

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

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To amend the Captive Insurance Company Act of 2004 to correct paragraph numbering and a cross-reference and to remove an unintended exception for the deposit of funds in the Insurance Regulatory Trust Fund; to amend Title 47 of the District of Columbia Official Code to add provisions of an amendment that were not reflected in the enrollment of the Tax Abatement Adjustment for Housing Priority Area Act of 2004, to correct a cross-reference, and to correct the name of an entity that was given a tax exemption; to amend the General Legislative Procedures Act of 1975 to clarify the usage of the words "include" and "including;" to amend the Cancer Prevention Amendment Act of 2004 to correct a typographical error; to amend section 1(c)(2) of An Act To prevent the giving of false alarms of fires in the District of Columbia to correct a cross reference; to amend the Office of Property Management Establishment Act of 1998 to correct numbering; to amend section 28-2701 of the District of Columbia Code to add District of Columbia Emancipation Day as a recognized legal public holiday; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify the designation and classification of personnel authority for staff of the Council; to amend the Rental Housing Conversion and Sales Amendment Act of 2005 to change paragraph designations to subsection designations; to repeal section 604a of the Fiscal Year 1997 Budget Support Act of 1996 to make a conforming amendment; to amend section 301 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to delete obsolete references to the Commission on Health Care Finance; to amend the Fiscal Year 2006 Budget Support Act of 2005 to correct paragraph numbering; the District of Columbia Statehood Delegation Fund Commission Establishment and Tax Check-Off Amendment Act of 2004 to correct a grammatical error; the Confirmation Act of 1978 to change references to the Citizen Complaint Review Board to the Police Complaints Board, to delete the reference to the Local Business Opportunity Commission, and to add the District of Columbia Small and Local Business Opportunity Commission to the list of boards and commissions requiring Council confirmation of members; the Department of Youth Rehabilitation Services Establishment Act of 2004 to correct paragraph numbering; the Technical Amendments Act of 2004 to correct paragraph numbering; the District of Columbia Government

Comprehensive Merit Personnel Act of 1978 to conform language to District legislative drafting style; the Omnibus Alcoholic Beverage Amendment Act of 2004 to correct paragraph and subparagraph numbering; the Legal Service Amendment Act of 2005 to correct references to Attorney General and Corporation Counsel; the Disability Compensation Effective Administration Amendment Act of 2004 to correct an error in punctuation; the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to conform the heading of a section with the text and to correct paragraph numbering; the Retirement Reform Act Amendment Act of 2004 to correct paragraph numbering; the Office of Financial Operations and Systems Reorganization Act of 2004 to conform language to District legislative drafting style and correct section and paragraph numbering; the Police Officers, Fire Fighters and Teachers Retirement Benefit Replacement Plan Act of 1998 to correct a typographical error; the Help America Vote Amendment Act of 2004 to correct paragraph and subparagraph numbering and an erroneous reference to the Federal Election Assistance Commission; the District of Columbia Campaign Finance Reform and Conflict of Interest Act of 1974 to make amendments conforming to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005; the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to correct a section reference; the District of Columbia Procurement Practices Act of 1985 to make amendments conforming to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005; the District of Columbia Government Purchase Care Program Reporting Requirements Amendment Act of 2004 to correct section numbering; the District of Columbia Administrative Procedure Act to move a definition from a substantive section to a definition section and conform language to District legislative drafting style; the Freedom of Information Amendment Act of 2004 to correct a grammatical error; the District of Columbia Administrative Procedure Act to eliminate duplicative language; the District of Columbia Codification act of 1975 to correct a typographical error and to eliminate an unused defined term; the District of Columbia Business and Economic Development Act of 1976 to make amendments conforming to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005; the Economic Development Liaison Office Establishment Act of 1998 to make amendments conforming to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005; the Office of Local Business Development Establishment Act of 1999 to make amendments conforming to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005; the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to clarify that all positions, personnel, property, records, and unexpended balances of appropriations are transferred from the Office of Local Business Development to the Department of Small and Local Business Development;

the Business Improvement Districts and Anacostia Waterfront Corporation Clarification Amendment Act of 2004 to conform language to District legislative drafting style and correct subsection numbering; section 102(12)(A)(iii) of the Omnibus Anti-Terrorism Act of 2002 to strike an unnecessary word; the Tax Increment Financing Authorization Act of 1998 to correct the description of the Ballpark TIF area; the Ballpark Omnibus Financing and Revenue Act of 2004 to clarify that the Ballpark Revenue Fund is the only fund that payments for debt service, funding of required reserves, and making any other payments on the baseball bonds shall be derived and to authorize amounts not required for any purposes under the bond financing documents to be used for other purposes as authorized by law; and section 47-2762 of the District of Columbia Official Code to reduce the amount to be collected under the Ballpark Fee to reflect the amounts to be collected under the increased utility taxes and to clarify the authority of the Chief Financial Officer to increase the ballpark fee to avoid any projected shortfall in debt service on the baseball bonds.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Technical Amendments Act of 2005".

TITLE I. TECHNICAL AMENDMENTS ACT OF 2005.

Sec. 101. Short title.

This title may be cited as the "Technical Amendments Act of 2005".

Sec. 102. The Captive Insurance Company Act of 2004, effective May 17, 2005 (D.C. Law 15-262; D.C. Official Code § 31-3931.01 *passim*), is amended as follows:

(a) Section 3(b)(2) (D.C. Official Code § 31-3931.02(b)(2)) is amended by striking the phrase "section 8" and inserting the phrase "section 9" in its place.

Amend
§ 31-3931.02

(b) Section 13(k) (D.C. Official Code § 31-3931.12(k)) is amended by striking the phrase "section 3(b-3) of the Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; to be codified at D.C. Official Code § 31-1202(b-3))" and inserting the phrase "section 3(b-1) of the Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1202(b-1))" in its place.

Amend
§ 31-3931.12

(c) Section 25 (D.C. Official Code § 31-1202) is amended to read as follows:

"Sec. 25. Section 3 of the Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1202), is amended by adding a new subsection (b-1) to read as follows:

Amend
§ 31-1202

"(b-1)(1) There is established a separate account within the Insurance Regulatory Trust Fund for the purpose of funding the expenses of the Department of Insurance, Securities, and Banking in the discharge of all of its administrative, regulatory, and marketing functions under

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the Captive Insurance Company Act of 2004, effective March 17, 2005 (D.C. Law 15-262; D.C. Official Code § 31-3931.01 *et seq.*) ("Captive Insurance Company Act"). All fees, fines, penalties, assessments, and other funds received by the Commissioner under the Captive Insurance Company Act and regulations promulgated thereunder, shall be deposited in, and credited to, the account. The Mayor shall be responsible for the deposit and expenditure of these monies as provided by law. At the end of each fiscal year, any funds in the account shall revert to the General Fund of the District of Columbia.

"(2) Captive insurance companies conducting business in the District under the Captive Insurance Company Act shall be exempt from the assessments imposed on insurers and health maintenance organizations under section 4."

Sec. 103. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-857.04 is amended as follows:

Amend
§ 47-857.04

(1) Subsection (a) is amended by striking the phrase "December 31, 2004" and inserting the phrase "September 30, 2004" in its place.

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

"(b)(1) For the purposes of this subsection, the term "downtown area" means:

"(A) The area described in section 199 of title 10 of the District of Columbia Municipal Regulations (10 DCMR § 199) and designated on the District of Columbia Generalized Land Use Policies Map; and

"(B) Eligible area #2.

"(2) If a project eligible for the real property tax abatement under this section breaks ground on or after January 1, 2005 (as certified by the project architect and the Mayor), the tax abatement may be applied, assigned, conveyed, or otherwise transferred ("transferred") by the owner of the real property or project (or by the owner's designee) and the time period at which the tax abatement commences may be delayed until the transfer and shall continue for 10 years after the date of transfer; provided, that:

"(A) The tax abatement shall be \$0.89 per rentable, or usable, residential FAR square foot of the eligible real property; provided, that if the project known as Quincy Court, located at 1117 10th Street, N.W., requests participation under § 47-857.04(b) by a letter to the Deputy Mayor for Planning and Economic Development, or his or her successor, prior to December 31, 2005, the tax abatement shall be \$0.905 per rentable, or usable, residential FAR square foot of the eligible real property;

"(B) The tax abatement may be transferred by the owner:

"(i) To reduce real property taxes imposed upon any residential project in the downtown area or eligible area #2; or

"(ii) To reduce real property taxes imposed upon any commercial project in the downtown area or eligible area #2; and

"(3) The tax abatement may be transferred within:

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"(A) Five years after receipt by the eligible project of a final certificate of occupancy is issued for the entirety of the project;

"(B) Within one year after the final certificate of occupancy is issued for the project to which the abatement is transferred."

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

"(c) The Mayor shall be deemed to have certified the groundbreaking if the Deputy Mayor for Planning and Economic Development, or his or her successor, issues a letter certifying the groundbreaking or 20 business days pass after the date of the receipt of a request for the certification by the Deputy Mayor for Planning and Economic Development, or his or her successor, from the project developer; provided, that the request includes a certification by the project architect of the groundbreaking date of the residential project and the Deputy Mayor for Planning and Economic Development, or his or her successor, does not reject the request or request further information."

(b) Section 47-857.06(d)(2) is amended as follows:

**Amend
§ 47-857.06**

(1) The undesignated text is amended by striking the phrase "there shall be allowed an abatement of \$710,000 per year of the real property tax imposed by § 47-811 on the Wax Museum project (to be allocated between the K Street Building and L Street Building as set forth in paragraph (3) of this subsection)" and inserting the phrase "there shall be allowed an abatement of \$664,000 per year of the real property tax imposed by § 47-811 on the Wax Museum project (to be allocated between the K Street Building and L Street Building as set forth in paragraph (4) of this subsection)" in its place.

(2) Subparagraph (A)(iii) is amended by striking the word "and".

(3) Subparagraph (B)(iii) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(4) A new subparagraph (C) is added to read as follows:

"(C) If the residential project known as Quincy Court, located at 1117 10th Street, N.W., requests participation under § 47-857.04(b) by a letter to the Deputy Mayor for Planning and Economic Development, or his or her successor, prior to December 31, 2005, the annual amount of the abatement of real property tax imposed by § 47-811 on the Wax Museum project (to be allocated between the K Street Building and L Street Building as set forth in paragraph (4) of this subsection) shall be \$675,000."

(c) Section 47-1065(a)(1) is amended by striking the phrase "Golden Rule Place" and inserting the name "Golden Rule Plaza" in its place.

**Amend
§ 47-1065**

Sec. 104. Section 3 of the Tax Abatement Adjustment for Housing Priority Area Act of 2004, effective April 12, 2005 (D.C. Law 15-329; 52 DCR 5831), is repealed.

Sec. 105. Section 2 of the General Legislative Procedures Act of 1975, effective September 23, 1975 (D.C. Law 1-17; D.C. Official Code § 1-301.45), is amended by adding a

**Amend
§ 1-301.45**

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new paragraph (10) to read as follows:

"(10) the words "include" and "including" mean "includes, but not limited to" and "including, but not limited to".

Sec. 106. The Cancer Prevention Amendment Act of 2004, effective April 5, 2005 (D.C. Law 15-291; 52 DCR 4572), is amended by striking the figure "15-815" both times it appears and inserting the figure "15-875" in its place.

Sec. 107. Section 5 of the Emmaus Rehabilitation Project Real Property Exemption Act of 2004, effective April 24, 2004 (D.C. Law 15-153; 51 DCR 2603), is amended to read as follows:

“Sec. 5. Effective date.

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

Sec. 108. Section 1801a(a)(9) of the Office of Property Management Establishment Act of 1998, effective March 16, 2005 (D.C. Law 15-238; D.C. Official Code § 10-1001.01(a)(9)), is amended to read as follows:

Amend
§ 10-1001.01

“(9) “Sole source certification” means a report prepared by the Officer that concludes, setting forth the reasons therefor, in accordance with rules established pursuant to section 1806h, that:

“(A) There is only one source for the required contract; and

“(B) The contract is in the best interests of the District.”.

Sec. 109. Section 28-2701 of the District of Columbia Code is amended by adding the phrase "District of Columbia Emancipation Day, April 16; " after the phrase "the third Monday in February;".

Amend
§ 28-2701

Sec. 110. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 406(b)(3)(A) (D.C. Official Code § 1-604.06(b)(3)(A)) is amended by striking the period at the end of the first sentence and inserting the following in its place: "and the employees in the Legal Services employed by the Council of the District of Columbia.".

Amend
§ 1-604.06

(b) Section 856 (D.C. Official Code § 1-608.56) is amended by adding a new subsection (d) to read as follows:

Amend
§ 1-608.56

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"(d) The disciplinary provisions of section 905 shall apply to Legal Service employees of the Council of the District of Columbia."

(c) Section 903(a) (D.C. Official Code § 1-609.03)(a) is amended as follows:

**Amend
§ 1-609.03**

(1) Paragraph (3) is amended by adding the phrase "and those in the Legal Service" after the phrase "General Counsel".

(2) Paragraph (6) is repealed.

(d) Section 1109(b)(1) (D.C. Official Code § 1-611.09(b)(1)), is amended by striking the phrase "in the amount of \$102,530 per year" and inserting the phrase "pursuant to section 403(d) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.03(d))" in its place.

**Amend
§ 1-611.09**

Sec. 111. Section 510a of the Rental Housing Conversion and Sales Amendment Act of 2005, effective July 23, 2005 (D.C. Law 16-15; 51 DCR 7168), is amended as follows:

(a) Strike the phrase "(5) The Task Force" and insert the phrase "(e) The Task Force" in its place.

(b) Strike the phrase "(6) The Task Force" and insert the phrase "(f) The Task Force" in its place.

Sec. 112. Section 604a of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Code § 10-1141.04a), is repealed.

**Amend
§ 10-1141.04a**

Sec. 113. Section 301(q)(14)(D) and (41) 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(17)(N)(iv) and (OO)), are repealed.

**Amend
§ 1-603.01**

Sec. 114. Section 1296 of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "Paragraph (27)" and inserting the phrase "Paragraph (26)" in its place.

(b) Subsection (b) is amended by striking the phrase "Paragraph (28)" and inserting the phrase "Paragraph (27)" in its place.

(c) Subsection (c) is amended by striking the phrase "A new paragraph (29) is added to read as follows: "(29)(A) A deed to residential real property" and inserting the phrase "A new paragraph (28) is added to read as follows: "(28)(A) A deed to residential real property" in its place.

Sec. 115. The District of Columbia Statehood Delegation Fund Commission Establishment and Tax Check-Off Amendment Act of 2004, effective March 16, 2004 (D.C. Law 15-226; 51 DCR 10539), is amended by striking the phrase "Use of funds" and inserting

the phrase “Use of funds.” in its place.

Sec. 116. 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:

**Amend
§ 1-523.01**

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

(1) Paragraph (5) is amended by striking the phrase “Citizen Complaint Review” and inserting the phrase “Police Complaints” in its place.

(2) Paragraph (23) is repealed.

(b) Subsection (f) is amended by adding a new paragraph (44) to read as follows:

“(44) The District of Columbia Small and Local Business Opportunity Commission, established by section 2321 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503).”.

Sec. 117. Section 201 of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; 52 DCR 2025), is amended as follows:

(a) Subsection (a) is amended by striking the number “51” and inserting the number “52” in its place.

(b) Subsection (b) is amended by striking the number “52” and inserting the number “53” in its place.

(c) Subsection (c) is amended by striking the number “53” both times it appears and inserting the number “54” in its place.

Sec. 118. Section 5 of the Technical Amendments Act of 2004, effective April 13, 2005 (D.C. Law 15-354; 52 DCR 2638), is amended as follows:

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

(1) Paragraph (3) is amended by striking the number “51” and inserting the number “52” in its place.

(2) Paragraph (4) is amended by striking the number “52” both times it appears and inserting the number “55” in its place.

(b) Subsection (c) is amended by striking the section designation “1231(3)” and inserting the section designation “1231(4)” in its place.

Sec. 119. 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:

**Amend
§ 1-604.06**

(a) Paragraph (19) is amended by striking the word “and” at the end.

(b) Paragraph (20) is amended by striking the period at the end and inserting the phrase

“; and” in its place.

Sec. 120. Section 102 of the Omnibus Alcoholic Beverage Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-187; 51 DCR 6525), is amended as follows:

(a) Subsection (a) is amended by striking the number “17” and inserting the number “21” in its place.

(b) Subsection (b) is amended by striking the section designation “1108(c)(2)(i)” and inserting the section designation “1108(c)(2)(I) in its place.

Sec. 121. Section 3012(c) of the Legal Service Amendment Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended as follows:

(a) Strike the phrase “Attorney General” and insert the phrase “Corporation Counsel” in its place.

(b) Strike the phrase “Corporation Counsel” and insert the phrase “Attorney General” in its place.

Sec. 122. Section 2(h) of the Disability Compensation Effective Administration Amendment Act of 2004, effective April 5, 2005 (D.C. Law 15-290; 52 DCR 1449), is amended by striking the phrase “decision.” and inserting the phrase “decision;” in its place.

Sec. 123. Section 2408 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 § 1-624.08), is amended as follows:

**Amend
§ 1-624.08**

(a) The heading is amended to read as follows:

“Sec. 2408. Abolishment of positions for fiscal year 2000 and subsequent fiscal years.”.

(b) Strike the phrase “each year” wherever it appears and insert the phrase “each fiscal year” in its place.

Sec. 124. Section 2(a) of the Retirement Reform Act Amendment Act of 2004, effective April 8, 2005 (D.C. Law 15-300; 52 DCR 1504), is amended by striking the section designation “(21)” and inserting the section designation “(24)” in its place.

Sec. 125. The Office of Financial Operations and Systems Reorganization Act of 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441), is amended as follows:

(a) Section 1012(b)(1) is amended by striking the word “chapter” both times it appears and inserting the word “title” in its place.

(b) Section 1013 is amended as follows:

(1) Subsection(a) is amended by striking the paragraph designation “(21)” and inserting the paragraph designation “(22)” in its place.

(2) Subsection (c) is amended by striking the striking the section designation “207a” both times it appears, and inserting the section designation “204a” in its place.

Sec. 126. Section 114(a) of the Police Officers, Fire Fighters and Teachers Retirement Benefit Replacement Plan Act of 1998, effective September 18, 1998 (D.C. Law 12-152; D.C. Official Code § 1-903.04(a)), is amended by striking the phrase “of of” and inserting the word “of” in its place.

**Amend
§ 1-903.04**

Sec. 127. Section 2 of the Help America Vote Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-218; 51 DCR 9132), is amended as follows:

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

(1) Strike the subsection designation “(a)(1)” and insert the paragraph designation “(1)” in its place.

(2) Strike the phrase “Federal Election” and insert the phrase “United States Election” in its place.

(3) Strike the phrase “Election Assistance” and insert the phrase “United States Election Assistance” in its place.

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

(1) Paragraph (1) is amended by striking the comma after “2002”.

(2) Paragraph (2) is repealed.

(3) Paragraph (5) is amended as follows:

(A) Strike the subparagraph designation “(A)(i)” and insert the subparagraph designation “(A)” in its place.

(B) Strike the sub-subparagraph designation “(ii)” and insert the subparagraph designation “(B)” in its place.

Sec. 128. Section 602(a) of the District of Columbia Campaign Finance Reform and Conflict of Interest Act of 1974, approved August 14, 1974 (88 Stat. 455; D.C. Official Code § 1-1106.02(a)), is amended by striking the phrase “the District of Columbia Local Business Opportunity Commission, established by section 4 of the Minority Contracting Act of 1976, effective March 31, 1977 (D.C. Law 1-95; D.C. Code § 1-853)” and inserting the phrase “the District of Columbia Small and Local Business Opportunity Commission, established by section 2321 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. law 16-33; 52 DCR 7503)” in its place.

**Amend
§ 1-1106.02**

Sec. 129. Section 2354 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended by striking the section designation “2352(b)” and inserting the section designation “2353(b)” in its place.

Sec. 130. The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), is amended as follows:

(a) Section 105a(c)(2) (D.C. Official Code § 2-301.05a(c)(2)) is amended as follows:

Amend
§ 2-301.05a

(1) Subparagraph (A) is amended to read as follows:

"(A) "Local business enterprise" means a business enterprise that meets the requirements of section 2331 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)."

(2) Subparagraph (B) is amended by striking the phrase "\$ 8 million" and inserting the phrase "\$ 20 million" in its place.

(3) Subparagraph (C) is amended to read as follows:

"(C) "Disadvantaged business enterprise" means a business enterprise that meets the requirements of section 2333 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)."

(b) Section 202(c)(2) (D.C. Official Code § 2-302.02(c)(2)) is amended by striking the phrase "and minority" and inserting the phrase "small, and disadvantaged" in its place.

Amend
§ 2-302.02

(c) Section 402(c)(1) (D.C. Official Code § 2-304.02(c)(1)) is amended by striking the word "Star-labeled" both times it appears and inserting the phrase "Star labeled" in its place.

Amend
§ 2-304.02

(d) Section 501(d) (D.C. Official Code § 2-305.01(d)) is amended by adding the phrase "Small and" before the phrase "Local Business Opportunity Commission".

Amend
§ 2-305.01

(e) Section 804(a)(1) (D.C. Official Code § 2-308.04(a)(1)) is amended as follows:

Amend
§ 2-308.04

(1) The lead-in language is amended by striking the period at the end and inserting a semi-colon in its place.

(2) Subparagraph (A) is amended by striking the semi-colon at the end and inserting the phrase " ; and" in its place.

(f) Section 1102 (D.C. Official Code § 2-311.02) is amended as follows:

Amend
§ 2-311.02

(1) Strike the phrase "minority business" and insert the phrase "local, small, or disadvantaged business" in its place.

(2) Strike the phrase "the Minority Contracting Act of 1976, effective March 29, 1977 (D.C. Law 1-95; D.C. Code, Sec. 1-1141 *et seq.*)" and insert the phrase "the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)" in its place.

Sec. 131. Section 2 of the District of Columbia Government Purchase Card Program Reporting Requirements Amendment Act of 2004, effective April 12, 2005 (D.C. Law 15-326;

52 DCR 1439), is amended by striking the section designation “322” wherever it appears and inserting the section designation “323” in its place.

Sec. 132. Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), is amended as follows:

Amend
§ 2-532

(a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

(1) Subsection (b) is amended by striking the second sentence.

(2) Subsection (f) is amended by adding a new paragraph (1A) to read as

follows:

“(1A) "Request" means a single demand for any number of documents made at one time to an individual public body.”

(b) Section 204 (D.C. Official Code § 2-534) is amended as follows:

Amend
§ 2-534

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

(A) Paragraph (10) is amended by striking the word “and” at the end.

(B) Paragraph (11) is amended by striking the semi-colon at the end and inserting the phrase “; and” in its place.

(2) Subsection (a-1)(e) is amended by striking the phrase “this act” and inserting the phrase “this title” in its place.

Sec. 133. Section 1222 of the Freedom of Information Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441), is amended by striking the phrase "Officer. This shall include as follows" and inserting the phrase "Officer, including" in its place.

Sec. 134. Section 301(5)(A) of the District of Columbia Administrative Procedure Act, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-551(5)(A)), is amended by striking the last sentence of the subparagraph.

Amend
§ 2-551

Sec. 135. The District of Columbia Codification act of 1975, effective October 8, 1975 (D.C. Law 1-19; D.C. Official Code § 2-601), is amended as follows:

Amend
§ 2-601

(a) The short title is amended by striking the word “act” and inserting the word “Act” in its place.

(b) Section 202(7) (D.C. Official Code § 2-601(7)) is repealed.

Sec. 136. Section 4(b)(4) of the District of Columbia Business and Economic Development Act of 1976, effective March 29, 1977 (D.C. Law 1-97; D.C. Official Code § 2-1201.03(b)(4)), is amended by striking the phrase “minority business development and minority participation” and inserting the phrase “local, small, and disadvantaged business development and participation” in its place.

Amend
§ 2-1201.03

ENROLLED ORIGINAL

Sec. 137. Section 1833(5) of the Economic Development Liaison Office Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 2-1203.02(5)), is amended by striking the phrase “Office of Local Business Opportunity Administration” and inserting the phrase “District of Columbia Small and Local Business Opportunity Commission, established by section 2321 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)” in its place.

Amend
§ 2-1203.02

Sec. 138. The Office of Local Business Development Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1205.01 *et seq.*), is repealed.

Repeal
§ 2-1205.01 -
2-1205.03

Sec. 139. The Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended by adding a new section 2315 to read as follows:

“Sec. 2315. Transfers from the Office of Local Business Development to the Department of Small and Local Business Development.

“All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Office of Local Business Development established by section 221 of the Office of Local Business Development Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1205.01.), are hereby transferred to the Department.”.

Sec. 140. Section 2 of the Business Improvement Districts and Anacostia Waterfront Corporation Clarification Amendment Act of 2004, effective March 17, 2005 (D.C. Law 15-257; 52 DCR 1161), is amended as follows:

- (a) Add the phrase “the second time it appears” before the phrase “and insert the word”.
- (b) Strike the second subsection (b) designation and insert the subsection designation “(c)” in its place.
- (c) Strike the subsection designation “(c)” and insert the subsection designation “(d)” in its place.
- (d) The newly designated subsection (c) is amended by striking the phrase “this subchapter” and inserting the phrase “this act” in its place.

Sec. 141. Section 102(12)(A)(iii) of the Omnibus Anti-Terrorism Act of 2002, effective October 17, 2002 (D.C. Law 14-194; 49 DCR 5306), is amended by striking the phrase “any device described” and inserting the phrase “any device” in its place.

Sec. 142. Section 1(c)(2) of An Act To prevent the giving of false alarms of fires in the

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District of Columbia, approved June 8, 1906 (34 Stat. 220; D.C. Official Code § 22-1319(c)(2)), is amended by striking the phrase “102(12)” and inserting the phrase “102(3)” in its place. **Amend § 22-1319**

TITLE II. BALLPARK FINANCING TECHNICAL AMENDMENTS.

Sec. 201. Short title.

This title may be cited as the "Ballpark Technical Amendments Act of 2005".

Sec. 202. Section 12a(a) of the Tax Increment Financing Authorization Act of 1998, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 2-1217.12(a)), is amended by striking the phrase "point of origin." and inserting the phrase "point of origin. The DC Ballpark TIF Area shall not include either: **Amend § 2-1217.12**

"(1) The ballpark site as defined under section 105(a)(2) of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.05(a)(2)); or

"(2) The ballpark as defined under § 47-2002.05(a)(1)(A)." in its place.

Sec. 203. The Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.01 *passim*), is amended as follows: **Amend § 10-1601.02**

(a) Section 102(c) (D.C. Official Code § 10-1601.02(c)) is amended as follows:

(1) Paragraph (8) is amended by striking the word "and".

(2) Paragraph (9) is amended by striking the phrase "this act." and inserting the phrase "this act, which debt service includes funding any required reserves on, and making any other payments related to, the bonds; and" in its place.

(3) A new paragraph (10) is added to read as follows:

"(10) Subject to the provisions of the financing documents, for such purposes as may otherwise be authorized by law."

(b) Section 103(a)(4)(E) (D.C. Official Code § 10-1601.03(a)(4)(E)) is amended by striking the phrase "of funds" and inserting the phrase "of funds constituting the principal amount of bonds" in its place. **Amend § 10-1601.03**

Sec. 204. Section 47-2762(c) of the District of Columbia Official Code is amended to read as follows: **Amend § 47-2762**

"(c) On or before December 1 of each year, the Chief Financial Officer shall certify to the Council the amount of revenue received by the District from imposition of the ballpark fee during the immediately preceding fiscal year and provide an estimate of the amount of revenue expected to be received from the ballpark fee in the then current fiscal year. If the amount estimated to be collected is less than \$14 million plus any amount necessary to replenish any reserve funds in accordance with the financing documents and to avoid any projected shortfall

in debt service on the bonds, the Chief Financial Officer shall compute the amount of the ballpark fee under the schedule set forth in subsection (b) of this section needed to provide estimated revenue in the current fiscal year equal to \$14 million plus any amount necessary to replenish any reserve funds in accordance with the financing documents and to avoid any projected shortfall in debt service on the bonds, by applying the same percentage increase to each amount of the then-current ballpark fee under the schedule set forth in subsection (b) of this section. The Chief Financial Officer shall notify the Council, the Mayor, and the feepayers of the new schedule and, upon such notice, the amount of the ballpark fee under the schedule set forth in subsection (b) of this section shall be increased as of October 1 of the current fiscal year."

TITLE III. FISCAL IMPACT STATEMENT; EFFECTIVE DATE.

Sec. 301. 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. 302. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-602.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia