

ANC 3/4G Comments on the ANC Provisions  
of the Proposed Constitution of the State  
of New Columbia

We understand that the Council is considering a resolution that would defer completion of the proposed Constitution for the State of New Columbia until after a referendum on November 8, 2016. Nevertheless, when the Mayor, the Council, or the Statehood Commission consider further revisions to the draft Constitution, we offer these comments and proposed changes that we believe will clarify the provisions that relate to Advisory Neighborhood Commissions.

As an initial matter, we agree with the approach in the draft Constitution that leaves the details of ANC operation for specification in statutes that may exist as of the effective date of the Constitution or that be enacted by the House of Delegates. Since the District of Columbia gained home rule, ANCs have provided an essential link between residents, neighborhoods, and government agencies. Thus, the Constitution should assure the continued existence of ANCs and their role in the government of New Columbia, but it should not attempt to delineate all of the ANCs' functions, duties, or responsibilities.

We recommend that the draft Constitution be modified in two respects to assure the smooth transition of ANCs to New Columbia. First, we suggest that Article I, Sec. 7, Advisory Neighborhood Commissions, be revised to clarify the distinction between a "single member district," which should each have substantially equal population for each elected Commissioner, and an "advisory neighborhood commission," which is an aggregate of single member districts that may vary in size and population. We also place great value on the cohesion of advisory neighborhood commissions that comes from respecting geographical and historic neighborhood boundaries. Thus, we suggest that paragraph a. be modified to read as follows:

- a. The House of Delegates shall by Act divide the State of New Columbia into neighborhood commission areas, considering natural geographic and historic boundaries. Each neighborhood shall be represented by an elected advisory neighborhood commission, which shall consist of individual Advisory Neighborhood Commissioners, each of whom shall be elected on a non-partisan basis from single member districts of substantially equal population. Candidates for Advisory Neighborhood Commission shall qualify for election by gathering signatures of at least twenty-five qualified voters in their single member district area.

Second, a key element of the ANCs' value is the weight that District agencies must give to an ANCs' views. The current law in the District is that an ANCs' views are entitled to "great weight" -- i.e., if an agency does not accept an ANC's recommendation, it must explain why it does not agree. We propose that the second paragraph of Article I, Sec. 7 incorporate this existing rule and be revised to read as follows:

- b. Each advisory neighborhood commission may: (1) advise the House of Delegates and the Executive Branch on matters of public policy, which advice shall be given great weight; (2) employ staff and expend public funds as authorized by the annual budget for the State of New Columbia for public purposes within its neighborhood commission area; and (3) shall have such other advisory powers and responsibilities as the House of Delegates may establish by Act.

The ANCs have proven to be an important component of the District of Columbia government that should be reflected in the Constitution of the State of New Columbia. We look forward to working with the Mayor, the Council, and the Statehood Commission to achieve the long-sought representation and autonomy that the residents of the District of Columbia deserve.

ANC 3/4G adopted these comments at its duly noticed meeting on July 11, 2016 by a vote of 7 to 0, a quorum being four. The Chair is authorized to represent the Commission with respect to these matters.

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Randy Speck, Chair

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Chanda Tuck-Garfield, Secretary