

2014 SEP 25 AM 9:20

OFFICE OF THE
SECRETARY

VINCENT C. GRAY
MAYOR

SEP 25 2014

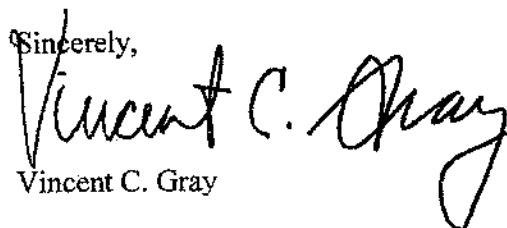
The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration by the Council are the State Rail Plan Act of 2014, State Rail Plan Temporary Act of 2014, State Rail Plan Emergency Act of 2014, and State Rail Plan Emergency Declaration Resolution of 2014. This legislation would provide to the District Department of Transportation (DDOT) the authority to develop a state rail plan for the District of Columbia, which will provide a long-term vision to accommodate current and future passenger and freight infrastructure and investment needs and will serve as a planning document to guide the future of the rail system in the District and as part of the interconnected metropolitan Washington region.

The Fiscal Year 2015 Budget Support Emergency Act of 2014 and the Fiscal Year 2015 Budget Support Act of 2014 required the Council to issue a grant in fiscal year 2015 to produce a comprehensive rail plan for the District of Columbia. However, DDOT is responsible for transportation planning in the District, and the state rail plan will integrate with other planning projects completed or underway at DDOT and other functions and activities performed by DDOT. In addition, DDOT's expertise and experience in transportation in general and rail specifically will help produce a comprehensive, refined, and integrated state rail plan. Further, the Office of the Attorney General has opined that under the Home Rule Act the Mayor, under both his general executive authority and his central planning powers, is provided authority to carry out this planning function and that the Council exceeded its legislative authority in providing grant-making authority to itself for the rail plan. Therefore, this legislation will transfer responsibility for the rail plan to DDOT.

I urge the Council to take prompt and favorable action on the enclosed legislation. As always, I am available to discuss any questions you may have.

Sincerely,

Vincent C. Gray



Chairman Phil Mendelson
at the request of the Mayor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Fiscal Year 2015 Budget Support Emergency Act of 2014 and the Fiscal Year 2015 Budget Support Act of 2014 to require the District Department of Transportation, rather than the Council, to produce a comprehensive state rail plan for the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “State Rail Plan Temporary Act of 2014”.

Sec. 2. Section 6092 of the Fiscal Year 2015 Budget Support Emergency Act of 2014, effective July 14, 2014 (D.C. Act 20-377; 61 DCR 7675), is amended to read as follows:

“Sec. 6092. In Fiscal Year 2015, subject to the availability of funds, the District Department of Transportation shall award a grant on a competitive basis or enter into a contract to produce a comprehensive state rail plan for the District, including plans to accommodate future increases in passenger, commuter, and freight rail traffic.”.

Sec. 3. Section 6092 of the Fiscal Year 2015 Budget Support Act of 2014, passed on 2nd reading on June 24, 2014 (not yet enrolled; section 6112 of the amendment in the nature of a substitute to the engrossed version of Bill 20-750), is amended to read as follows:

1 “Sec. 6092. In Fiscal Year 2015, subject to the availability of funds, the District
2 Department of Transportation shall award a grant on a competitive basis or enter into a
3 contract to produce a comprehensive state rail plan for the District, including plans to
4 accommodate future increases in passenger, commuter, and freight rail traffic.”.

5 Sec. 4. Fiscal impact statement.

6 The Council adopts the fiscal impact statement of the Chief Financial Officer as
7 the fiscal impact statement required by section 602(c)(3) of the District of Columbia
8 Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
9 206.02(c)(3)).

10 Sec. 5. Effective date.

11 (a) This act shall take effect following approval by the Mayor (or in the event of
12 veto by the Mayor, action by the Council to override the veto), a 30-day period of
13 Congressional review as provided in section 602(c)(1) of the District of Columbia Home
14 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
15 206.02(c)(1)), and publication in the District of Columbia Register.

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