Will it have results/outcome, i.e., what would happen if this bill is not enacted?	()	(X)
Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	(X)	()

Sources of information: Department of Mental Health	Councilmember: Kathy Patterson
	Staff Person & Tel: Renee McPhatter at 724-8062
	Council Budget Director's Signature: <i>[Signature]</i> 12/17/02

AN ACT

D. C. ACT 15-336

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 29, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To amend, on a temporary basis, the District of Columbia Administrative Procedure Act to bring the District's documents administrative cost assessment into closer conformity with the federal administrative cost schedule as set forth in 5 USC § 552(4).

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Documents Administrative Cost Assessment Temporary Amendment Act of 2004".

Sec. 2. Section 202 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532), is amended as follows:

*Note,
§ 2-532*

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

(1) The first sentence is amended to read as follows:

"A public body may establish and collect fees not to exceed the actual cost of searching for, reviewing, and making copies of records."

(2) Strike the last sentence.

(b) New subsections (b-1), (b-2), and (b-3) are added to read as follows:

"(b-1) Any fee schedules adopted by the Mayor, agency, or public body shall provide that:

"(1) Fees shall be limited to reasonable standard charges for document search, duplication, and review, when records are requested for commercial use; and

"(2) Only the direct costs of search, duplication, or review may be recovered.

"(b-2) Review costs shall include only the direct costs incurred during the initial examination of a document for the purposes of determining whether the documents must be disclosed under this section and for the purposes of withholding any portions exempt from disclosure under this section. Review costs shall not include any costs incurred in resolving issues of law or policy that may be raised in the course of processing a request under this section.

"(b-3) No agency or public body may require advance payment of any fee unless the requester has previously failed to pay fees in a timely fashion, or the agency or public body has

determined that the fee will exceed \$250.”.

Sec. 3. Fiscal impact statement.

This legislation does not have a negative fiscal impact.

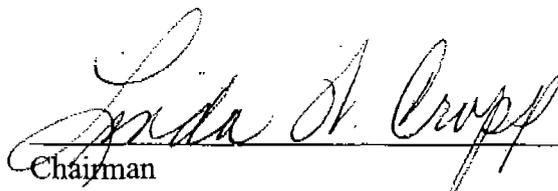
Sec. 4. Applicability.

This act shall apply to any requests for records pending on the effective date of this act, whether or not the request was made prior to that date, and shall apply to any civil action pending on that date.

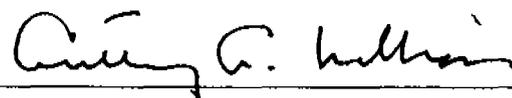
Sec. 5. Effective date.

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED

January 29, 2004

AN ACT

D.C. ACT 15-337

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 29, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To prohibit, on an emergency basis, due to Congressional review, the Metropolitan Police Department's Police Service Areas restructuring plan from being implemented prior to Council review.

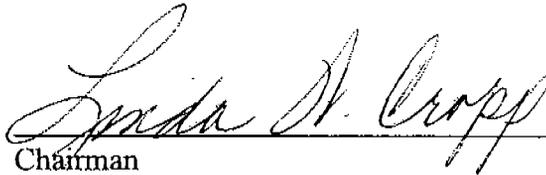
BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "PSA Restructuring Council Review Congressional Review Emergency Act of 2004".

Sec. 2. When the Police Service Areas restructuring plan is completed, prior to implementation, it shall be transmitted, by the Metropolitan Police Department, to the Council for a 60-day period of review.

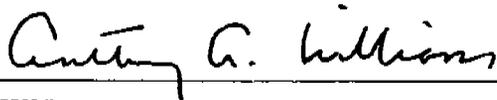
Sec. 3. The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, beginning on January 22, 2004, 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
January 29, 2004

Bill Number:	Type: Emergency (x) Temporary () Permanent ()	Date Reported: January 6, 2004
--------------	---	--------------------------------

Subject/Short Title: "PSA Restructuring Council Review Congressional Review Emergency Act of 2004"

Part I. Summary of the Fiscal Estimates of the Bill

	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).		
a) It will affect local expenditures.	()	(x)
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).		
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue. See below	()	(x)
d) It will impact intra-District revenue.	()	(x)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	()	(x)
Explanation:		
The proposed legislation does not have any fiscal impact on the District's General Fund. The proposed legislation will not require additional staff or resources.		

Part II. Other Impact of the Bill

If you check "Yes" for each question, please explain on separate sheet, if necessary.

	YES	NO
1. It will affect an agency and/or agencies in the District. It will affect MPD.	(x)	()
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	()	(x)
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

Sources of information:	Councilmember: Sharon Ambrose, Chair, Committee on Consumer and Regulatory Affairs
Council staff	Staff Person & Tel: David Grosso 724-8072
	Council Budget Director's Signature: <i>[Signature]</i>

115104

ENROLLED ORIGINAL

AN ACT

D.C. ACT 15-338

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 29, 2004

To authorize, on an emergency basis, the expenditure in Fiscal Year 2004 of \$500,000 from the budget reserve to implement the Police and Firemen's Service Longevity Amendment Act of 2004.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "December Use of the Cash Reserve Funds Emergency Act of 2004".

Sec. 2. Authorization for expenditure of budget reserve funds.

Pursuant to section 202(j)(3)(B) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 109; D.C. Official Code § 47-392.02(j)(3)(B)), the Council authorizes the expenditure of \$500,000 from the budget reserve to be made available to the District of Columbia Police Officers and Fire Fighters' Retirement Fund ("Fund") to implement the Police and Firemen's Service Longevity Amendment Act of 2004, passed on 2nd reading on January 6, 2004 (Enrolled version of Bill 15-64) ("Act"), which allows for the inclusion of active military and other creditable service in the calculation of longevity service eligibility associated with the Fund; provided, that none of the \$500,000 shall be expended unless future funding to implement the provisions of the Act is incorporated into the Fiscal Year 2005 budget and the Fiscal Year 2005 to Fiscal Year 2010 budget and financial plan, as enacted by the Council, signed by the Mayor, and transmitted to Congress.

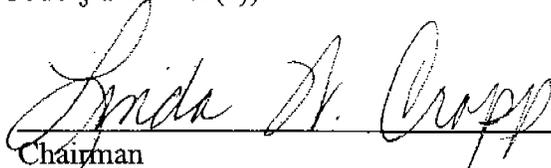
Sec. 3. Fiscal impact statement.

The use of the budget reserve funds is already incorporated into the District of Columbia's budget and financial plan and therefore the enactment of this legislation has no fiscal impact.

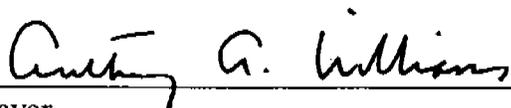
Sec. 4. Effective date.

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
January 29, 2004

ENROLLED ORIGINAL

AN ACT
D.C. ACT 15-339

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 29, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To amend, on an emergency basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to require the Mayor to include as part of a proposed resolution for the disposition of real property an analysis of economic factors and a description of how economic factors will be weighted and evaluated, and in the case of any property to be disposed of through a request for proposal or competitive sealed proposal, to require the Mayor to use economic factors as one of the criteria for evaluating the request for proposal or competitive sealed proposal.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Real Property Disposition Economic Analysis Emergency Amendment Act of 2004".

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

Note,
§ 10-801

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

“(b-1)(1) A proposed resolution for the disposition of real property transmitted to the Council after the effective date of the Real Property Disposition Economic Analysis Emergency Amendment Act of 2004, passed on emergency basis on January 6, 2004 (Enrolled version of Bill 15-622) pursuant to subsection (b) of this section shall be accompanied by an analysis prepared by the Mayor of the economic factors and other stated policy objectives to be considered in disposing of the real property, including, when appropriate to the chosen method of disposition, how competition may be maximized.

“(2) The analysis shall describe how economic factors and other stated policy objectives will be weighted and evaluated in the disposition process, and shall include, as appropriate, estimates, with supporting documentation, of the monetary benefits and costs to the District that will result from the disposition. The benefits analyzed shall include revenues, fees, and other payments to the District, as well as the creation of jobs.”.

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

“(e-1) In the case of any real property to be disposed of pursuant to this section through a request for proposal or competitive sealed proposal, the Mayor shall include economic factors and other policy objectives, if any, including revenues, fees, and other payments to the District, as part of the evaluation criteria that will be used to evaluate the request for proposal or competitive sealed proposal.”.

Sec. 3. Fiscal impact statement.

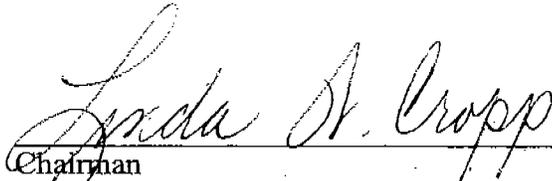
This legislation will not have an adverse impact on the District of Columbia's financial plan and budget because the only changes it would make to current law would be (1) to require

ENROLLED ORIGINAL

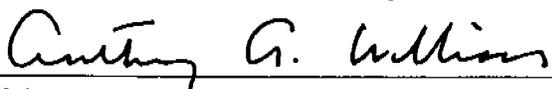
an economic analysis to be part of a proposed real property disposition, (2) to require the Mayor to explain how economic factors will be weighted and evaluated in the disposition process, and (3) in the case of a request for proposal or competitive sealed proposal, to require the Mayor to use economic factors as one of the evaluation criteria in evaluating proposals. The legislation is prospective in its application, and would not affect any real property disposition resolutions that have already been transmitted to the Council. By increasing the emphasis on economic factors while giving the Mayor considerable latitude in weighing other factors, such as economic and community development, the legislation would either have a positive or neutral fiscal impact.

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
January 29, 2004

AN ACT
D.C. ACT 15-340

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 29, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To amend, on an emergency basis due to Congressional review, Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property leased to, and occupied by, Emmaus Services for the Aging, Inc., a District of Columbia nonprofit organization, and used in its tax-exempt function.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emmaus Rehabilitation Project Real Property Exemption Congressional Review Emergency Act of 2004".

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

(a) The table of contents is amended by adding a new section designation "47-1057. Emmaus Rehabilitation Project, lot 74 in square 366."

(b) A new section 47-1057 is added to read as follows:

"§ 47-1057. Emmaus Rehabilitation Project, lot 74 in square 366.

"(a) The real property, described as lot 74 in square 366 in the District of Columbia, is hereby exempt from real property and transfer and deed recordation taxation so long as, and to the extent that, the same is occupied by Emmaus Services for the Aging, Inc., an organization qualifying under section 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 501(c)(3)), and is used to further the tax-exempt purposes of Emmaus Services for the Aging, Inc. Any real property and transfer and deed recordation taxes paid shall be refunded to the payer under the same conditions and subject to the same provisions as if the exemption were granted administratively.

"(b) This section shall apply as of April 9, 2003."

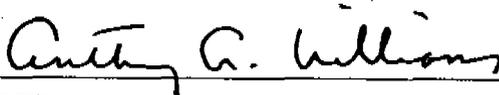
Sec. 3. Fiscal impact statement.

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

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), 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
January 29, 2004

AN ACT

D.C. ACT 15-341

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 30, 2004

*Codification
District of
Columbia
Official
Code*

2001
Edition

2004 Spring
Supp.

West Group
Publisher

To amend, on an emergency basis, the Regulations Governing the Businesses of Buying, Selling and Financing of Motor Vehicles in the District of Columbia to prohibit the issuance of new licenses or late renewals to used car dealers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Used Car Dealership License Moratorium Emergency Act of 2004".

Sec. 2. The Regulations Governing the Businesses of Buying, Selling and Financing of Motor Vehicles in the District of Columbia, issued October 20, 1960 (C.O. 60-2219; 16 DCMR § 301 *et seq.*), is amended by adding a new section 202a to read as follows:

"Sec. 202a. Used car dealership license moratorium.

"No new used car dealer's license or late renewal, shall be issued for a period of 90 days from the effective date of the Used Car Dealership License Moratorium Emergency Act of 2004, passed on 1st reading on January 6, 2004 (Engrossed version of Bill 15-645). This moratorium shall not apply to any application for licensure approved or pending prior to the effective date of the Used Car Dealership License Moratorium Emergency Act of 2004, passed on 1st reading on January 6, 2004 (Engrossed version of Bill 15-645)."

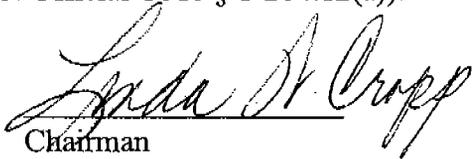
Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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. Code § 1-206(c)(3)).

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia

ENROLLED ORIGINAL

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

UNSIGNED

Mayor
District of Columbia

January 30, 2004

Bill Number:	Type: Emergency (X) Temporary () Permanent	Date Reported: 1/6/04
--------------	---	-----------------------

Subject/Short Title: "Used Car Dealership License Moratorium Emergency Act of 2003"

Part I. Summary of the Fiscal Estimates of the Bill

	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
a) It will affect local expenditures.	()	()
b) It will affect federal expenditures.	()	()
c) It will affect private/other expenditures.	()	()
d) It will affect intra-District expenditures.	()	()
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
a) It will impact local revenue.	()	()
b) It will impact federal revenue.	()	()
c) It will impact private/other revenue.	()	()
d) It will impact intra-District revenue.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below). There is no appreciable cost or lost revenue associated with the bill because the moratorium on the issuance of new licenses will not affect the renewal of any existing license.	(X)	()

Part II. Other Impact of the Bill

If you check "Yes" for each question, please explain on separate sheet, if necessary.

	YES	NO
1. It will affect an agency and/or agencies in the District. While the moratorium is in effect, the Department of Consumer and Regulatory Affairs may not issue business licenses to additional used car dealerships.	(X)	()
2. Are there performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? If the bill is not enacted the District may grant licenses to additional used car dealerships, which are not adequately monitored for compliance with existing applicable regulations.	(X)	()
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year? No additional appropriations are necessary to implement the moratorium.	()	(X)

Sources of information:	Councilmember: Adrian M. Fenty
	Staff Person & Tel: William Singer, 724-8192
	Council Budget Director's Signature: <i>Adrian M. Fenty</i>

1/6/04

AN ACT

D.C. ACT 15-342

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 29, 2004

To order, on an emergency basis, the closing of a portion of the alley system in Square 316, bounded by 11th Street, N.W., K Street, N.W., 12th, Street, N.W. and L Street, N.W., in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 316, S.O. 03-2973, Emergency Act of 2004".

Sec. 2. Pursuant to Section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the portion of the public alley in Square 316, as shown on the Surveyor's plat filed under S.O. 03-2973, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat. The approval of this closing is contingent upon the satisfaction of all conditions by District agencies and affected public utilities set forth in the official file of S.O. 03-2973, including the filing, in the Recorder of Deeds Division of the District of Columbia Office of Tax and Revenue, of a covenant between the District of Columbia and the owners of Lots 817 and 818 in Square 316.

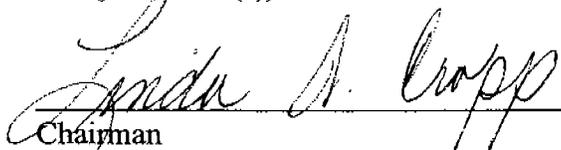
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of a Public Alley in Square 316, S.O. 03-2973, Act of 2004, passed on 2nd reading on January 6, 2004 (Enrolled version of Bill 15-426), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

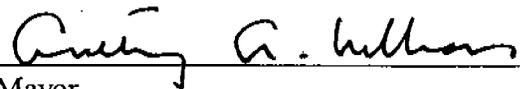
Sec. 4. The Secretary to the Council shall transmit a copy of this act, upon its effectiveness, each to the District of Columbia Surveyor of the District of Columbia and the District of Columbia Recorder of Deeds.

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), 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. 813; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 29, 2004

AN ACT

D.C. ACT 15-343

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 29, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To establish, on an emergency basis, the Emancipation Day Parade and related activities to celebrate and commemorate District of Columbia Emancipation Day and to establish the Emancipation Day Fund to accept and use gifts for the purpose of funding the Emancipation Day Parade.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Emancipation Day Parade and Fund Emergency Act of 2004".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "District of Columbia Emancipation Day" means April 16th of each year.
- (2) "Emancipation Day Parade" means the parade, and associated activities, established in section 3 to celebrate and commemorate District of Columbia Emancipation Day.
- (3) "Fund" means the Emancipation Day Fund established in section 4.

Sec. 3. Establishment of Emancipation Day Parade.

There is established the Emancipation Day Parade, an annual parade and associated activities, to celebrate and commemorate District of Columbia Emancipation Day.

Sec. 4. Emancipation Day Fund.

(a) There is established the Emancipation Day Fund to receive monies for the purposes of funding the Emancipation Day Parade and activities associated with the celebration and commemoration of District of Columbia Emancipation Day.

(b) The monies in the Fund shall not be a part of, or lapse into, the General Fund of the District of Columbia or any other fund of the District of Columbia .

(c) By August 1st of each year, a report shall be submitted to the Council that shall include a specific accounting of the expenditure of monies in the Fund and any remaining balance. The report shall include the following:

- (1) The name of any donors or list of anonymous contributions;
- (2) The amount of each contribution;
- (3) A description of any donated property;
- (4) The identification of the use of funds for purposes of presenting the parade in recognition of the District of Columbia Emancipation Day; and
- (5) The support for those parade-related programs, activities, and functions for which the funds have been expended.

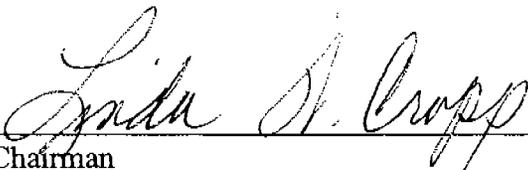
(d) Monies may only be expended from the fund for the administration of the Emancipation Day Parade.

Sec. 5. Fiscal impact statement.

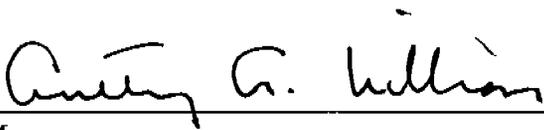
There is no fiscal impact. The monies in the fund will not be included in the District of Columbia's revenues, nor will the obligations generated by payment for the celebration be a part of the District of Columbia's obligations.

Sec. 6. Effective date.

This act shall take effect upon its 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. 813; D.C. Official Code § 1-204.12(a)).



 Chairman
 Council of the District of Columbia



 Mayor
 District of Columbia
 APPROVED
 January 29, 2004

AN ACT
D.C. ACT 15-344

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 29, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To amend, on an emergency basis, the District of Columbia Traffic Adjudication Act of 1978, and Title 18 of the District of Columbia Municipal Regulations to continue to provide for a refund of the fee for appealing the adjudication of a notice of traffic infraction to a person who prevails in such an appeal.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Traffic Adjudication Appeal Fee Emergency Amendment Act of 2004".

Sec. 2. Section 402 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2304.02), is amended as follows:

Note,
§ 50-2304.02

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

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

"(b) An aggrieved person who is successful in the appeal of a determination of the existence of liability or the sanction imposed under this subtitle, or both, shall be entitled to a refund of any fee imposed for bringing the appeal."

Sec. 3. Section 3015.1 of Title 18 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Strike the phrase "which shall not be refundable".

(b) Add a new sentence to the end to read as follows: "This fee shall be refunded to any appellant who is successful in an appeal."

Sec. 4. Applicability.

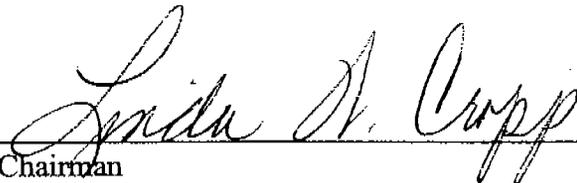
This act shall apply as of February 1, 2004.

Sec. 5. Fiscal impact statement.

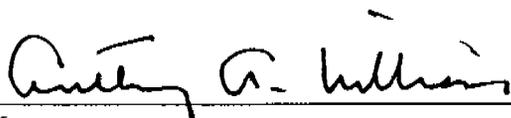
The Council adopts the fiscal impact statement in the committee report for Bill 15-211 as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 29, 2004

AN ACT

D.C. ACT 15-345

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 29, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To continue, on an emergency basis, due to Congressional review, a parking meter fee moratorium on Saturday for up to 3 hours, unless current signage permits otherwise, and on other days between 6:30 p.m. and 7:00 a.m.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Parking Meter Fee Moratorium Congressional Review Emergency Act of 2004".

Sec. 2. Parking meter fees; exceptions.

(a) Except as provided in subsection (b) of this section, no citation shall be issued for a parking meter fee violation at any time on a Saturday, or on other days between the hours of 6:30 p.m. and 7:00 a.m.

(b) No person shall park at a parking meter on a Saturday between 7:00 a.m. and 6:30 p.m. for more than 3 hours, unless current signage permits parking for a longer time. Failure to move the vehicle after 3 hours on a Saturday, between 7:00 a.m. and 6:30 p.m., shall constitute a violation unless current signage permits parking for a longer time.

(c) The Mayor may promulgate rules to exempt certain streets from the provisions of this act when necessary to accommodate special needs or situations identified by proximate business or District agencies, subject to approval by the Council.

Sec. 3. Applicability.

This act shall apply as of February 3, 2004.

Sec. 4. Fiscal impact statement.

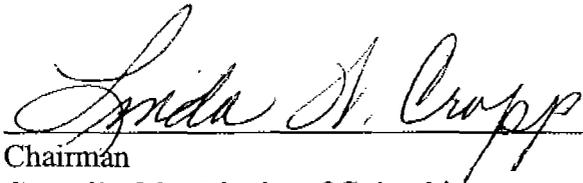
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

FEB 20 2004

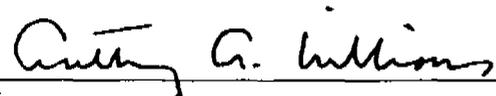
ENROLLED ORIGINAL

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 29, 2004

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR

FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported:
--------------	---	----------------

Subject/Short Title: "Parking Meter Fee Moratorium Congressional Review Emergency Act of 2004"

Part I: Summary of Fiscal Impacts of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(X)
a) It will affect local expenditures.	()	(X)
b) It will affect federal expenditures.	()	(X)
c) It will affect private/other expenditures.	()	(X)
d) It will affect intra-District expenditures.	()	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(X)
a) It will impact local revenue.	()	(X)
b) It will impact federal revenue.	()	(X)
c) It will impact private/other revenue.	()	(X)
d) It will impact intra-District revenue.	()	(X)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(X)	()
Explanation: This bill will have no or minimal fiscal impact because it would merely continue a program which has already been in existence, namely the parking meter fee moratorium program.		

Part II: Other Impacts of the Bill		
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
	YES	NO
1. It will affect an agency and/or agencies in the District.	()	(X)
2. Are there performance measures/output for this bill?	()	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? The current parking meter fee moratorium program would not be continued for the timebeing.	(X)	()
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(X)

Sources of information: Council staff.	Councilmember: Carol Schwartz
	Staff Person & Tel: Andrew Gerst (202) 727-8272
	Council Budget Director's Signature: <i>Andrew Gerst</i>

1/2/04

AN ACT
D.C. ACT 15-346

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANURARY 29, 2004

Codification
District of
Columbia
Official Code

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To amend, on an emergency basis, the Captive Insurance Company Act of 2000 to authorize the formation of nonprofit captive insurance companies in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Captive Insurance Company Emergency Amendment Act of 2004".

Sec. 2. The Captive Insurance Company Act of 2000, effective October 21, 2000 (D.C. Law 13-192; D.C. Official Code § 31-3901 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 31-3901) is amended by adding a new paragraph (16A) to read as follows:

Note,
§ 31-3901

"(16A) "Nonprofit captive insurer" means any captive insurer organized under this act that is exempt from federal income taxation."

(b) Section 7 (D.C. Official Code § 31-3906) is amended as follows:

Note,
§ 31-3906

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

"(a) A pure captive insurer, an association captive insurer, agency captive insurer, sponsored captive insurer, or a rental captive insurer may be organized in any form authorized by the Commissioner."

(2) Subsection (b) is repealed.

(3) Subsection (i) is amended by striking the word "incorporators" and inserting the phrase "incorporators or organizers" in its place.

(4) Subsection (l) is amended by striking the phrase "general corporation law set forth in the District of Columbia Business Corporation Act" and inserting the phrase "District law applicable to the form of business organization of the captive insurer" in its place.

(5) Subsection (m) is amended by striking the phrase "articles of association," and by inserting the phrase "articles of association, articles of organization (or equivalent organizational document)," in its place.

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

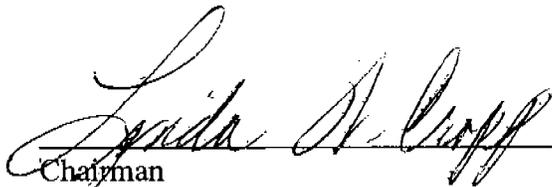
"(n) Any form of captive insurer permitted by this act may be organized as a nonprofit captive insurer under this act. A nonprofit captive insurer shall not be exempt from the premium tax obligation required under section 16."

Sec. 3. Fiscal impact statement.

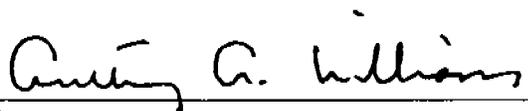
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 29, 2004

ENROLLED ORIGINAL

AN ACT

D.C. ACT 15-347

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 6, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To authorize, on an emergency basis, due to Congressional review, the appropriation of \$7.6 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.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Unemployment Compensation Funds Appropriation Authorization Congressional Review Emergency Act of 2004".

Sec. 2. From the funds distributed to the District of Columbia account in the Unemployment Compensation Trust Fund, pursuant to section 903(d) of the Social Security Act, approved August 5, 1954 (68 Stat. 670; (42 U.S.C. § 1103(d)), there is authorized to be appropriated \$7.6 million to be used for the following administrative purposes:

- (1) Parallel training of the staff of the Department of Employment Services to replace the expert contractor staff currently maintaining the unemployment compensation tax and benefit systems;
- (2) Funding for the maintenance of the information technology systems supporting the Unemployment Compensation Program and the Virtual One-Stop Career Center System and the development of a system for the direct deposit of unemployment compensation benefit payments;
- (3) Promotions for certain career ladder staff in the Offices of Unemployment Compensation and Employment Services of the Department of Employment Services; and
- (4) Funding to implement a system to improve the integrity of the unemployment compensation program and to reduce the level of overpayments, particularly those attributable to fraud or abuse of the program.

ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer for the Unemployment Compensation Funds Appropriations Authorization Temporary Act of 2002, effective March 25, 2003 (D.C. Law 14-248, 49 DCR 11633), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Applicability.

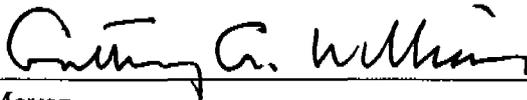
This act shall apply as of January 22, 2004.

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 6, 2004

AN ACT

D.C. ACT 15-348

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 6, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the Business Improvement Districts Act of 1996 to approve the expansion of the Golden Triangle business improvement district.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Expansion of the Golden Triangle Business Improvement District Congressional Review Emergency Amendment Act of 2004".

Sec. 2. Section 5 of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.04), is amended as follows:

Note,
§ 2-1245.04

(a) Designate the existing subsection (e-1) as subsection (e-2).

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

"(e-1)(1) The expansion of the Golden Triangle BID, to include Square 166, Lots 32, 33, 38, 41, 841, 859, and 7000; Square 168, Lots 50, 51, and 823; and Square 169, Lots 70 and 71, is hereby authorized and the BID taxes specified for the Golden Triangle BID are hereby imposed, subject to the approval of the Mayor pursuant to section 10(a).

"(2) This subsection shall constitute the approval of the Council pursuant to section 10(b)."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement for the Expansion of the Golden Triangle Business Improvement District Temporary Amendment Act of 2003, signed by the Mayor on October 24, 2003 (D.C. Act 15-184; 50 DCR 9311), 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.

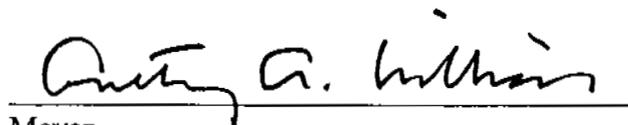
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90

ENROLLED ORIGINAL

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
February 6, 2004

ENROLLED ORIGINAL

AN ACT
D.C. ACT 15-349

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
FEBRUARY 6, 2004

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2004 Spring
 Supp.

West Group
 Publisher

To amend, on an emergency basis, due to Congressional review, the District of Columbia Procurement Practices Act of 1985 to modify the procedures for debarment or suspending a person or business from consideration for an award of District contracts or subcontracts by establishing a Debarment and Suspension panel to consider the best interests of the District in the consideration of each debarment or suspension action, and to authorize persons or businesses currently debarred or suspended to do business with the District until a debarment or suspension decision has been issued consistent with the procedures established by this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Debarment Procedures Congressional Review Emergency Amendment Act of 2004".

Sec. 2. Section 804 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-308.04), is amended as follows:

Note,
 § 2-308.04

(a) Subsections (a), (b), (c), (d), and (e) are amended by striking the phrase "CPO" wherever it appears and inserting the phrase "Debarment and Suspension Panel" in its place.

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

(1) Paragraph (1)(A) is amended by adding the phrase "or the present responsibility of the person or business is such that a debarment would not be warranted" before the final semicolon.

(2) Paragraph (3)(B) is amended by adding the phrase "unless the present responsibility of the person or business is such that a debarment would not be warranted" before the final period.

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

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

(A) Add the phrase "the relevant facts and" after the word "State".

(B) Strike the word "and" after the semicolon.

(2) Add new paragraphs (1A) and (1B) to read as follows:

ENROLLED ORIGINAL

- “(1A) Describe the present responsibility of the contractor;
“(1B) Describe whether the debarment is in the best interests of the

District; and”.

(d) Subsection (g) is amended by striking the phrase “enable the CPO” and inserting the phrase “enable the Debarment and Suspension Panel” in its place.

(e) Add new subsections (h), (i), and (j) to read as follows:

“(h) For the purposes of this section, the phrase “Debarment and Suspension Panel” means a panel consisting of the Chief Procurement Officer and a representative from the Office of the Chief Financial Officer, the Office of the Deputy Mayor for Planning and Economic Development, the Deputy Mayor for Operations, the Director of the Office of Labor Relations and Collective Bargaining, and from each agency which, in the judgment of the Mayor, would be directly and significantly affected by the proposed debarment. The Mayor shall designate the members of the panel and the panel chair. Legal advice to the panel in its deliberations on debarment decisions shall be provided by the Office of the Corporation Counsel.

“(i) Each debarment or suspension initiated between April 1, 2003 and the effective date of the Debarment Procedures Emergency Amendment Act of 2003, passed on an emergency basis on September 16, 2003 (Enrolled version of Bill 15-420), shall be suspended immediately upon the effective date of this Debarment Procedures Emergency Amendment Act of 2003, except to the extent the debarment or suspension applies to a business division whose predominant work is the production and placement of street asphalt. Each person or business currently debarred or suspended shall be permitted to resume doing business with the District pending the re-hearing of the case of the person or business pursuant to this section. Within 60 days after the effective date of the Debarment Procedures Act of 2003, the Mayor shall convene a Debarment and Suspension Panel to re-hear the evidence in each debarment or suspension, including debarments or suspensions applying to a business division whose predominant work is the production and placement of street asphalt, and the re-hearing shall be held consistent with the procedures and requirements of the Debarment Procedures Emergency Amendment Act of 2003.

“(j) A Debarment and Suspension Panel convened under this section shall render a final decision in the debarment or suspension proceeding within 120 days after the effective date of the Debarment Procedures Emergency Amendment Act of 2003 (D.C. Act 15-153).

Sec. 3. Fiscal impact statement.

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

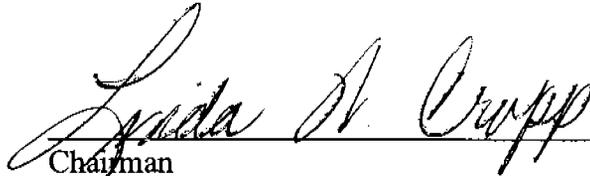
Sec. 4. Applicability.

This legislation shall apply as of December 29, 2003.

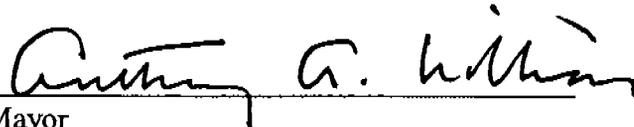
ENROLLED ORIGINAL

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect 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
February 6, 2004

ENROLLED ORIGINAL

AN ACT
D.C. ACT 15-350

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 6, 2004

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Spring
Supp.

West Group
Publisher

To amend Chapter 8 of Title 47 of the District of Columbia Official Code to provide a tax credit to owner-occupants of residential real property to limit the amount of the real property tax to 112% of the real property tax for the prior tax year and to increase the homestead exemption to \$38,000.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Owner-Occupant Residential Tax Credit and Exemption Act of 2004".

Sec. 2. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-850(a) is amended by striking the phrase "\$30,000" and inserting the phrase "\$38,000" in its place.

Amend
§ 47-850

(b) Section 47-850.01 is amended by striking the phrase "\$30,000" and inserting the phrase "\$38,000" in its place.

Amend
§ 47-850.01

(c) Section 47-864 is amended as follows:

Amend
§ 47-864

(1) Subsection (a)(2) is amended by striking the phrase ", and subsequent years,".

(2) Subsections (b) and (c) are amended by striking the word "credit" and inserting the phrase "credit under subsection (a) of this section" in its place.

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

"(d)(1) For real property tax year 2004, and subsequent years, real property receiving the homestead deduction under § 47-850 or § 47-850.01, and valued under § 47-820(b-2), shall receive an owner-occupant residential tax credit.

"(2) The credit shall be calculated as follows:

"(A) Subtract the amount of the prior year's homestead deduction from the prior tax year's taxable assessment;

"(B) Multiply that amount by 112%;

"(C) Subtract the amount of the current year's homestead deduction from the current tax year's assessment;

"(D) Subtract the amount computed under subparagraph (B) of this

ENROLLED ORIGINAL

subsection from the amount in subparagraph (C) of this subsection; and

"(E) If the difference is a positive number, multiply the difference by the applicable property tax rate for the current year.

"(3) The credit shall not apply if:

"(A) During the prior tax year:

"(i) The real property was transferred for consideration to a new owner;

"(ii) The value of the real property was increased due to a change in the zoning classification of the real property initiated or requested by the homeowner or anyone having an interest in the real property; or

"(iii) The assessment of the real property was clearly erroneous due to an error in calculation or measurement of improvements on the real property; or

"(B) During the prior calendar year, the real property was assessed under § 47-829.".

Sec. 3. Applicability.

Section 2(a), (b), and (c)(3) shall apply as of October 1, 2003.

Sec. 4. Inclusion in the budget and financial plan.

This act shall take effect subject to the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 5. Fiscal impact statement.

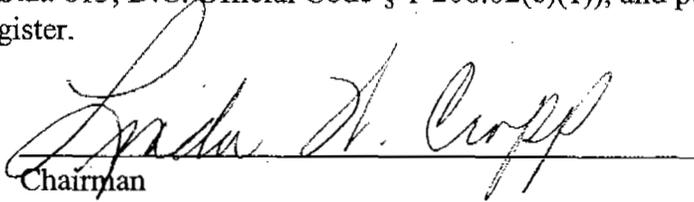
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

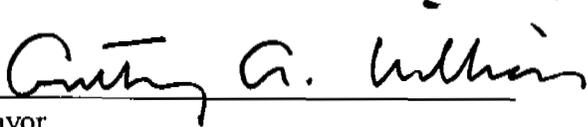
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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
February 6, 2004