

## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-49IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
MARCH 28, 2003*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2003 Supp.

West Group  
Publisher

To amend, on an emergency basis, the Health Services Planning Program Re-Establishment Act of 1996 to provide that staffing of the State Health Planning and Development Act ("SHPDA") can continue beyond March 1, 2003, to authorize the funding of SHPDA through fees, to exempt public, charter, and private schools from the certificate of need procedures for services offered to students with special needs, to require that certificate of need determinations be made within 90 days, extendable under certain circumstances for an additional 30 days, to authorize SHPDA to charge fees for providing to the public documents relating to the application process, to increase the threshold for nonpatient care projects from \$5 million to \$8 million, to establish the State Health Planning and Development Fund as a nonlapsing, revolving fund, and to implement other streamlined certificate of need procedures; to amend Title XX of the Fiscal Year 2003 Budget Support Amendment Act of 2002 to provide that staffing of the SHPDA can continue beyond March 1, 2003; and to amend Title XX of the Fiscal Year 2003 Budget Support Amendment Congressional Review Emergency Act of 2002 to provide that staffing of the SHPDA can continue beyond March 1, 2003.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Services Planning and Development Emergency Amendment Act of 2003".

Sec. 2. The Health Services Planning Program Re-Establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 44-401) is amended as follows:

(1) Paragraph (3)(A) is amended by striking the number "\$2,000,000" and inserting the number "\$2,500,000" in its place.

(2) Paragraph (10) is amended by striking the phrase "the private office facilities of a health professional," and inserting the phrase "the private office facilities of a health professional or group of health professionals, where the health professional or group of health professionals provides conventional offices services limited to medical consultation,

Note,  
§ 44-401

## ENROLLED ORIGINAL

general non-invasive examination, and minor treatment," in its place.

(3) Paragraph (14)(A) is amended to read as follows:

"(14)(A) "Major medical equipment" means equipment which is used for the provision of medical or other health services, which is acquired by lease, purchase, donation or other comparable arrangement by or on behalf of a health care facility and which has a fair market value in excess of \$1,500,000 or by or on behalf of a physician or group of physicians and which has a fair market value in excess of \$750,000; except that the SHPDA may, by rule, adjust this threshold annually to reflect the change in the Consumer Price index issued by the Bureau of Labor Statistics, United States Department of Labor. "Major medical equipment" shall not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office or a hospital and it meets the requirements of § 1861(s)(10) and (11) under the Social Security Act, approved August 14, 1935 (49 Stat. 420; 42 U.S.C. 1395x(s))."

(b) Section 3(a) (D.C. Official Code § 44-402(a)) is amended as follows:

Note,  
§ 44-402

(1) Designate the existing language as paragraph (1).

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

"(2) Local revenues, not to exceed fees collected pursuant to section 21, shall be utilized to fund a maximum of 4 staff positions to administer SHPDA (Project Review Division - Certificate of Need Division Chief; 2 Public Health Analysts; and Secretary)."

(c) Section 6 (D.C. Official Code § 44-405) is amended by adding a new subsection (g) to read as follows:

Note,  
§ 44-405

"(g) The SHPDA is authorized to establish a fee schedule for certain data, analyses, and reports available through SHPDA."

(d) Section 8(b) (D.C. Official Code § 44-407(b)) is amended as follows:

Note,  
§ 44-407

(1) Paragraphs (1), (3), and (4) are amended to read as follows:

"(1) The upgrading, maintenance, or correction of facility deficiencies that may be in violation of federal and District fire, building, and safety codes, or that will improve patient safety;

"(3) Nonpatient care projects requiring the obligation of a capital expenditure of less than \$8 million;

"(4) The acquisition of the same or similar medical equipment to replace, upgrade, or expand the capacity of the same equipment for which a certificate of need has been granted, if the replacement equipment is removed from service;"

(2) Paragraph (6) is repealed.

(3) Paragraph (8) is amended by striking the word "and" at the end.

(4) Paragraph (9) is amended by striking the phrase "review." and inserting the phrase "review;" in its place.

(5) New paragraphs (10) and (11) are added to read as follows:

## ENROLLED ORIGINAL

“(10) The acquisition of major medical equipment or institution of new institutional health services determined by the Department to be necessary for a declared public health purpose or deemed necessary to provide health care services under contract to or grant from a District of Columbia agency; and

“(11) District of Columbia public, chartered, and private schools for any health care service offered or developed for students with special needs in compliance with the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, or the Early and Periodic Screening, Diagnosis, and Treatment standards, or any other federal or District of Columbia legal requirements.”

(e) Section 10 (D.C. Official Code § 44-409) is amended as follows:

Note,  
§ 44-409

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

(A) Insert the phrase "for expedited administrative review," after the phrase "renewal applications,".

(B) Strike the last sentence.

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

“(2) The SHPDA shall issue its determination on an application for a certificate of need within 90 days after the date that the review process begins. If the SHPDA cannot issue its determination within that period, the review period may be extended for one additional period of 30 days.”

(3) Subsection (f) is amended by adding a new sentence at the end to read as follows:

“The SHPDA is authorized to charge reasonable fees for the costs of providing to the public documents covered under this subsection.”

(f) Section 11(a) (D.C. Official Code § 44-410(a)) is amended by inserting the phrase “major medical equipment,” after the phrase "health service,".

Note,  
§ 44-410

(g) Section 21 (D.C. Official Code § 44-420) is amended by inserting 3 new sentences at the end to read as follows:

Note,  
§ 44-420

“The annual user fee for private hospitals shall be \$4 per inpatient admission, based on the previous year’s admission data, to be paid to the SHPDA on a quarterly basis, in lieu of a certificate of need application fee. User fees may also be established for other classes of facilities by regulation. SHPDA may adjust a user fee periodically to reflect the change in the Consumer Price index issued by the Bureau of Labor Statistics, United States Department of Labor.”

(h) A new section 22b is added to read as follows:

Note,  
§ 44-421

“Sec. 22b. Establishment of State Health Planning and Development Fund.

“(a) There is established as a nonlapsing, revolving fund in the Department of Health the State Health Planning and Development Fund ("SHPDA Fund"), to be administered by the Mayor as an agency fund as defined in section 373(2)(I) of Title 47 of the District of Columbia Code, to which all fees, civil fines, and interest relating to the State Health Planning and

## ENROLLED ORIGINAL

Development Agency shall be deposited and credited.

“(b) Revenues deposited into the SHPDA Fund shall not revert to the General Fund at the end of any fiscal year or at any other time but shall be continually available to the Department of Health for the uses and purposes set forth in subsection (c) of this section, subject to authorization by Congress in an appropriations act.

“(c) Subject to the applicable laws relating to the appropriation of District funds, monies received by and deposited in the State Health Planning and Development Fund shall be for the sole use of the State Health Planning and Development Agency and from it shall be paid all salaries and all other expenses necessary in carrying out the duties of the SHPDA. The Mayor shall be responsible for the deposit and expenditure of these monies.

“(d) The Mayor shall submit to the Council, as a part of the annual budget, a requested appropriation for expenditures from the State Health Planning and Development Fund. The Mayor's budget request shall be based on an estimated projection of the expenditures necessary to perform the administrative and regulatory functions of the State Health Planning and Development Agency.”.

Sec. 3. Title XX of the Fiscal Year 2003 Budget Support Amendment Act of 2002, signed by the Mayor on December 4, 2002 (D.C. Act 14-543; 49 DCR 11664), is amended as follows:

(a) Section 2002(b)(1)(B) is amended to read as follows:

“(B) A new paragraph (2) is amended to read as follows:

““(2) Local revenues, not to exceed fees collected pursuant to section 21, shall be utilized to fund a maximum of 4 staff positions to administer SHPDA (Project Review Division - Certificate of Need Division Chief; 2 Public Health Analysts; and Secretary).”.”.

Sec. 4. Title XX of the Fiscal Year 2003 Budget Support Amendment Congressional Review Emergency Act of 2003, signed by the Mayor on February 24, 2003 (D.C. Act 15-27), is amended as follows:

(a) Section 2002(b)(1)(B) is amended to read as follows:

“(B) A new paragraph (2) is amended to read as follows:

““(2) Local revenues, not to exceed fees collected pursuant to section 21, shall be utilized to fund a maximum of 4 staff positions to administer SHPDA (Project Review Division - Certificate of Need Division Chief; 2 Public Health Analysts; and Secretary).”.”.

Sec. 5. Applicability.

This act shall apply as of March 1, 2003.

Sec. 6. Fiscal impact statement.

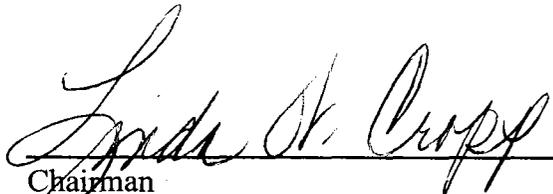
The Council adopts the attached fiscal impact statement of the Chief Financial Officer as

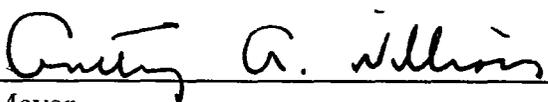
## ENROLLED ORIGINAL

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. 7. 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)).

  
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Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
March 28, 2003

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE CHIEF FINANCIAL OFFICER★ ★ ★  
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██████████Natwar M. Gandhi  
Chief Financial OfficerMEMORANDUM

**TO:** The Honorable Linda W. Cropp  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi  
Chief Financial Officer 

**DATE:** MAR 14 2003

**SUBJECT:** Fiscal Impact Statement: "Health Services Planning and Development Amendment Act of 2003"

**REFERENCE:** Draft Legislation – Bill Number Not Available

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**Conclusion**

Funds are sufficient in the FY 2003 to FY 2006 budget and financial plan to enact the Health Services Planning and Development Amendment Act of 2003. **The proposed legislation would result in approximately \$99,114 in additional net revenue in FY 2003 and \$583,064 in additional net revenue for the SHPDA non-lapsing, revolving O-type fund in FY 2003 through FY 2006.**

The proposed legislation would generate revenue sufficient to offset the personal and non-personal services costs of the State Health Services Planning and Development Agency (SHPDA) Project Review Division in the Department of Health (DOH) for the remaining six months of FY 2003 and the FY 2004 through FY 2006 period. The legislation would authorize SHPDA to establish additional fees through rulemaking authority.

**Background**

As part of the FY 2003 budget reduction measures in the Budget Support Amendment Act of 2002, appropriated funding for the SHPDA was eliminated and a 13-member Certificate of Need Reform Work Group was established by Council to examine and revise the certificate of need functions performed by SHPDA. The Work Group submitted its report to Council on January 31, 2003 concluding that health planning and

Honorable Linda W. Cropp  
 FIS: "Health Services Planning and Development Amendment Act of 2003"  
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certificate of need functions were core public health functions that should be maintained and funded.

The proposed legislation would implement the findings of the Work Group to provide for the staffing and funding of the SHPDA Project Review Division. The funding mechanism authorized by the legislation includes a combination of Certificate of Need Application Fees and a \$4 per inpatient hospital user fee based on audited inpatient hospital admissions. The hospital user fee would be paid to SHPDA quarterly in lieu of a Certificate of Need Application Fee. The legislation also establishes a nonlapsing, revolving SHPDA Fund in the Department of Health to which all fees, civil fines and interest are to be deposited and credited. It does not permit revenues deposited in the Fund to revert to the General Fund at the end of any fiscal year or at any other time. Finally, this bill would amend the FY 2003 Budget Support Amendment Act of 2002 and the FY 2003 Budget Support Amendment Congressional Review Emergency Act of 2002 to provide that staffing of the SHPDA can continue beyond March 1, 2003.

#### Financial Plan Impact

The proposed legislation would result in approximately \$99,114 in additional net revenue in FY 2003 and \$583,064 in additional net revenue for the SHPDA non-lapsing, revolving O-type fund in FY 2003 through FY 2006. The proposed legislation would also establish an "O-type" fund account, thus dedicating revenues generated by the program to fund the program's operations. It is the policy of the District government to limit this practice to cases where the program funding cannot be properly accommodated through the local fund budget process. Dedicated revenues, including O-type funds, do not promote sound budgeting and spending practices because they reduce the District's flexibility to address current and future priorities, eroding the integrity of the General Fund.

Under current law, SHPDA collects revenue through Certificate of Need fees for proposed capital expenditures on new or expanding health care facilities that would not be subject to the user fee. This fee is estimated to generate \$15,000 per year. The proposed legislation would generate \$526,216 per year in new revenue through the assessment of a \$4 per in-patient admission for hospitals, paid quarterly to SHPDA. There are around 132,000 hospital admissions per year in the District. The agency would have to receive budget authority to use these additional revenues to offset their expenditures.

<b>Total (current and new) Estimated Revenue</b>					
	<b>FY2003</b>	<b>FY2004</b>	<b>FY2005</b>	<b>FY2006</b>	<b>4-Year Total</b>
Current Revenue	\$15,000	\$15,000	\$15,000	\$15,000	\$60,000
Proposed In-Patient Admission Fee (Hospitals)	\$263,108	\$526,216	\$526,216	\$526,216	\$1,841,756
<b>Total</b>	<b>\$278,108</b>	<b>\$541,216</b>	<b>\$541,216</b>	<b>\$541,216</b>	<b>\$1,901,756</b>

Honorable Linda W. Cropp  
 FIS: "Health Services Planning and Development Amendment Act of 2003"  
 Page 3 of 3

The proposed legislation would fund four ongoing staff, with the associated personal service (PS) costs detailed in the table on the next page. The estimates assume fringe benefits equal to 17.40 percent of base salary and 3 percent increase for inflation in each year beginning in FY 2003. Personal service costs for FY 2003 are based on the salaries that would be paid in the remaining six months of the fiscal year.

<b>Personal Services (PS) Costs</b>					
	<b>FY2003 (1/2 Year)</b>	<b>FY2004</b>	<b>FY2005</b>	<b>FY2006</b>	<b>4-Yr Total</b>
Project Review Division	\$132,802	\$273,572	\$281,779	\$290,232	\$978,384

The proposed legislation would fund ongoing non-personal service (NPS) costs. These costs include supplies, equipment, and contract expenses. These costs are detailed in the table below and assume inflationary increases of 3 percent beginning in FY 2003. Non-personal services costs for FY 2003 are based on supplies and operations expenditures that would be paid in the remaining months of the fiscal year.

<b>Non-Personal Services (NPS) Costs</b>					
	<b>FY2003 (1/2 Year)</b>	<b>FY2004</b>	<b>FY2005</b>	<b>FY2006</b>	<b>4-Yr Total</b>
Contracts, Equipment, Supplies	\$46,192	\$95,156	\$98,010	\$100,950	\$340,308

In FY 2003 through FY 2006, the revenues generated by the fee will offset an estimated \$1,318,692 of the agency's operations costs if the agency receives the budget authority to do so. With this potential offset, this legislation would result in an additional \$583,064 in revenue which would be deposited in the SHPDA fund created by the legislation. Additional fees could be levied as authorized by the proposed legislation; however, the amount and timing of any such offset is speculative and cannot be estimated at this time.

<b>Estimated Impact to the Financial Plan</b>					
	<b>FY2003 (1/2 Year)</b>	<b>FY2004</b>	<b>FY2005</b>	<b>FY2006</b>	<b>4-Year Total</b>
Revenue	\$278,108	\$541,216	\$541,216	\$541,216	\$1,901,756
Personal Services Cost	(\$132,802)	(\$273,572)	(\$281,779)	(\$290,232)	(\$978,384)
Non-Personal Services Cost	(\$46,192)	(\$95,156)	(\$98,010)	(\$100,950)	(\$340,308)
<b>Total</b>	<b>\$99,114</b>	<b>\$172,489</b>	<b>\$161,427</b>	<b>\$150,033</b>	<b>\$583,064</b>

## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-50

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 28, 2003

*Codification  
 District of  
 Columbia  
 Official Code*

2001 Edition

2003 Supp.

West Group  
 Publisher

To amend, on an emergency basis, Chapter 10 of Title 47 of the District of Columbia Official Code to provide a real property tax exemption and relief to property located in lot 817, square 1954, in the District of Columbia to be owned by the Rosedale Conservancy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rosedale Conservancy Real Property Tax Exemption and Relief Emergency Act of 2003".

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

(a) The table of contents to Chapter 10 is amended by adding a new section designation "§ 47-1054. Rosedale Conservancy, lot 817 in square 1954".

Note,  
 § 47-1052

(b) A new section 47-1054 is added to read as follows:

"§ 47-1054. Rosedale Conservancy, lot 817 in square 1954.

"(a) The property located in the District of Columbia described as part of lot 817 in square 1954 situated at 3501 Newark Street, N.W., owned, occupied, and used by the Rosedale Conservancy, is hereby exempt from all taxation so long as:

"(1) The real property remains unimproved (except for repairs or maintenance), is maintained as open space and parkland in a manner consistent with the real property's historical significance, and is reasonably accessible to the general public without charge or payment of a fee of any kind; and

"(2) After the transfer of the real property from The Conservation Fund, Inc.:

"(A) The real property is owned by the Rosedale Conservancy, 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 solely to further the tax-exempt purposes of the Rosedale Conservancy; and

"(B) The Rosedale Conservancy does not lease or otherwise allow other persons to occupy the real property in whole or in part.

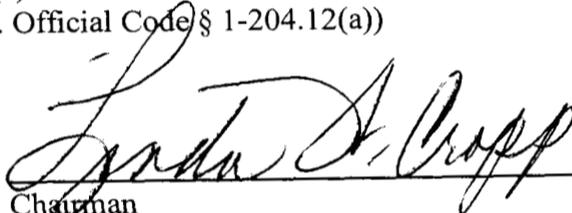
## ENROLLED ORIGINAL

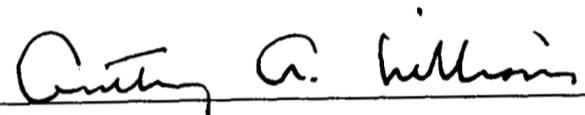
“(b) Sections 47-1005, 47-1007, and 47-1009 shall apply to the real property.

“(c) All real property taxes, interest, penalties, fees, recordation and transfer taxes, and other related charges assessed against real property located on part of square 1954, lot 817, for the period beginning September 25, 2002, including all taxes related to the transfer of the real property from Youth for Understanding to The Conservation Fund, Inc., the interim ownership of the real property by The Conservation Fund, Inc., and the subsequent transfer of the real property from The Conservation Fund, Inc., to the Rosedale Conservancy, shall be forgiven, and any payments already made for this period shall be refunded; provided, that this property is transferred to the Rosedale Conservancy.”.

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, 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))

  
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Chairman  
Council of the District of Columbia

  
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Mayor  
District of Columbia

APPROVED  
March 28, 2003

Government of the District of Columbia  
Office of the Chief Financial Officer



Natwar M. Gandhi  
Chief Financial Officer

MEMORANDUM

TO: The Honorable Linda W. Cropp  
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi  
Chief Financial Officer

DATE: FEB 14 2003

SUBJECT: Fiscal Impact Statement: "Rosedale Conservancy Real  
Property Tax Exemption Act of 2002"

REFERENCE: No Bill Number Available - Introduced as Bill 14-949

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**Conclusion**

Funds are sufficient in the FY 2003 through FY 2006 budget and financial plan to enact this legislation. It will not have an impact on planned local General Fund revenue.

**Background**

The proposed legislation would forgive all real property taxes and related interest and penalties on Lot 817, Square 1954 situated at 3501 Newark Street, N.W. beginning September 30, 2002. Until October 2002, this property was tax exempt. In October ownership of the property was transferred to Rosedale Conservancy. Without this bill, under the ownership of Rosedale Conservancy the property may become subject to the real property tax and could add a small amount to future general fund revenue. Under the legislation to remain tax-exempt, the owners must maintain at least 80 percent of the property as open space and parkland, keep the property reasonably accessible to the public, and prohibit any new improvements, additions, or significant alterations on the property.

**Financial Plan Impact**

Funds are sufficient in the FY 2003 through FY 2006 budget and financial plan to enact this legislation.

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## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-51IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
MARCH 31, 2003*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2003 Supp.

West Group  
Publisher

To impose, on an emergency basis, a freeze on within-grade salary increases for employees of agencies, offices, and instrumentalities of the District of Columbia government for the remaining of the fiscal year ending September 30, 2003; to amend section 47-368.01(b) of the District of Columbia Official Code to allow for the transfer of revenue in certain dedicated funds to the General Fund of the District of Columbia; and to reallocate funds from the budget reserve to cover revenue shortfalls.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2003 Budget Support Emergency Act of 2003".

## TITLE I. FREEZE OF WITHIN-GRADE SALARY INCREASES

Sec. 101. Short title.

This title may be cited as the "Freeze of Within-Grade Salary Increases Emergency Act of 2003".

Sec. 102. Definitions.

For the purposes of this title, the term:

(1) "Agency" means any agency, office, or instrumentality of the District of Columbia government, including independent and subordinate agencies, as defined in section 301(13) and (17) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13) and (17)) ("CMPA").

(2) "Personnel authority" means an individual with the authority to administer all or part of a personnel management program as provided in sections 301(14) and 406 of the CMPA.

(3) "Within-grade salary increase" means the advancement of an employee's basic rate of pay to the next higher step or other increment within the same grade, class, or pay level based on quality or length of service or both, without regard to whether this or another term is used to describe the advancement.

Sec. 103. Freeze of within-grade salary increases.

(a) Notwithstanding any other provision of law, collective bargaining agreement, or regulation, as of the effective date of this title, no employee of any agency shall receive a within-grade salary increase during the remainder of the fiscal year ending September 30, 2003.

(b) As of the effective date of this title, time in a pay status during the remainder of the pay periods in fiscal year 2003, beginning on October 1, 2002 and ending on September 30,

## ENROLLED ORIGINAL

2003, shall not be creditable service for the purpose of computing an employee's length of service for a within-grade salary increase, unless this title is amended.

(c) Time in a non-pay status shall be included in computing an employee's waiting period for a within-grade salary increase under title XI of the CMPA or other applicable law or regulation, unless this title is amended.

Sec. 104. Rules.

To the extent authorized by the CMPA or other applicable law or regulation, each personnel authority may issue regulations to implement this title.

Sec. 105. 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)).

TITLE II. OTHER-TYPE FUNDS TRANSFER

Sec. 201. Short title.

This title may be cited as the "Other-Type Funds Transfer Emergency Act of 2003".

Sec. 202. Section 47-368.01(b) of the District of Columbia Official Code is amended as follows: Note,  
§ 47-368.01

(a) Designate the existing text as paragraph (1).

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

"(2) Notwithstanding any other provision of law, including the dedication of funds to a particular use, in addition to the transfers authorized in paragraph (1) of this subsection, \$25,310,000 in fiscal year 2003 may be transferred to the General Fund of the District of Columbia from the following Other-Type Funds and in the following amounts:

Fund Title	Amount
Nuisance Abatement	\$2,300,000.
Real Estate Guarantee and Education Fund	\$700,000.
Master Business License Fee	\$1,500,000.
Land Acquisition and Housing Development Opportunity Fund	\$850,000.
DC Recycling Program	\$1,000,000.
International Registration Program Fund	\$1,000,000.
ABRA Administration	\$460,000.
Medicaid Reserve	\$13,229,000.
FY 02 Budgeted Reserves	\$4,271,000.

## ENROLLED ORIGINAL

## Sec. 203. 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)).

## TITLE III. REALLOCATION OF PRIOR BUDGETED RESERVE FUNDS

## Sec. 301. Short title.

This title may be cited as the "Reallocation of Prior Budgeted Reserve Funds Emergency Act of 2003".

Sec. 302. Pursuant to section 47-392.02(j)(3) of the District of Columbia Official Code, during fiscal year 2003, the District of Columbia hereby reallocates \$23,729,000, from prior year allocations from the budget reserve, for the purpose of covering revenue shortfalls within the District. These funds shall be reallocated from the following remaining unexpended balances:

Purpose	Amount	Fiscal Year
FY2002 Revenue Shortfall	\$21,000,000	2001
Summer Youth Program	\$368,000	2002
Sales Tax Holiday	\$399,000	2002
Workforce Investment	\$1,962,000	2002

## Sec. 303. Fiscal impact statement.

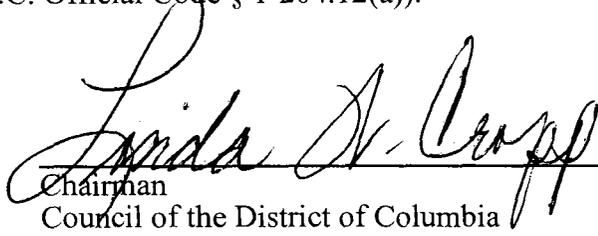
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

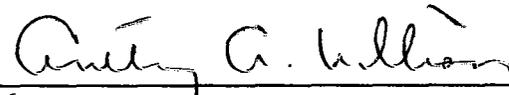
## TITLE IV. EFFECTIVE DATE

Sec. 401. This act shall take effect following approval by the Mayor (or in the event of a 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

  
Mayor  
District of Columbia

APPROVED  
March 31, 2003

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE CHIEF FINANCIAL OFFICERNatwar M. Gandhi  
Chief Financial Officer**MEMORANDUM**

**TO:** The Honorable Linda W. Cropp  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi  
Chief Financial Officer 

**DATE:** MAR 31 2003

**SUBJECT:** Fiscal Impact Statement: "Fiscal Year 2003 Budget Support Amendment Act of 2003"

**REFERENCE:** Draft Legislation as Introduced by the Mayor

---

**Conclusion**

The proposed legislation, the Fiscal Year 2003 Budget Support Amendment Act of 2003, supplements and closes out the District's FY 2003 budget and financial plan. As a result of implementing the provisions of the proposed legislation an estimated \$21.0 million will be converted in the General Fund from dedicated non-tax revenues ("O" type) to non-dedicated, non-tax revenue. In addition, the proposed legislation authorizes the allocation of \$23.7 million from undesignated reserves to cover revenue shortfalls.

**Title I – Freeze of Within-Grade Salary Increases Act of 2003:****Background**

The purpose of the proposed title is to place a District-wide freeze on certain pay increases. The freeze applies to increases that are the result of basic rate of pay advancement due to higher steps or other increments that are found within the same grade, class, or pay level. This is to include levels based on quality, length of service, or both. The provisions of the title are to take effect immediately and for the remainder of FY 2003 expiring on September 30, 2003.

In addition, the proposed title requires that service time that would have been earned in FY 2003 (October 1, 2002 though September 30, 2003) shall not be computed into an employees length of service for a within-grade salary increase.

The Honorable Linda W. Cropp  
 FIS: Mayor's Introduction, "The FY 2003 BS Amend. Act of 2003"  
 Page 2 of 3

### Financial Plan Impact

Funds are sufficient in the FY 2003 through FY 2006 budget and financial plan because the proposed legislation will require no additional staff and resources to implement.

### Title II – Abolishment of the Rental Housing Commission Amendment Act of 2003:

#### Background

The proposed title moves the authority and functions of the Rental Housing Commission to DCRA. In addition, jurisdiction for certain disputes will be deferred from the Rental Housing Commission to the D.C. Superior Court.

### Financial Plan Impact

Funds are sufficient in the proposed FY 2003 through FY 2006 budget and financial plan to implement the provisions of the proposed title because no additional staff or resources will be required.

### Title III – Funds Adjustment Amendment Act of 2003:

#### Background

The proposed title transfers funds within the District's General Funds from dedicated non-tax revenue ("O" type) accounts to non-dedicated, non-tax revenue accounts. The table in Figure 1 presents the source of the funds that are to be transferred.

Figure 1.

Fund Title	Amount
Nuisance Abatement Fund	\$2,300,000
Real Estate Guarantee and Education Fund	700,000
Master License Fee Fund	1,500,000
Land Acquisition for Housing Development Opportunity Fund	850,000
D.C. Recycling Program Fund	1,000,000
International Registration Program	1,000,000
ABRA Administration	460,000
Medicaid Reserve Fund	13,229,000
<b>TOTAL</b>	<b>\$21,039,000</b>

### Financial Plan Impact

Funds are sufficient in the proposed FY 2003 through FY 2006 budget and financial plan to implement the provisions of the proposed title because no additional staff or resources will be required. Approximately \$21.04 million in dedicated "O" type accounts will be re-designated as non-dedicated local General Funds.

The Honorable Linda W. Cropp  
 FIS: Mayor's Introduction, "The FY 2003 BS Amend. Act of 2003"  
 Page 3 of 3

Title IV – Allocation of Budgeted Reserve Funds Act of 2003:

**Background**

The proposed title will authorize the use of and allocate existing FY 2003 unspent and undesignated reserve funds to certain District programs.

**Financial Plan Impact**

Funds are sufficient in the proposed FY 2003 through FY 2006 budget and financial plan to implement the provisions of the proposed title because no additional staff or resources will be required. An estimated \$23,729,000 of unspent reserves will be used to cover revenue shortfalls.

**SUMMARY**

The following tables present a summary of the net impact of the proposed legislation to the FY 2003 through FY 2006 budget and financial plan. The table in Figure 2 presents the financial plan impact to local General Funds and "O" type General Funds.

*Figure 2.*

<b>Net Impact to General Fund Revenue</b>					
(\$ in millions)					
<b>Item</b>	<b>FY 2003</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>4 - Year Total</b>
Dedicated "O" Fund Subtotal	(\$21.04)	\$0.00	\$0.00	\$0.00	(\$21.04)
Non-Dedicated Revenue Subtotal	21.04	0.00	0.00	0.00	21.04
<b>Net Annual Impact</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

The table in Figure 3 presents undesignated reserves which will be allocated in the FY 2003 budget and financial plan to cover revenue shortfalls.

*Figure 3.*

<b>Net Increase to the FY 2003 Budget and Financial Plan</b>				
(\$ in millions)				
<b>FY 2003</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>4 - Year Total</b>
\$23.73	\$0.00	\$0.00	\$0.00	\$23.73

*The Chief Financial Officer's legislative fiscal analysis is prepared by the Special Projects and Fiscal Analysis Administration in the Office of Research and Analysis. Contact us at 441 4<sup>th</sup> Street, NW, Suite 400S, Washington D.C., 20001 or view our work on-line at <http://cfo.dc.gov>.*

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-52

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 31, 2003

To approve the request of the District of Columbia government for supplemental appropriations for the fiscal year ending September 30, 2003.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2003 Supplemental Budget Request Emergency Act of 2003".

Sec. 2. The Council of the District of Columbia approves the following supplemental budget request of the District of Columbia government for the fiscal year ending September 30, 2003.

DIVISION - A

DISTRICT OF COLUMBIA FUNDS

**Governmental Direction and Support**

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003, approved February 20, 2003 (Public Law 108-7; 117 Stat. 11) ("Appropriations Act"), \$9,452,000 is rescinded (including \$9,355,000 from local funds and \$97,000 from other funds).

**Economic Development and Regulation**

For an additional amount for "Economic Development and Regulation," \$14,953,000 (including \$243,000 from local funds and \$14,710,000 from other funds).

**Public Safety and Justice**

Of the funds appropriated under this heading in the Appropriations Act, for an additional amount of \$11,462,000 from local funds.

**Public Education System**

Of the funds appropriated under this heading in the Appropriations Act, \$11,688,000 is rescinded (including a rescission of \$13,799,000 from local funds and an additional amount of \$2,111,000 from other funds), to be allocated as follows:

- (1) DISTRICT OF COLUMBIA PUBLIC SCHOOLS - An increase of \$2,029,000 (including a rescission of \$29,000 from local funds and an additional amount of \$2,058,000 from other funds);
- (2) STATE EDUCATION OFFICE - A rescission of \$181,000 from local funds;
- (3) PUBLIC CHARTER SCHOOLS - Notwithstanding any other provision of law, a

## ENROLLED ORIGINAL

rescission of \$12,000,000 from local funds;

(4) UNIVERSITY OF THE DISTRICT OF COLUMBIA – A rescission of \$1,040,000 from local funds;

(5) DISTRICT OF COLUMBIA PUBLIC LIBRARIES – A rescission of \$237,000 (including a rescission of \$290,000 from local funds and an additional amount of \$53,000 from other funds); and

(6) COMMISSION ON THE ARTS AND HUMANITIES – A rescission of \$259,000 from local funds .

**Human Support Services**

For an additional amount for "Human Support Services," \$28,075,000 (including an additional amount of \$32,799,000 from local funds and a rescission of \$4,034,000 from other funds appropriated under this heading in the Appropriations Act. In addition, this heading in the Appropriations Act is amended by striking the proviso "*Provided further*, That \$37,500,000 in local funds, to remain available until expended, shall be deposited in the Medicaid and Special Education Reform Fund." and inserting the proviso "*Provided further*, That \$74,500,000 in local funds may be deposited in the Medicaid and Special Education Reform Fund and shall then remain available until expended." in its place.

**Public Works**

For an additional amount for "Public Works," \$2,420,000 (including a rescission of \$8,998,000 from local funds appropriated under this heading in the Appropriations Act, and an additional amount of \$11,418,000 from other funds): Provided, That \$512,000 from other funds shall remain available until expended for the taxicab revolving loan fund.

**Repayment of Loans and Interest**

Of the funds appropriated under this heading in the Appropriations Act, \$2,466,000 is rescinded.

**Non-Departmental**

Of the funds appropriated under this heading in the Appropriations Act, \$5,799,000 is rescinded.

**Workforce Investments**

Of the funds appropriated under this heading in the Appropriations Act, \$2,000,000 is rescinded.

## GENERAL PROVISIONS

SEC. 101. The District of Columbia is hereby authorized to transfer an amount not to exceed \$12,081,000, to remain available until expended, from funds identified in the fiscal year 2002 comprehensive annual financial report as the District of Columbia's fund balance to the local general fund to cover revenue shortfalls associated with the war economy: Provided, That nothing in this provision shall be deemed to grant the District additional authority to expend funds from the emergency or contingency reserves established under section 450A of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code,

## ENROLLED ORIGINAL

sec. 1-204.50a).

SEC. 102. (a) The amount appropriated by this Act may be increased by the following: (1) funds as identified in the comprehensive annual financial report for fiscal year 2003 as the District of Columbia's unrestricted fund balance, (2) additional revenue, if any, identified by the officially revised estimates conducted pursuant to the Appropriations Act.

(b) The District of Columbia may obligate or expend these amounts only in accordance with the following conditions:

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

- (A) Unanticipated one-time expenditures;
- (B) To address potential deficits;
- (C) Debt Reduction;
- (D) Unanticipated Program needs.

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

- (A) The use of the amounts is not anticipated to have a negative impact on the District of Columbia's long-term financial, fiscal, and economic vitality;
- (B) That the amounts are available and that use of the funds is not anticipated to cause the need for short-term borrowing within the current fiscal year; and
- (C) Such funds are either being used to address potential deficits or are not required to address potential deficits.

(3) The amounts shall be obligated or expended in accordance with laws enacted by the Council in support of each such obligation or expenditure. No amount shall be obligated or expended pursuant to this section, except with the approval of the Council.

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

(5) The amounts may be obligated or expended only if the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate in writing 30 days in advance of any obligation or expenditure.

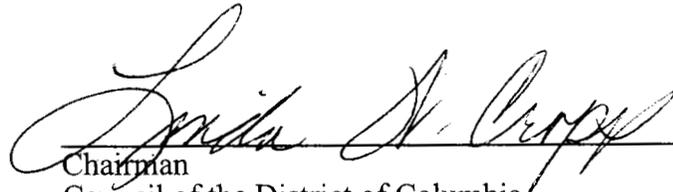
SEC. 103. The District of Columbia may use such amounts as may be necessary for making repayments to federal grantor agencies for the disallowance of grants from the funds identified in the fiscal year 2002 comprehensive annual financial report as the District of Columbia's Grants Disallowance balance.

## DIVISION - B

SEC. 201. Title I of the District of Columbia Fiscal Year 2003 Budget Support Emergency Act of 2003, passed by the Council on an emergency basis March 31, 2003 (Enrolled version of Bill 15-223) and title I of the District of Columbia Fiscal Year 2003 Budget Support Temporary Act of 2003, passed by the Council on first reading March 31, 2003 (Engrossed version of Bill 15-224), are hereby enacted into law, as of the effective date of the Fiscal Year 2003 Budget Support Emergency Act of 2003, passed by the Council on an emergency basis March 31, 2003 (Enrolled Bill 15-223).

ENROLLED ORIGINAL

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

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

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

APPROVED

March 31, 2003

ENROLLED ORIGINAL

AN ACT

D.C. ACT 15-53

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 4, 2003

To order the closing of a public alley in Square 66, bounded by Florida Avenue, N.W., Massachusetts Avenue, N.W., Q Street, N.W., R Street, N.W., and 21<sup>st</sup> 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 Portion of a Public Alley in Square 66, S.O. 02-2491, 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 the portion of the alley in Square 66, as shown on the Surveyor's Plat filed under S.O. 02-2491, unnecessary for alley purposes and orders it closed with title to the land to vest as shown on the Surveyor's Plat. The approval of the Council of this closing is contingent upon the satisfaction of all conditions by District agencies and affected public utilities set forth in the official file on S.O. 02-2491, including the recording, in the Office of the Recorder of Deeds, of a covenant granting an easement to provide access as described by the District of Columbia Department of Transportation in the official file on S.O. 02-2491 and the incorporation of the conditions of the Board of Zoning Adjustment, dated June 26, 2001, in Application No. 16618, as described by the Office of Planning in the official file on S.O. 02-2491.

Sec. 3. Fiscal impact statement.

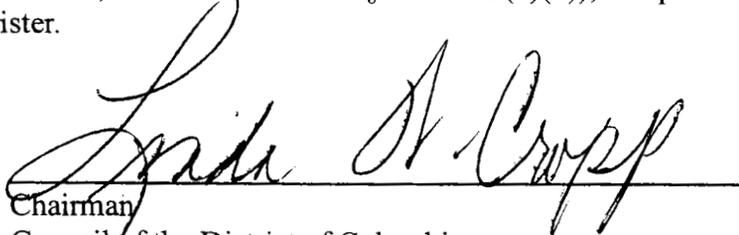
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

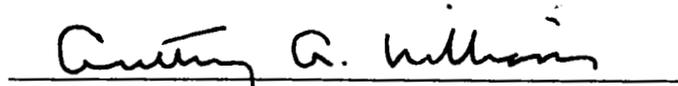
Sec. 4. The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Surveyor of the District of Columbia, the District of Columbia Recorder of Deeds, and the Office of Zoning.

ENROLLED ORIGINAL

Sec. 5. 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), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia

APPROVED

April 4, 2003

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-54

*Codification  
District of  
Columbia  
Official Code*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

2001 Edition

APRIL 4, 2003

2003 Supp.

West Group  
Publisher

To symbolically designate, on an emergency basis, 21st Street, N.W., between Massachusetts Avenue and Q Street, N.W., as Kivie Kaplan Way.

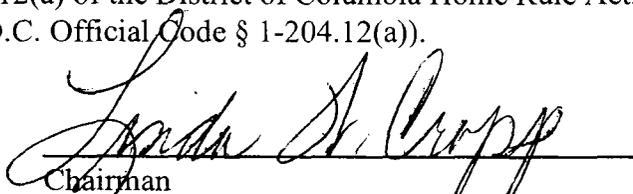
BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Kivie Kaplan Way Designation Emergency Act of 2003".

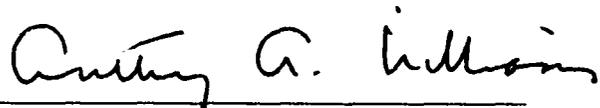
Sec. 2. Pursuant to section 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 11-236; D.C. Official Code § 9-204.03a), the Council symbolically designates 21st Street, N.W., between Massachusetts Avenue and Q Street, N.W., as "Kivie Kaplan Way".

Note,  
§ 9-204.03a

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, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED

April 4, 2003  
Codification District of Columbia Official Code, 2001 Edition

West Group Publisher, 1-800-228-2180.

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

Bill Number:	Type: Emergency (X) Temporary ( ) Permanent ( )	Date Reported: March 18, 2003
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Subject/Short Title: Kivie Kaplan Way Designation 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 little fiscal impact on spending or revenue. (If "Yes," explain below).	( )	(X)

Explanation:

**Part II. Other Impact of the Bill**

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

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

Sources of information: Staff	Councilmember: Jack Evans
	Staff Person & Tel: Schannette Grant, 724-8058
	Reviewed by Budget Director:
	Budget Office Tel: 202-724-8139

*Handwritten signature and date: 3/18/03*

## ENROLLED ORIGINAL

## AN ACT

D.C. ACT 15-55

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
APRIL 4, 2003

---

To order, on an emergency basis, the closing of a public alley in Square 66, bounded by Florida Avenue, N.W., Massachusetts Avenue, N.W., Q Street, N.W., R Street, N.W., and 21<sup>st</sup> 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 Portion of a Public Alley in Square 66, S.O. 02-2491, Emergency 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 the portion of the alley in Square 66, as shown on the Surveyor's Plat filed under S.O. 02-2491, unnecessary for alley purposes and orders it closed with title to the land to vest as shown on the Surveyor's Plat. The approval of the Council of this closing is contingent upon the satisfaction of all conditions by District agencies and affected public utilities set forth in the official file on S.O. 02-2491, including the recording, in the Office of the Recorder of Deeds, of a covenant granting an easement to provide access as described by the District of Columbia Department of Transportation in the official file on S.O. 02-2491 and the incorporation of the conditions of the Board of Zoning Adjustment, dated June 26, 2001, in Application No. 16618, as described by the Office of Planning in the official file on S.O. 02-2491.

Sec. 3. Fiscal impact statement.

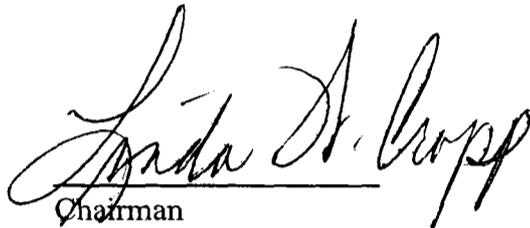
The Council adopts the fiscal impact statement in the committee report for the Closing of a Portion of a Public Alley in Square 66, S. O. 02-2491, Act of 2003, passed on 2<sup>nd</sup> reading on March 18, 2003 (Enrolled version of Bill 15-82), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

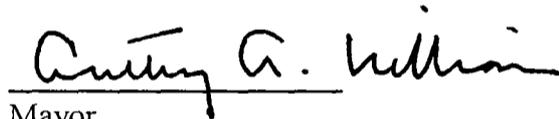
ENROLLED ORIGINAL

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

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  
April 4, 2003

## ENROLLED ORIGINAL

AN ACT

D.C. ACT 15-56

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 4, 2003

To amend, on an emergency basis, sections 2405.3 and 2601.1 of Title 18 of the District of Columbia Municipal Regulations, to reduce the fine for parking a commercial vehicle, bus, or sightseeing vehicle in front of a residence or other prohibited location from \$500 to \$250 and to exempt all 4-wheel, 2-axle District of Columbia registered commercial vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Commercial Vehicle Parking Fines Emergency Amendment Act of 2003".

Sec. 2. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Section 2405.3(e) is amended to read as follows:

"(e) In the case of any commercial vehicle not registered in the District of Columbia or a District of Columbia registered commercial vehicle with more than 2 axles or more than 4 wheels, on any public thoroughfare in front of, alongside, or in the rear of any private dwelling or apartment, church, school, playground, hospital, alongside or around any public park except on stands established in accordance with this chapter; Provided, that contractors may park trucks in front of, alongside, or in the rear of such property while engaged in work at such place for which the truck is reasonably necessary. For the purposes of this paragraph, the term "commercial vehicle" shall include buses and sightseeing vehicles."

(b) Section 2601.1 is amended as follows:

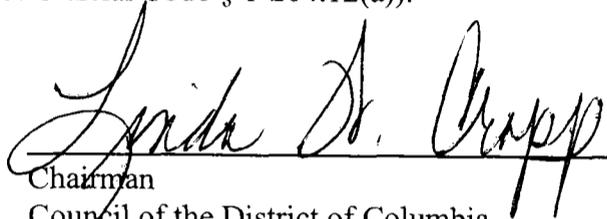
(1) Strike the phrase "Commercial vehicle, bus, or sightseeing vehicle in front of a residence or other prohibited location [§2405.3(e)] ..... \$500" and insert the phrase "Commercial vehicle not registered in the District of Columbia or District of Columbia registered commercial vehicle with more than two axles or more than four wheels in front of residence or other prohibited location [§ 2405.3(e)] .... \$250" in its place.

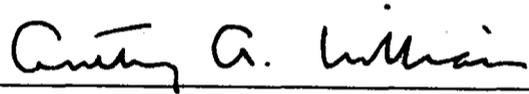
ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

This act shall have not fiscal impact on the existing budget.

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  
April 4, 2003