

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on an emergency basis, due to congressional review, the District of Columbia Statehood Constitutional Convention Initiative of 1979 to repeal the Statehood Commission, repeal the Statehood Compact Commission, to establish the Office of the Statehood Delegation, and to establish the New Columbia Statehood Commission and New Columbia Statehood Fund; to repeal the 51<sup>st</sup> State Commission Establishment Act of 2010; to amend section 47-1812.11c of the District of Columbia Official Code to reflect the establishment of the New Columbia Statehood Fund; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish personnel authority for the Statehood Delegation over the Office of the Statehood Delegation; to amend the District of Columbia Health Occupations Revision Act of 1985 to repeal the Health Occupation Advisory Committees; to amend the Department of Health Functions Clarification Act of 2001 to re-establish the Health Occupation Advisory Committees under the Department of Health; to amend the Retail Service Station Act of 1976 to modify the membership and scope of the Gas Station Advisory Board; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to modify the personnel authority for the District of Columbia Law Revision Commission; to amend the District of Columbia Law Revision Commission Act of 1980 to modify the membership of the commission and provide that members shall not be compensated for service; to amend section 47-355.07 of the District of Columbia Official Code to codify the role and responsibilities of the Board of Review for Anti-Deficiency Violations, and to revise the membership of the board; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify the compensation provisions for various boards and commissions, and to increase the statutory compensation cap for certain boards and commissions; to abolish certain boards and commissions; to amend Chapter 24 of Title 17 of the District of Columbia Municipal Regulations to repeal the authority for the Notary Public Board of Review; to make conforming amendments; and to provide for the orderly transition of duties and responsibilities to the newly elected Mayor and Attorney General.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Congressional Review Emergency Amendment Act of 2015”.

TITLE I – THE NEW COLUMBIA STATEHOOD INITIATIVE

Sec. 101. The District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Official Code § 1-121 *et seq.*), is amended as follows:

- (a) Sections 6 and 7 (D.C. Official Code §§ 1-125 and 1-126) are repealed.
- (b) Title II (D.C. Official Code § 1-129.01 *et seq.*) is amended to read as follows:

“TITLE II -- NEW COLUMBIA STATEHOOD INITIATIVE  
“SUBTITLE A. DEFINITIONS.

“Sec. 11. Definitions.

“For the purposes of this title, the term:

“(1) “Commission” means the New Columbia Statehood Commission established pursuant to section 31.

“(2) “Fund” means the New Columbia Statehood Fund established pursuant to section 32.

“(3) “Statehood Delegation” means, collectively, the United States Representative and the 2 United States Senators holding office pursuant to section 4.

“(4) “Statehood Fund” means the fund established by each United States Senator and United States Representative pursuant to section 4(g), and overseen by the Office of Campaign Finance.

“(5) “United States Representative” means the District of Columbia public official elected pursuant to section 4 to the office of Representative.

“(6) “United States Senator” means either of the 2 District of Columbia public officials elected pursuant to section 4 to the office of Senator.

“SUBTITLE B. DISTRICT OF COLUMBIA STATEHOOD DELEGATION

“Sec. 21. Office of the Statehood Delegation.

“(a) The Office of the Statehood Delegation (“Office”) is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency as provided in section 301(13) 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)).

“(b) The Office shall provide support to the Statehood Delegation in promoting statehood and voting rights for the citizens of the District of Columbia.

“(c) The Office shall be headed by an Executive Director who shall be appointed by the Statehood Delegation. The Executive Director shall support the members of the Statehood Delegation and provide administrative support to the Commission.

“(d) The Executive Director shall devote his or her full time to the duties of the Office. The salary of the Executive Director shall be determined by the Statehood Delegation, but shall not exceed 75% of the compensation for a Member of the Council as determined by section 1109(b) 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 § 1-611.09(b)).

“(e) For Fiscal Year 2015, the compensation for the Executive Director shall be paid from funds budgeted for Statehood Initiatives under section 1112 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990). Beginning in Fiscal Year 2016, the salary for the Executive Director shall be paid from the New Columbia Statehood Fund, subject to the availability of funds.

**“SUBTITLE C. NEW COLUMBIA STATEHOOD COMMISSION AND  
NEW COLUMBIA STATEHOOD FUND**

“Sec. 31. Establishment of the New Columbia Statehood Commission.

“(a) The New Columbia Statehood Commission is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency as provided in section 301(13) 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)).

“(b) The Commission shall:

“(1) Educate regarding, advocate for, promote, and advance the proposition of statehood and voting rights for the District of Columbia to District residents and citizens of the 50 states;

“(2) Solicit financial and in-kind contributions, grants, allocations, gifts, bequests, and appropriations from public and private sources to be deposited in the New Columbia Statehood Fund established pursuant to section 32 and used for the purposes of promoting statehood and voting rights; and

“(3) Develop an annual budget for, and oversee expenditures from, the New Columbia Statehood Fund.

“(c) The Commission shall be comprised of 5 voting members (“Commissioners”) as follows:

“(1) The Mayor, or his or her alternate;

“(2) The Chairman of the Council, or his or her alternate;

“(3) The United States Representative for the District of Columbia; and

“(4) The 2 United States Senators for the District of Columbia.

“(d) The Mayor and the Chairman of the Council shall serve as co-chairs of the Commission.

“(e) By March 1, 2015, the Commission shall adopt bylaws, and may adopt guidelines, rules, and procedures for the governance of its affairs and the conduct of its business.

“(f) The Commission shall meet, at a minimum, on a semiannual basis. A majority of the Commissioners shall constitute a quorum for the conduct of business.

“(g) The Commission, in carrying out its duties, may utilize pro bono services; provided, that such services are reported pursuant to section 33.

“(h) The Commission may recruit honorary members based on criteria the Commission shall determine. The honorary members shall have no vote on the operation of the Commission.

“Sec. 32. Establishment of the New Columbia Statehood Fund.

“(a) There is established as a special fund the New Columbia Statehood Fund, which shall be administered in accordance with subsections (b), (c), and (d) of this section.

“(b)(1) All revenues from the following sources shall be deposited into the Fund:

“(A) An annual appropriation;

“(B) Any contributions to, and grants for, the benefit of the New Columbia Statehood Fund received from public and private sources;

“(C) Net receipts pursuant to the income tax check-off provided in D.C.

Official Code § 47-1812.11c.

“(2) For Fiscal Year 2015, all funds not expended pursuant to section 21(e) from the funds budgeted for Statehood Initiatives under section 1112 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), shall be deposited into the Fund.

“(c) The Fund shall be used to support the Statehood Delegation, each of the members thereof, the Commission, and efforts to promote statehood and voting rights for the citizens of the District of Columbia.

“(d)(1) To the extent that disbursements are to be made to the Statehood Fund of each member of the Statehood Delegation, the disbursements, as decided by the Commission, shall be equal to each member, except as provided in this subsection.

“(2) No disbursement shall be made under this subsection to a member of the District of Columbia Statehood Delegation who is out of compliance with the filing and disclosure requirements of this title and applicable District or federal law, or who has used funds in violation of section 35, until such time as the violation has been corrected. In this instance, the 1/3 disbursement held back shall become part of the corpus from which the next disbursement pursuant to this subsection may be made.

“(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

“(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

“(f) The Mayor shall submit to the Council, as part of the annual budget, a requested appropriation for expenditures from the Fund. The Mayor’s submission shall be based on a budget prepared by the Commission, and shall include the rationale for any variance from the Commission’s request.

“(g) The Chief Financial Officer shall transmit to the Mayor and the Council, at least annually, a report summarizing the revenues and expenditures of the Fund.

“(h) All revenues and expenses of the Fund shall be audited annually by the Chief Financial Officer, who shall transmit the audit to the Mayor and the Council. The expenses of the annual audit shall be defrayed by the Fund.

“Sec. 33. Annual reporting requirements.

“(a) The Commission shall submit to the Mayor and the Chairman of the Council by September 1, 2015, and on a biannual basis thereafter, a detailed report including:

“(1) The Commission’s activities, revenues, and expenditures;

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“(2) The full name, value, and form of each gift, grant, bequest, or appropriation to the New Columbia Statehood Fund; and

“(3) Any other information considered appropriate by the Commission.

“(b) The Commission shall make each report available to the general public upon request.

“Sec. 34. Tax-exempt status.

“Contributions to the New Columbia Statehood Fund shall be tax deductible.

“Sec. 35. Use of funds by Statehood Delegation members.

“(a) Except as provided in subsection (b) of this section, members of the Statehood Delegation shall use New Columbia Statehood Fund monies for any expense closely and directly related to the operation of their offices.

“(b)(1) Fund monies shall not be used by members of the Statehood Delegation for:

“(A) Campaign expenses related to any election, local or national;

“(B) To influence the outcome of any election, local or national;

“(C) Any contributions or loans to any political party or candidate for federal or non-federal office;

“(D) Any personal expenses, or travel expenses not closely and directly related to the office the member holds; or

“(E) Any personal salary or stipend for the member.

“(2) The prohibition in paragraph (1)(E) of this subsection shall not limit the ability of a member of the Statehood Delegation to pay salaries to employees other than the member, or to pay vendors providing services closely and directly related to the office the member holds.

“(c) Upon request, but at least annually, each Statehood Delegation member shall provide the Chief Financial Officer with an accounting of the expenditures made with the money received from the Fund. The date by which the accounting is due shall be set by the Chief Financial Officer. Information submitted by members of the Statehood Delegation shall be included in the report required by section 33.”.

Sec. 102. The 51st State Commission Establishment Act of 2010, effective March 23, 2010 (D.C. Law 18-127; D.C. Official Code § 1-136.01 *et seq.*), is repealed.

Sec. 103. Section 47-1812.11c of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase “the Statehood Delegation Fund (“Fund”)", established by § 1-129.08” and inserting the phrase “the New Columbia Statehood Fund (“Fund”)", established by section 32 of the New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Emergency Amendment Act of 2014, passed on emergency basis on October 28, 2014 (Enrolled version of Bill 20-986)” in its place.

(b) Subsection (c) is repealed.

Sec. 104. Section 406(b) 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 § 1-604.06(b)), is amended as follows:

(a) Paragraph (21) is amended by striking the phrase “Administration; and” and inserting the phrase “Administration;” in its place.

(b) Paragraph (22) is amended by striking the phrase “Education.” and inserting the phrase “Education; and” in its place.

(c) A new paragraph (23) is added to read as follows:

“(23) For the Executive Director of the Office of the Statehood Delegation, the personnel authority is the Statehood Delegation as defined in section 11(3) of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 16, 2005 (D.C. Law 15-226; D.C. Official Code § 1-209.01(3)).”.

Sec. 105. Within 60 days of the effective date of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-71), the Commission shall issue a report with findings as to whether the Statehood Delegation should receive compensation in the form of a salary or stipend and, if so, the appropriate amount of such compensation.

**TITLE II -- OMNIBUS BOARDS AND COMMISSIONS REFORM  
SUBTITLE A. STRUCTURAL REVISIONS TO CERTAIN BOARDS AND COMMISSIONS  
PART 1. HEALTH OCCUPATIONS ADVISORY COMMITTEES**

Sec. 201. Section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), is amended by repealing subsections (b), (c-1), (c-2), (d), (d-1), (d-2), (d-3), (e), and (f).

Sec. 202. The Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq.*), is amended as follows:

(a) Redesignate Part A, Part B, and Part C as Subtitle A, Subtitle B, and Subtitle C, respectively.

(b) A new Subtitle D is added to read as follows:

“Subtitle D. Health Occupation Advisory Committees.

“Sec. 4941. Generally.

“(a) The Department of Health shall oversee the Health Occupation Advisory Committees established under this subtitle.

“(b) All appointments to the Health Occupation Advisory Committees shall be made by the Director of the Department of Health.

“(c) The Department of Health shall provide facilities and other administrative support for the Health Occupation Advisory Committees, as determined by the Director.

“(d) The Health Occupation Advisory Committees shall review applications for licensure to practice upon request of the Board of Medicine. The Health Occupation Advisory Committees shall submit their respective recommendations to the Board of Medicine for action.

“(e) For the purposes of this subtitle, the term:

(1) “Board of Medicine” means the Board of Medicine established pursuant to section 203(a) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03(a)).

(2) “Health Occupation Advisory Committees” means the advisory committees established pursuant to this subtitle.

“Sec. 4942. Advisory Committee on Acupuncture.

“(a) There is established an Advisory Committee on Acupuncture to consist of 5 members as follows:

“(1) The Director of the Department of Health, or his or her designee;

“(2) Three non-physician acupuncturists licensed in the District;

“(3) A consumer member.

“(b) Of the appointees to the Advisory Committee on Acupuncture other than the Director, 2 shall serve an initial term of 2 years and 2 shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

“(c)(1) The Advisory Committee on Acupuncture shall develop and submit to the Board of Medicine guidelines for licensing acupuncturists and regulating the practice of acupuncture in the District.

“(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

“(B) The Advisory Committee on Acupuncture shall submit revised guidelines to the Board of Medicine by June 22, 2015.

“(3) The Advisory Committee on Acupuncture shall meet at least annually to review guidelines and make necessary revisions for submission to the Board of Medicine.

“Sec. 4943. Advisory Committee on Anesthesiologist Assistants.

“(a) There is established an Advisory Committee on Anesthesiologist Assistants to consist of 3 members as follows:

“(1) The Director of the Department of Health, or his or her designee;

“(2) An anesthesiologist licensed in the District with experience working with anesthesiologist assistants; and

“(3) An anesthesiologist assistant licensed in the District.

“(b) Of the appointees to the Advisory Committee on Anesthesiologist Assistants other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

“(c)(1) The Advisory Committee on Anesthesiologist Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating anesthesiologist assistants in the District. The guidelines shall set forth the actions that anesthesiologist assistants may perform under the direct supervision of a licensed anesthesiologist, who shall be responsible for the overall medical direction of the care and treatment of patients.

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“(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

“(B) The Advisory Committee on Anesthesiologist Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

“(3) The Advisory Committee on Anesthesiologist Assistants shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

“Sec. 4944. Advisory Committee on Naturopathic Medicine.

“(a) There is established an Advisory Committee on Naturopathic Medicine to consist of 3 members as follows:

“(1) The Director of the Department of Health, or his or her designee;

“(2) A licensed physician with experience in naturopathic medicine or in working with naturopathic physicians; and

“(3) A licensed naturopathic physician.

“(b) Of the appointees to the Advisory Committee on Naturopathic Medicine other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

“(c)(1) The Advisory Committee on Naturopathic Medicine shall develop and submit to the Board of Medicine guidelines for licensing naturopathic physicians and regulating the practice of naturopathic medicine in the District.

“(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

“(B) The Advisory Committee on Naturopathic Medicine shall submit revised guidelines to the Board of Medicine by June 22, 2015.

“(3) The Advisory Committee on Naturopathic Medicine shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

“Sec. 4945. Advisory Committee on Physician Assistants.

“(a) There is established an Advisory Committee on Physician Assistants to consist of 3 members as follows:

“(1) The Director of the Department of Health, or his or her designee;

“(2) A physician or osteopath licensed in the District with experience working with physician assistants; and

“(3) A physician assistant licensed in the District.

“(b) Of the appointees to the Advisory Committee on Physician Assistants other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

“(c)(1) The Advisory Committee on Physician Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating physician assistants in the District. The guidelines shall set forth the actions that physician assistants may perform in collaboration with a licensed physician or osteopath, who shall be responsible for the overall medical direction of the care and treatment of patients and the level of collaboration required for each action.

“(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

“(B) The Advisory Committee on Physician Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

“(3) The Advisory Committee on Physician Assistants shall meet at least annually to review guidelines and make necessary revisions for submission to the Board of Medicine.

“Sec. 4946. Advisory Committee on Polysomnography.

“(a) There is established an Advisory Committee on Polysomnography to consist of 3 members as follows:

“(1) The Director of the Department of Health, or his or her designee; and

“(2) Two polysomnographic technologists licensed in the District.

“(b) Of the appointees to the Advisory Committee on Polysomnography other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

“(c)(1) The Advisory Committee on Polysomnography shall develop and submit to the Board of Medicine guidelines for licensing, registration, and regulation of polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees in the District. The guidelines shall set forth the education and experience requirements for registration and licensure and the actions that polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees may perform.

“(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

“(B) The Advisory Committee on Polysomnography shall submit revised guidelines to the Board of Medicine by June 22, 2015.

“(3) The Advisory Committee on Polysomnography shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

“Sec. 4947. Advisory Committee on Surgical Assistants.

“(a) There is established an Advisory Committee on Surgical Assistants to consist of 5 members as follows:

“(1) The Director of the Department of Health, or his or her designee;

“(2) A surgeon licensed in the District with experience working with surgical assistants; and

“(3) Three surgical assistants licensed in the District.

“(b) Of the appointees to the Advisory Committee on Surgical Assistants other than the Director, 2 shall serve an initial term of 2 years and 2 shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

“(c)(1) The Advisory Committee on Surgical Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating surgical assistants in the District. The guidelines shall set forth the actions that surgical assistants may perform in collaboration with a licensed surgeon, who shall be responsible for the overall medical direction of the care and treatment of patients.

“(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

“(B) The Advisory Committee on Surgical Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

“(3) The Advisory Committee on Surgical Assistants shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.”.

## **PART 2. GAS STATION ADVISORY BOARD**

Sec. 211. Section 5-301 of the Retail Service Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01), is amended as follows:

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

(1) Strike the phrase “structurally altered” and insert the phrase “discontinued, nor may be structurally altered” in its place.

(2) Strike the phrase “nonfull service facility” and insert the phrase “nonfull service facility or into any other use” in its place.

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

“(d)(1) An exemption may be granted to the prohibitions contained in subsections (b) and (c) of this section if:

“(A) A petition for exemption has been filed with the Gas Station Advisory Board (“Board”), established pursuant to subsection (e) of this section, by both a distributor and a retail dealer (collectively referred to as “petitioners”) that complies with the requirements of paragraph (2) of this subsection;

“(B) The Board makes a determination, pursuant to paragraph (3) of this subsection, that an exemption should be granted and makes a recommendation to the Mayor to grant the exemption; and

“(C) The Mayor, in agreement with the Board, grants the exemption.

“(2) To be considered for an exemption under this subsection, petitioners must file a petition with the Board that includes:

“(A) Plans and a certification by petitioners that the station will be improved in the following ways:

reasonable level);

dispensers; and

restroom facilities for men and women, a working air hose for automobile and bicycle tires, and water for windshield cleaning equipment;

“(B) Any existing site market studies that justify the conversion;

“(C) Certification that petitioners have notified the Advisory Neighborhood Commission ("ANC") in which the station is located and any ANC within one-quarter mile of the station, and has met or offered to meet with any affected ANC before submission of the petition for exemption regarding their plans for the station and its impact on the neighborhood; and

“(D) Certification by petitioners that, should the application be granted, any later changes to the building design or lighting will be submitted to any affected ANC before the application for building permits.

“(3)(A) The Board shall only make a recommendation to grant an exemption if the Board finds that:

“(i) The operator of the full service retail service station is experiencing extreme financial hardship; and

“(ii) Another full service retail service station exists within one mile of the station which provides equivalent service facilities.

“(B) In addition to the requirements in subparagraph (A) of this paragraph, the Board shall give due weight to the views of the community and the affected ANC.

“(4) If the Board makes a recommendation to the Mayor that an exemption should be granted under this subsection, the Mayor shall issue a determination on the petition not less than 45 days, nor more than 60 days, after the date the petition is submitted, deemed complete, and notice of thereof has been published in the District of Columbia Register. If the Mayor does not issue a determination within the 60 days, the petition shall be deemed approved.”.

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

“(e)(1) There is established a Gas Station Advisory Board to consider petitions for exemption from the requirements contained in subsections (b) and (c) of this section.

“(2) The Board shall consist of 5 members as follows:

“(A) One member representing the retail service station dealers, appointed by the Mayor;

“(B) One member representing the oil companies, appointed by the Mayor;

“(C) One member representing the community interest, appointed by the Mayor;

“(D) One member representing the community interest, appointed by the Council;

“(E) One member representing the Mayor.

“(3) Members of the Board appointed under this subsection shall continue to serve until their successors are appointed.

“(4) The Board shall establish and publish, for 30 days comment, the rules and procedures which shall govern its conduct. The Board may establish and publish, for 30 days comment, additional criteria which shall be used in reviewing the petitions for exemptions.”.

### **PART 3. LAW REVISION COMMISSION**

Sec. 221. Section 406(b)(11) 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 § 1-604.06(b)(11)), is amended by striking the phrase “the personnel authority is the District of Columbia Law Revision Commission” and inserting the phrase “the personnel authority is the Chairman of the Council” in its place.

Sec. 222. Section 2 of the District of Columbia Law Revision Commission Act of 1980, effective February 26, 1981 (D.C. Law 3-119; D.C. Official Code § 45-301), is amended as follows:

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

“(a) There is established as an advisory body to the Council of the District of Columbia the District of Columbia Law Revision Commission (“Commission”), which shall be composed of 9 members, as follows:

“(1) Four members appointed by the Council of the District of Columbia;

“(2) Two members appointed by the Mayor of the District of Columbia;

“(3) Two members appointed by Joint Committee on Judicial Administration in the District of Columbia; and

“(4) The Attorney General of the District of Columbia, or his or her designee.”.

(b) Subsection (b) is repealed.

(c) Subsection (c) is amended by striking the phrase “Except as provided in subsection (d) of this section, no” and inserting the phrase “No” in its place.

(d) Subsection (d) is repealed.

(e) Subsection (h) is amended to read as follows:

“(h) Each member of the Commission shall serve without compensation; provided, that each member may be reimbursed for actual expenses pursuant to section 1108 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 § 1-611.08).”.

(f) Subsection (j) is repealed.

### **PART 4. BOARD OF REVIEW FOR ANTI-DEFICIENCY VIOLATIONS**

Sec. 231. Section 47-355.07 of the District of Columbia Official Code is amended to read as follows:

“Sec. 47-355.07. Board of Review for Anti-Deficiency Violations.

“(a) The Board of Review for Anti-Deficiency Violations (“Review Board”) is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency, as provided in section 301(13) 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)).

“(b) The Review Board shall:

“(1) Advise and make recommendations to the Mayor, Council, Chief Financial Officer, and Inspector General on issues relative to anti-deficiency law violations in the District of Columbia; and

“(2) Convene within 30 days of learning of an alleged violation of § 47-355.02 to determine whether a violation occurred.

“(c)(1) The Review Board shall be comprised of 5 members of the District of Columbia government appointed as follows:

“(A) Two representatives who serve at the pleasure of the Chief Financial Officer, one of whom shall be appointed by the Chief Financial Officer to serve as Chairperson of the Review Board;

“(B) One representative who serves at the pleasure of the Mayor;

“(C) One representative of the Council, who shall be an employee of the Council and shall be appointed by the Chairman of the Council; and

“(D) One representative who serves at the pleasure of the Inspector General.

“(2) Members shall be appointed to a term of 3 years. Each member may serve beyond the end of their term until reappointed or replaced by the appropriate appointing authority.

“(3) Members shall serve without compensation; provided, that a member may be reimbursed for expenses incurred in the authorized execution of official duties of the Review Board if those expenses are approved in advance by the Chief Financial Officer.

“(d) If the Review Board determines that a violation of § 47-355.02 has occurred, it shall:

“(1) Assess the responsibility of culpable employees;

“(2) Except as provided in subsection (e) of this section, recommend an appropriate disciplinary action; and

“(3) Present a report to the Council within 30 days of the determination of a violation that includes all relevant facts, including:

“(A) The violation;

“(B) The name and title of the employees who were responsible for the violation;

“(C) Any justification; and

“(D) A statement of the action taken or proposed to be taken.

“(e)(1) A finding by the Review Board that a violation of § 47-355.02 has occurred shall not be a prerequisite for adverse personnel action under § 47-355.06.

“(2) In recommending appropriate disciplinary action under subsection (d) of this section, the Review Board may make a recommendation that no action be taken where it finds justification for the violation. Justification may include overspending as a result of court orders, entitlements, or explicit authorization in an appropriations act.

“(f) The Review Board is authorized to establish subcommittees as needed. A subcommittee may include District government employees who are not members of the Review Board; provided, that each subcommittee is chaired by a member of the Review Board.

“(g) The Review Board may establish its own bylaws and rules of procedure, subject to the approval of the Chief Financial Officer or his or her designee.

“(h) The Office of the Chief Financial Officer shall provide administrative and staff support to the Review Board.”.

#### **PART 5. COMMISSION ON THE ARTS AND HUMANITIES**

Sec. 232. Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), is amended as follows:

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

(1) Paragraph 31 is amended by striking the period and inserting the phrase “; and” in its place.

(2) A new paragraph (32) is added to read as follows:

“(32) Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203).”.

(b) Subsection (f)(11) is repealed.

#### **SUBTITLE B. COMPENSATION FOR SERVICE ON CERTAIN BOARDS AND COMMISSIONS**

Sec. 241. Section 1108 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 § 1-611.08), is amended as follows:

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

“(a-1) Except as provided in subsection (a) of this section, members of boards and commissions shall not be compensated for time expended in the performance of official duties except as authorized by subsections (b), (c), (c-1), (c-2), and (c-3) of this section.”.

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

“(c) Members of the following boards and commissions shall be entitled to compensation in the form of a salary as currently authorized by law:

“(1) Public Service Commission;

“(2) Contract Appeals Board;

“(3) Rental Housing Commission;

“(4) The Chairperson of the District of Columbia Taxicab Commission;

“(5) District of Columbia Board of Ethics and Government Accountability; and

“(6) Full-time members of the Real Property Tax Appeals Commission.”.

**ENROLLED ORIGINAL**

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

“(c-1) Members of the following boards and commissions shall be entitled to compensation in the form of an hourly rate of pay as follows:

“(1) Board of Zoning Adjustment members shall be entitled to compensation at the hourly rate of \$25 for time spent in performance of duties at meetings, not to exceed \$12,000 for each board member per year;

“(2) Office of Employee Appeals members shall be entitled to compensation at the hourly rate of \$25 for time spent in performance of duties at meetings, not to exceed \$3,000 for each member per year;

“(3) District of Columbia Retirement Board Members shall be entitled to compensation as provided in section 121(c) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711(c));

“(4) Police and Firefighters Retirement and Relief Board members shall be entitled to compensation at the hourly rate of \$25 for time spent in performance of duties at meetings, not to exceed \$8,000 for each board member per year;

“(5) Public Employee Relations Board members shall be entitled to compensation at the hourly rate of \$25 for time spent in performance of duties at meetings , not to exceed \$3,000 for each board member per year;

“(6) Zoning Commission members shall be entitled to compensation at the hourly rate of \$25 for time spent in performance of duties at meetings, not to exceed \$12,000 for each commission member per year;

“(7) Historic Preservation Review Board members shall be entitled to compensation at the hourly rate of \$25 for time spent in performance of duties at meetings, not to exceed \$3,000 for each board member per year;

“(8) Alcoholic Beverage Control Board members shall be entitled to compensation at the hourly rate of \$40 for time spent in performance of duties at meetings, not to exceed \$18,000 for each board member per year;

“(9) Part-time members of the Real Property Tax Appeals Commission shall be entitled to compensation at the hourly rate of \$50 for time spent in performance of duties at meetings;

“(10) District of Columbia Board of Elections members shall be entitled to compensation at the hourly rate of \$40 while actually in the service of the board, not to exceed the \$12,500 for each member per year and \$26,500 for the Chairman per year.

“(c-2) Members of the following boards and commissions shall be entitled to compensation in the form of stipend as follows:

“(1) Each Commissioner, other than the ex officio Commissioner and the Chairperson, of the Board of Commissioners of the District of Columbia Housing Authority shall be entitled to a stipend of \$3,000 per year for their service on the board; the Chairperson shall be entitled to a stipend of \$5,000 per year. Each Commissioner also shall be entitled to reimbursement of actual travel and other expenses reasonably related to attendance at board meetings and fulfillment of official duties. Stipends and reimbursements shall be made at least quarterly;

“(2) Each member of the Education Licensure Commission shall be entitled to a stipend of \$4,000 per year for their service on the commission. Each member also shall be entitled to reimbursement of actual travel and other expenses reasonably related to the performance of the duties of the commission while away from their homes or regular places of business; and

“(3)(A) Public and industry members of the District of Columbia Taxicab Commission shall be entitled to compensation of \$25 per meeting or work session, not to exceed \$1,350 for each public or industry member per year.

“(B) Total compensation for all Commission members shall not exceed \$10,800, for all meetings and work sessions.

“(c-3) Chairpersons of the boards and commissions specified in subsections (c-1) and (c-2) of this section who are public members shall be entitled to an additional compensation of 20% above the annual maximum.”.

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

“(d) Members of boards and commissions shall not be entitled to reimbursement for expenses unless specifically authorized by law; except, that transportation, parking, or mileage expenses incurred in the performance of official duties may be reimbursed, not to exceed \$15 per meeting or currently authorized amounts, whichever is less.”.

#### SUBTITLE C. ABOLISHMENT OF CERTAIN BOARDS AND COMMISSIONS

Sec. 251. The Emerging Technology Opportunity Development Task Force Act of 2006, effective March 2, 2007 (D.C. Law 16-190; D.C. Official Code § 2-1221.31 *et seq.*), is repealed.

Sec. 252. The Litter and Solid Waste Act of 1985, effective February 21, 1986 (D.C. Law 6-84; D.C. Official Code § 3-1001 *et seq.*), is repealed.

Sec. 253. Section 101 of the Enhanced Professional Security Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-187; D.C. Official Code § 5-129.21), is repealed.

Sec. 254. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2(2) (D.C. Official Code § 6-201(2)) is repealed.

(b) Section 12 (D.C. Official Code § 6-211) is amended as follows:

(1) Subsection (b)(1) is amended by striking the phrase “Advisory Committee” and inserting the phrase “Executive Director” in its place.

(2) Subsection (c) is amended by striking the phrase “Advisory Committee” and inserting the phrase “Executive Director” in its place.

(3) Subsection (s) is amended to read as follows:

“(s) Commissioners shall be entitled to compensation as provided in section 1108 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 § 1-611.08).”.

(c) Section 13 (D.C. Official Code § 6-212) is repealed.

**ENROLLED ORIGINAL**

Sec. 255. The Tobacco Settlement Trust Fund Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 7-1811.01 *et seq.*), is amended as follows:

(a) Section 2302(b) (D.C. Official Code § 7-1811.01(b)) is amended by striking the phrase “Board of Trustees of the Tobacco Settlement Trust Fund established under section 2302a” and inserting the phrase “Office of the Chief Financial Officer” in its place.

(b) Section 2302a (D.C. Official Code § 7-1811.02) is repealed.

Sec. 256. Section 15 of the Choice in Drug Treatment Act of 2000, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3014), is repealed.

Sec. 257. Section 7 of the District of Columbia Soil and Water Conservation Act of 1982, effective September 14, 1982 (D.C. Law 4-143; D.C. Official Code § 8-1706), is repealed.

Sec. 258. The Make a Difference Selection Committee Establishment Act of 1998, effective April 30, 1998 (D.C. Law 12-98; D.C. Official Code § 9-1215.01 *et seq.*), is repealed.

Sec. 259. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*), is amended as follows:

(a) Section 4(d) (D.C. Official Code § 10-303(d)) is amended by striking the phrase “with recommendations from the Recreation Assistance Board established by section 7”.

(b) Section 7 (D.C. Official Code § 10-306) is repealed.

Sec. 260. Section 501 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-4251), is repealed.

Sec. 261. Section 802 of the Securities Act of 2000, effective October 26, 2000 (D.C. Law 13-203; D.C. Official Code § 31-5608.02), is repealed.

Sec. 262. The Cable Television Communications Act of 1981, effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code § 34-1251.01 *et seq.*), is amended as follows:

(a) Section 103(1) (D.C. Official Code § 34-1251.03(1)) is amended repealed.

(b) Section 202(17) (D.C. Official Code § 34-1252.02(17)) is repealed.

(c) Section 301 (D.C. Official Code § 34-1253.01) is repealed.

Sec. 263. The District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Official Code § 38-1208.01 *et seq.*), is amended as follows:

(a) Section 801(1) (D.C. Official Code § 38-1208.01(1)) is repealed.

(b) Section 803 (D.C. Official Code § 38-1208.03) is repealed.

**ENROLLED ORIGINAL**

(c) Section 804 (D.C. Official Code § 38-1208.04) is repealed.

Sec. 264. The School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2973.01 *et seq.*), is amended as follows:

- (a) Section 201 (D.C. Official Code § 38-2973.01) is repealed.
- (b) Section 202 (D.C. Official Code § 38-2973.02) is repealed.

Sec. 265. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq.*), is amended as follows:

- (a) Section 9 (D.C. Official Code § 39-109) is repealed.
- (b) Section 10 (D.C. Official Code § 39-110) is repealed.
- (c) Section 11 (D.C. Official Code § 39-111) is repealed.

Sec. 266. The Office of the Chief Tenant Advocate Establishment Act of 2005, effective October 20, 2005 (D.C. Law 16-33, D.C. Official Code § 42-3531.01 *et seq.*), is amended as follows:

- (a) Section 2064(3) (D.C. Official Code § 42-3531.04(3)) is repealed.
- (b) Section 2068 (D.C. Official Code § 42-3531.08) is repealed.

Sec. 267. Chapter 45 of Title 47 of the District of Columbia Official Code is amended as follows:

- (a) Section 47-4501(3) is repealed.
- (b) Section 47-4504 is repealed.
- (c) Section 47-4512(b)(1) is amended by striking the phrase “and the Advisory Board”.

Sec. 268. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 954; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

- (a) Section 1(10) (D.C. Official Code § 51-101(10)) is repealed.
- (b) Section 3 (D.C. Official Code § 51-103) is amended as follows:
  - (1) Subsection (d) is amended by striking the phrase “in accordance with such regulations as the Board may prescribe”.
  - (2) Subsection (h) is amended as follows:
    - (A) Paragraph (1)(F) is amended by striking the phrase “, in accordance with such regulations as the Board may prescribe,”.
    - (B) Paragraph (4) is amended by striking the word “Board” and inserting the word “Director” in its place.
- (c) Section 7 (D.C. Official Code § 51-107) is amended as follows:
  - (1) Subsection (a) is amended by striking the phrase “, in accordance with such regulations as the Board may prescribe”.
  - (2) Subsection (c)(2) is amended by striking the phrase “, under regulations prescribed by the Board,”.

(3) Subsection (g) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase “as provided in the regulations of the Board.”.

(B) Paragraph (6)(A) is amended by striking the phrase “as provided in the regulations of the Board”.

(d) Section 9 (D.C. Official Code § 51-109) is amended by striking the phrase “in accordance with such regulations as the Board may prescribe”.

(e) Section 10 (D.C. Official Code § 51-110) is amended as follows:

(1) Subsection (b)(3) is repealed.

(2) Subsection (e) is amended by striking the phrase “under regulations prescribed by the Board”.

(f) Section 15 (D.C. Official Code § 51-115) is repealed.

Sec. 269. 17 DCMR § 2411 through 17 DCMR § 2422 are repealed.

**TITLE III -- TECHNICAL, CONFORMING, AND OTHER AMENDMENTS**

**SUBTITLE A. DEPARTMENT OF PARKS AND RECREATION NAME CLARIFICATION**

Sec. 301. An Act To vest in the Commissioners of the District of Columbia control of street parking in said District, approved July 1, 1898 (30 Stat. 570; codified in scattered cites in the D.C. Official Code), is amended as follows:

(a) Section 6a (D.C. Official Code § 10-137.01) is amended by striking the phrase “Department of Recreation and Parks” in the title and inserting the phrase “Department of Parks and Recreation” in its place.

(b) A new section 8 is added to read as follows:

“Sec. 8. Name change to Department of Recreation and Parks.

“The Department of Recreation and Parks, established by Organization Order No. 10, approved June 27, 1968, shall be renamed the Department of Parks and Recreation.”.

Sec. 302. Section 2 of the Division of Park Services Act of 1988, effective March 16, 1989 (D.C. Law 7-209; D.C. Official Code § 10-166), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “Department of Recreation” and inserting the phrase “Department of Parks and Recreation” in its place.

(b) Subsection (c) is amended by striking the phrase “Department of Recreation” and inserting the phrase “Department of Parks and Recreation” in its place.

(c) Subsection (f) is amended by striking the phrase “Department of Recreation and Parks” and inserting the phrase “Department of Parks and Recreation” in its place.

Sec. 303. Section 4a of Article II of An Act to create a Recreation Board for the District of Columbia, to define its duties and for other purposes, effective May 16, 1995 (D.C. Law 10-255; D.C. Official Code § 10-213.01), is amended by striking the phrase “Department of

Recreation and Parks” and inserting the phrase “Department of Parks and Recreation” in its place.

Sec. 304. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 10-302) is amended by striking the phrase “Department of Recreation and Parks” in the section heading and inserting the phrase “Department of Parks and Recreation” in its place.

(b) Section 7(a)(7) (D.C. Official Code § 10-306(a)(7)) is amended by striking the phrase “Department of Recreation and Parks” and inserting the phrase “Department of Parks and Recreation” in its place.

#### SUBTITLE B. CONFORMING AMENDMENTS

Sec. 311. Section 2(f)(45) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(45)), is repealed.

Sec. 312. Section 103(b)(ii)(V)(ee) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.03(b)(ii)(V)(ee)), is amended by striking the phrase “in conjunction with the Environmental Planning Commission”.

Sec. 313. The District of Columbia Solid Waste Management and Multi-Material Recycling Act of 1988, effective March 16, 1989 (D.C. Law 7-226; D.C. Official Code § 8-1001 *et seq.*), is amended as follows:

(a) Section 5(c) (D.C. Official Code § 8-1004(c)) is amended by striking the phrase “the Environmental Planning Commission established pursuant to section 2 of the Litter and Solid Waste Act of 1985, effective February 21, 1986 (D.C. Law 6-84; D.C. Official Code § 3-1001), and”.

(b) Section 8(b)(3) (D.C. Official Code § 8-1008(b)(3)) is amended by striking the phrase “, in conjunction with the Environmental Planning Commission,”.

Sec. 314. Section 4(f) of the Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1304(f)), is amended to read as follows:

“(f) Members of the Commission shall be entitled to compensation as provided in section 1108 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 § 1-611.08).”.

Sec. 315. Section 2552 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1805.52), is amended by striking the phrase “representatives of public charter schools, and the Public School Modernization Advisory Committee” and inserting the phrase “and representatives of public charter schools” in its place.

Sec. 316. Section 1104(c) of the School Based Budgeting and Accountability Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 38-2803(c)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase “schools;” and inserting the phrase “schools; and” in its place.

(b) Paragraph (5) is repealed.

Sec. 317. Section 6(c) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-305(c)), is amended by striking the phrase “pursuant to section 1108(c)(2)(K) 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 § 1-611.08(c)(2)(K))” and inserting the phrase “pursuant to section 1108(c-2)(3) of the District of Columbia Government Comprehensive Merit Personnel Act of 1974, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(3))” in its place.

#### TITLE IV – MAYOR AND ATTORNEY GENERAL TRANSITION

Sec. 401. Definitions.

For the purposes of this title, the term

(1) “Attorney General-elect” means the person who is certified as the successful candidate for the office of Attorney General by the Board of Elections following the 2014 General election held to determine the Attorney General or, for the period of time between the general election and certification, the person announced and published by the Board of Elections as the unofficial winner of the general election for Attorney General with a margin of victory of at least 2% of the votes cast.

(2) “Mayor-elect” means the person who is certified as the successful candidate for the office of Mayor by the Board of Elections following the 2014 General election held to determine the Mayor or, for the period of time between the general election and certification, the person announced and published by the Board of Elections as the unofficial winner of the general election for Mayor with a margin of victory of at least 2% of the votes cast.

Sec. 402. Purpose.

This title authorizes the Mayor to take appropriate action to assure continuity in the execution of the laws and in the conduct of the executive affairs of the District of Columbia government. The purposes of this title are to provide for the orderly transfer of the:

(1) Executive duties and responsibilities of the Executive Office of the Mayor with the expiration of the term of office of a Mayor and the assumption of those duties and responsibilities by a new Mayor; and

(2) Legal duties and responsibilities of the Attorney General with the transition from an appointed Attorney General and the assumption of those duties and responsibilities by an elected Attorney General.

Sec. 403. Transition transfers.

The Mayor, in the discharge of his duties pursuant to section 422 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; D.C. Official Code § 1-204.22), may make available to the Mayor-elect and the Attorney General-elect the following:

(1) Office space, furniture, furnishings, office machines, and supplies, at whatever place or places within the District as the Mayor shall designate, at no cost to the Mayor-elect and Attorney General-elect and his or her transition staff;

(2) Compensation for the transition staff of the Mayor-elect and Attorney General-elect at a rate that does not exceed the rate prescribed pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.1 *et seq.*); provided, that any person who receives compensation as a member of the transition staff under this section does not hold a position in, nor is considered to be an employee of, the District government.

(3) Expenses for the procurement by the Mayor-elect and Attorney General-elect of services of any expert or consultant, or organization thereof;

(4) Expenses incurred by the Mayor-elect and Attorney General-elect for printing, binding, and duplicating;

(5) Postage or mailing expenses incurred by the Mayor-elect and Attorney General-elect consistent with the Official Correspondence Regulations, effective April 7, 1977 (D.C. Law 1-118; D.C. Official Code § 2-701 *et seq.*); and

(6) Expenses for communications equipment or service.

Sec. 404. Transition costs.

Upon certification by the Chief Financial Officer that appropriated funds are available and that the reprogramming of those funds has been approved by Council, there is hereby authorized the following amounts to be made available for transition costs:

(1) Up to \$300,000 for the transition of the Mayor-elect; and

(2) Up to \$150,000 for the transition of the Attorney General-elect.

Sec. 405. Reporting requirements.

(a) The Mayor-elect and Attorney General-elect shall each file a report, to be prepared with appropriate supporting documentation, accounting for the expenditure of funds pursuant to this title.

(b) Reports prepared pursuant to subsection (a) of this section shall be submitted to the Council and Chief Financial Officer by March 31, 2015.

TITLE V – APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 501. Applicability.

This act shall apply as of February 16, 2015.

**ENROLLED ORIGINAL**

**Sec. 502. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report for the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-71), 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. 503. 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

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Mayor  
District of Columbia