

**ENROLLED ORIGINAL**

**AN ACT**

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**IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**

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To promote, on a temporary basis, the orderly transfer of executive duties and responsibilities upon the expiration of the term of office of a Mayor and the assumption of duties and responsibilities of a new Mayor, to promote the orderly transfer of the legislative duties and responsibilities upon the expiration of the term of office of the Council Chairman, and to provide \$2 million for the Council of the District of Columbia to cover additional personnel costs and fund additional central services during fiscal year 2007.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Mayor and Chairman of the Council Transition Revised Temporary Amendment Act of 2006”.

**Sec. 2. Purpose.**

This act authorizes the Mayor to take appropriate action to assure continuity in the execution of the laws and in the conduct of the legislative and executive affairs of the District of Columbia government. The purposes of this act 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) Legislative duties and responsibilities of the Chairman of the Council with the expiration of the term of office of a Chairman and the assumption of those duties and responsibilities by a new Chairman.

**Sec. 3. (a)** The Mayor, in the discharge of his or her duties pursuant to section 422 of the District of Columbia Home Rule Act, approved December 23, 1973 (87 Stat. 790; D.C. Official Code § 1-204.22), may make available to the Mayor-elect and the Chairman-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, the Chairman-elect, and the transition staff of each;

(2) Compensation for the Mayor-elect’s and Chairman-elect’s transition staffs at a rate that does not exceed the rate prescribed pursuant to the District of Columbia Government

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Comprehensive Merit Personnel Act of 1973, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.1 *et seq.*) (“Merit Personnel Act”); provided, that any person who receives compensation as a member of transition staff under this paragraph does not hold a position in, or be considered to be an employee of, the District government.

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

(4) Travel expenses or subsistence allowances, as authorized by the Mayor-elect or Chairman-elect, including rental of a governmental or hired motor vehicle at a rate not to exceed the rate authorized pursuant to the Merit Personnel Act;

(5) Expenses incurred by the Mayor-elect and Chairman-elect for printing, binding, and duplicating;

(6) Postage or mailing expenses incurred by the Mayor-elect and Chairman-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

(7) Expenses for communications equipment or service.

(b)(1) No funds authorized by this act shall be expended in connection with any obligation incurred other than by the Mayor-elect or Chairman-elect.

(2) Obligations may be incurred by the Mayor-elect or the Chairman-elect through the seventh day following the date of the inauguration of the Mayor-elect and Chairman-elect.

Sec. 4. The Mayor-elect and Chairman-elect shall each file a report to be prepared with appropriate supporting documentation accounting for the expenditure of funds pursuant to this act. These reports shall be submitted to the Mayor, Council, and Chief Financial Officer no later than March 31, 2007.

Sec. 5. Upon certification by the Chief Financial Officer that appropriated funds are available and that the reprogramming of those funds has been approved by the Council, there is hereby authorized the following amounts to be made available for transition costs:

(1) Up to \$250,000 for the transition of the Mayor-elect; and

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

Sec. 6. (a) For the purposes of this act, the term:

(1) “Chairman-elect” means the person who is certified as the successful candidate for the office of Chairman of the Council by the District of Columbia Board of Elections and Ethics (“Board of Elections and Ethics”) following the general election held to determine the Chairman, or for the period of time between the general election and certification, the person announced and published by the Board of Elections and Ethics as the unofficial winner of the general election for Chairman with a margin of victory of at least 3% of the votes cast as reflected in the D.C. General Election 2006, November 7, 2006, Summary Report, Unofficial Results posted on the Board of Elections and Ethics website at [www.dcboee.org](http://www.dcboee.org).

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(2) “Mayor-elect” means the person who is certified as the successful candidate for the office of Mayor by the Board of Elections and Ethics following the 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 and Ethics as the unofficial winner of the general election for Mayor with a margin of victory of at least 3% of the votes cast as reflected in the D.C. General Election 2006, November 7, 2006, Summary Report, Unofficial Results posted on the Board of Elections and Ethics website at [www.dcboee.org](http://www.dcboee.org).

Sec. 7. Pursuant to section 202(j)(2) and (3)(B) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (Pub. L. No. 104-8; D.C. Official Code § 47-392.02(j)(2) and (3)(B)), an amount not to exceed \$2 million may be expended from the District of Columbia 2007 Operating Cash Reserve as follows:

(1) An amount not to exceed \$1 million shall be for the Council of the District of Columbia for Council personnel and compensation costs; and

(2) An amount not to exceed \$1 million shall be for the Council of the District of Columbia for the administration of central services.

Sec. 8. Fiscal impact statement.

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

Sec. 9. Effective date.

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

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

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

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia