

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 265
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 4, in line 7, strike the first “AND” and substitute “TO”; in line 10, after “SYSTEM” insert “AND APPROVED BY THE COMMISSION”; in line 11, after “DIRECTLY” insert “OR INDIRECTLY”; in line 16, strike “INCLUDE” and substitute “MEAN”; in line 24, strike “MEANS” and substitute “AND “METRORAIL” MEAN”; in line 28, strike “INCLUDES” and substitute “AND “METRORAIL” INCLUDE”; in lines 28 and 29, strike “METRORAIL CAPITAL” and substitute “WMATA RAIL”; and strike beginning with the comma in line 30 down through “AUTHORITY” in line 31.

AMENDMENT NO. 2

On page 5, in line 12, after “HAVE” insert “EXCLUSIVE”; in the same line, after “OVERSIGHT” insert “AUTHORITY AND”; in line 13, after “SYSTEM” insert “, INCLUDING THE POWER TO RESTRICT, SUSPEND, OR PROHIBIT RAIL SERVICE ON ALL OR PART OF THE WMATA RAIL SYSTEM AS SET FORTH IN THIS COMPACT”; in line 16, after “(V)” insert “REQUIRE,”; in the same line, after “APPROVE,” insert “OVERSEE,”; in line 17, after “PLANS” insert “DEVELOPED BY WMATA”; and in line 32, after “APPOINTED” insert “OR REAPPOINTED, INCLUDING TO FILL AN UNEXPIRED TERM, ACCORDING TO EACH SIGNATORY’S APPLICABLE LAWS,”.

AMENDMENT NO. 3

On page 6, in line 6, after “APPOINT” insert “OR REAPPOINT, INCLUDING TO FILL AN UNEXPIRED TERM, ACCORDING TO EACH SIGNATORY’S APPLICABLE LAWS,”; in line 11, strike “SHALL” and substitute “MAY”; in line 13, strike “ENGINEERING” and substitute “RELEVANT ENGINEERING DISCIPLINES”; in line 15, strike “OR APPOINTIVE”; in the same line, after “OFFICE” insert “, SERVE ON THE WMATA BOARD OF DIRECTORS, BE EMPLOYED BY WMATA, OR BE A”.

(Over)

CONTRACTOR TO WMATA"; in line 17, after "TERM" insert "AND MAY BE REAPPOINTED FOR ADDITIONAL TERMS"; in line 27, after "SPENT" insert "MEETING"; and in line 28, strike "PER DIEM".

AMENDMENT NO. 4

On page 7, in line 3, after "BOARD" insert ", OTHER THAN AS PROVIDED IN SECTION 32"; in line 21, after "DETERMINES" insert ", BUT IN NO EVENT LESS THAN QUARTERLY"; in line 26, after "TRANSACTIONS" insert "IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES"; and strike beginning with "MEETINGS" in line 29 down through the period in line 32.

AMENDMENT NO. 5

On page 8, in line 2, strike "552(A)-(C)" and substitute "552(A)-(D) AND (G)"; strike beginning with "THE" in line 6 down through the period in line 14; in line 25, strike "AND A VICE CHAIRMAN" and substitute ", VICE CHAIRMAN, SECRETARY, AND TREASURER"; in line 26, strike "A"; in the same line, strike "TERM" and substitute "TERMS"; strike beginning with "AND" in line 26 down through "TREASURER," in line 27; and in lines 31 and 32, strike "A BACKGROUND" and substitute "EXPERTISE".

AMENDMENT NO. 6

On page 9, in line 5, after "COMMISSION" insert ", BUT SHALL DEVELOP ITS OWN POLICIES IN COMPLIANCE WITH FEDERAL LAW. THE MSC SHALL, HOWEVER, CONSIDER THE LAWS OF THE SIGNATORIES IN DEVISING ITS EMPLOYMENT AND DISCHARGE POLICIES, AND WHEN IT DETERMINES IT IS PRACTICAL TO DO SO, DEVISE POLICIES CONSISTENT WITH THE LAWS OF THE SIGNATORIES"; in line 7, after "COMPENSATION," insert "BENEFITS, WORKERS' COMPENSATION,"; in line 8, after "EMPLOYEES" insert "SUBJECT TO FEDERAL LAW"; and in line 10, strike "AND RETIREMENT" and substitute ", RETIREMENT, OR WORKERS' COMPENSATION".

AMENDMENT NO. 7

On page 10, in line 4, strike "THE" and substitute "WMATA PERSONNEL AND CONTRACTORS,"; in line 6, after "DATABASES" insert ", THROUGH REASONABLE MEANS, WHICH MAY INCLUDE THE ISSUANCE OF SUBPOENAS"; in line 10, after "SYSTEM" insert ", INCLUDING PROPERTY OWNED OR OCCUPIED BY THE FEDERAL GOVERNMENT,"; strike beginning with "ISSUING" in line 19 down through "(2)" in line 20; in lines 22, 23, 25, and 27, strike "(3)", "(4)", "(5)", and "(6)", respectively, and substitute "(2)", "(3)", "(4)", and "(5)", respectively; in line 22, after "FINES" insert ", WITH FUNDS DEPOSITED INTO AN ESCROW ACCOUNT FOR USE BY WMATA ON COMMISSION-DIRECTED SAFETY MEASURES"; in line 32, after "VIOLATED" insert "OR IS ALLEGED TO HAVE VIOLATED"; strike beginning with "IN" in line 32 down through "POSITION" in line 34; and in line 34, strike "AND".

AMENDMENT NO. 8

On page 11, in line 1, after "(E)" insert "COMPEL WMATA'S OFFICE OF THE INSPECTOR GENERAL OR ANY SUCCESSOR OFFICE TO CONDUCT SAFETY-RELATED AUDITS OR INVESTIGATIONS AND TO PROVIDE ITS FINDINGS TO THE COMMISSION; AND

(F);

and in line 3, before "THE" insert "ACTION BY THE BOARD UNDER SECTION 31(C)(5) SHALL REQUIRE THE UNANIMOUS VOTE OF ALL MEMBERS PRESENT AND VOTING.".

AMENDMENT NO. 9

On page 12, in line 8, strike "§ 24 OF ARTICLE III OF".

AMENDMENT NO. 10

On page 12, in line 15, after “SYSTEM” insert “THAT SHALL INCLUDE STATUS UPDATES OF OUTSTANDING CORRECTIVE ACTION PLANS, COMMISSION DIRECTIVES, AND ONGOING INVESTIGATIONS”; and in line 18, after “COLUMBIA,” insert “THE CHAIR OF THE DISTRICT OF COLUMBIA CITY COUNCIL, THE PRESIDENT OF THE MARYLAND SENATE AND THE SPEAKER OF THE MARYLAND HOUSE OF DELEGATES, THE PRESIDENT OF THE VIRGINIA SENATE AND THE SPEAKER OF THE VIRGINIA HOUSE OF DELEGATES,”.

AMENDMENT NO. 11

On page 13, in line 16, after “FUNDS.” insert “THE COMMISSION SHALL HAVE NO AUTHORITY TO LEVY TAXES.”; in line 21, after “BORROW” insert “UP TO 5% OF ITS LAST APPROPRIATIONS BUDGET”; in the same line, after the comma insert “OR AS OTHERWISE SET FORTH IN THE APPROPRIATIONS BUDGET APPROVED BY ALL OF THE SIGNATORIES,”; in line 31, strike “, FOR EACH FISCAL PERIOD,”; in line 33, after “COMMITMENT” insert “OR OBLIGATION”; and strike beginning with “THE” in line 33 down through “REPL.)” in line 36 and substitute “CONGRESS”.

AMENDMENT NO. 12

On page 14, in line 3, strike “§§ 1-206.03(E) AND” and substitute “§”; strike beginning with “BY” in line 10 down through “AND” in line 11 and substitute “AND”; in line 14, strike “BY CONGRESS”; in line 18, strike “AS APPROVED BY CONGRESS”; and strike in their entirety lines 19 through 25, inclusive.

On page 15, in line 7, after the period insert “WMATA MAY APPEAL ANY ADVERSE ACTION ON A PETITION FOR RECONSIDERATION AS SET FORTH IN SECTION 48.”.

AMENDMENT NO. 13

On page 16, in line 24, strike "ONE YEAR" and substitute "TWO YEARS"; in line 25, strike "UNTIL"; in line 26, strike "STATE" and substitute "SIGNATORY"; and strike beginning with "IN" in line 27 down through the period in line 29.

On page 17, in line 2, after "SYSTEM" insert "IN COMPLIANCE WITH APPLICABLE FEDERAL LAW"; in the same line, strike "AND"; and strike beginning with "RETURN" in line 3 down through "OBLIGATIONS" in line 5 and substitute "HOLD SURPLUS FUNDS IN A TRUST FOR A SUCCESSOR REGULATORY ENTITY FOR FOUR YEARS AFTER THE TERMINATION OF THIS MSC COMPACT; AND

(D) A PLAN TO RETURN ANY SURPLUS FUNDS THAT REMAIN 4 YEARS AFTER THE CREATION OF THE TRUST".