AN ACT

DC ACT 22-35

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 28, 2017

To amend, on an emergency basis, the Advisory Neighborhood Commissions Act of 1975 to transfer duties related to Advisory Neighborhood Commission quarterly financial reports from the District of Columbia Auditor to the Office of Advisory Neighborhood Commissions in order for one full-time equivalent employee to be transferred from the District of Columbia Auditor to the Office of Advisory Neighborhood Commissions to ensure the ability of the Office of Advisory Neighborhood Commissions to carry out new functions under the Advisory Neighborhood Commissions Omnibus Amendment Act of 2016 by April 1, 2017; and to amend the Advisory Neighborhood Commissions Omnibus Amendment Act of 2016 to make the new duties assigned to the Executive Director of the Office of Advisory Neighborhood Commissions apply when the underlying Advisory Neighborhood Commissions Omnibus Amendment Act of 2016 is fully funded.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Advisory Neighborhood Commissions Transfer Authorization Emergency Amendment Act of 2017”.

Sec. 2. The Advisory Neighborhood Commissions Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.01 et seq.), is amended as follows:

(a) Section 13(l) (D.C. Official Code § 1–309.10(l)) is amended by striking the phrase “District of Columbia Auditor” and inserting the acronym “OANC” in its place.

(b) Section 15(d)(2) (D.C. Official Code § 1-309.12(d)(2)) is amended by striking the phrase “District of Columbia Auditor” and inserting the acronym “OANC” in its place.

(c) Section 16 (D.C. Official Code § 1-309.13) is amended as follows:

(1) Subsection (g) is amended by striking the word “Auditor” and inserting the acronym “OANC” in its place.

(2) Subsection (j) is amended as follows:

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

(i) Strike the word “Auditor” wherever it appears and insert the acronym “OANC” in its place.

(ii) Strike the word “Auditor’s” and insert the acronym “OANC’s” in its place.
(B) Paragraph (2) is amended by striking the word “Auditor” wherever it appears and inserting the acronym “OANC” in its place.

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

“(1-1)(1) A Commission shall expend funds to reimburse any Commissioner who submits a complete application for reimbursement from the Commission allotment for qualifying travel or childcare expenses incurred to carry out qualifying official duties of the Commissioner in accordance with this subsection; provided, that the maximum total reimbursement that any individual Commissioner may receive under this subsection in a single calendar year shall be $500.

“(2) An application for reimbursement shall be completed using a form created by the OANC, which shall be available to individual Commissioners upon request, and which shall indicate any attachments required to demonstrate that the expense qualifies under this subsection. A Commission Treasurer shall not approve the release of Commission funds under this subsection except where the application for reimbursement meets all requirements under this subsection. To qualify for reimbursement under this subsection, a Commissioner shall submit an application within 30 days of incurring the relevant expense. Upon approving an application for reimbursement under this subsection, the Commission Treasurer shall electronically transmit the application to the OANC, which shall maintain electronic copies of all applications. The Commission Treasurer shall ensure that applications submitted under this subsection are included in quarterly financial reports of the Commission prepared pursuant to subsection (j) of this section.

“(3) For the purposes of this subsection, the term:

“(A) “Qualifying official duties” shall be limited to the following:

“(i) Attending regular and special public meetings of the Commission on which the Commissioner sits;

“(ii) Delivering official testimony on behalf of the Commission as a whole, or a committee of the Commission at an official proceeding of any agency, board, or commission within the District government that receives public testimony, or before the Council;

“(iii) Attending meetings of a Commission committee on which the Commissioner sits;

“(iv) Traveling to and from the offices of government entities in order to participate in meetings on behalf of the Commission; and

“(v) Attending training provided under this act.

“(B) “Qualifying travel or childcare expenses” shall be limited to the following, to the extent they are incurred to perform qualifying official duties under this subsection:

“(i) Expenses for public transportation provided by the Washington Metropolitan Area Transit Authority; and

“(ii) Expenses charged to the Commissioner for childcare services that comply with all licensing requirements of the Office of the State Superintendent of Education.”.
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(4) Subsection (m) is amended as follows:

(A) Paragraph (2) is amended to read as follows:

"(2) An applicant for a grant shall submit an application in writing to the Commission and to the OANC. The application shall be in the form of a template designed by the OANC, and shall contain:

"(A) A description of the proposed project for which the grant is requested;

"(B) A statement of expected public benefits;

"(C) The total cost of the proposed project, including other sources of funding, if any; and

"(D) An accounting by the grantees of the expected overhead costs the grantees will incur in carrying out the grant. No Commission shall provide a grant for which the grantee estimates that the overhead costs would exceed 15% of the entire grant amount."

(B) Paragraph (3) is amended to read as follows:

"(3) Within 60 days following the issuance of a grant, and every 90 days thereafter during the life of the grant, the grant recipient shall forward to the Commission and the OANC a statement as to the use of the funds consistent with the grant application, complete with receipts that support the expenditures. The OANC:

"(A) May prohibit all Commissions from providing a grant to any past grant recipient that used grant funds contrary to the associated grant agreement; and

"(B) Shall maintain a list, available to any Commissioner upon request, of prohibited grantees identified pursuant to subparagraph (A) of this paragraph."

(d) Section 18 (D.C. Official Code § 1-309.15) is amended to read as follows:

"Sec. 18. Office of Advisory Neighborhood Commissions; appointment of Executive Director.

"(a) There is hereby established an Office of Advisory Neighborhood Commissions to provide technical, administrative, and financial reporting assistance to the Advisory Neighborhood Commissions. Subject to appropriations beginning in Fiscal Year 2001, the OANC shall be funded by an annual budget allocation. The OANC is intended to support the efforts of Advisory Neighborhood Commissions, review Commission quarterly financial reports, and approve or disapprove the release of Commission quarterly allotments pursuant to section 16.

"(b) The OANC shall be headed by an Executive Director who shall be appointed by the Council."

Sec. 3. Section 3 of the Advisory Neighborhood Commissions Omnibus Amendment Act of 2016, enacted on February 16, 2017 (D.C. Act 21-687; 64 DCR 2162), is amended by striking the phrase "(h)(8), and (i)" and inserting the phrase "and (h)(8)" in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
March 27, 2017